



## **DÁIL ÉIREANN**

*Dé Céadaoin, 20 Eanáir, 2010*  
*Wednesday, 20th January, 2010*

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**RIAR NA hOIBRE**  
**ORDER PAPER**



*Dé Céadaoin, 20 Eanáir, 2010*  
*Wednesday, 20th January, 2010*

10.30 a.m.

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**ORD GNÓ**  
**ORDER OF BUSINESS**

24. Ráitis maidir leis an gComhairle Eorpach, An Bhruiséil.  
Statements on European Council, Brussels.
12. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann le haghaidh Cinnidh ón gComhairle i ndáil leis an mBuainchoiste ar chomhoibriú oibríochta maidir le slándáil inmheánach a bhunú.  
Motion *re* Proposed approval by Dáil Éireann for a Council Decision on setting up the Standing Committee on operational cooperation on internal security.
25. An Bille um Pleanáil agus Forbairt (Leasú) 2009 [*Seanad*] — An Dara Céim (*atógáil*).  
Planning and Development (Amendment) Bill 2009 [*Seanad*] — Second Stage (*resumed*).

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA**  
**PRIVATE MEMBERS' BUSINESS**

80. (l) Tairiscint *maidir leis* an nGéarchéim sa Bhaincéireacht (*atógáil*).  
(a) Motion *re* Banking Crisis (*resumed*).

## I dTOSACH GNÓ PHOIBLÍ AT THE COMMENCEMENT OF PUBLIC BUSINESS

*Fógraí Tairisceana : Notices of Motions*

12. “Go gceadaíonn Dáil Éireann an Stát d’fheidhmiú an roghnaithe nó na rogha faoi Phrótacal Uimh. 21 maidir le seasamh na Ríochta Aontaithe agus na hÉireann i dtaca leis an limistéar saoirse, slándála agus ceartais, atá i gceangal leis an gConradh ar an Aontas Eorpach agus leis an gConradh ar Fheidhmiú an Aontais Eorpaigh, a bheith páirteach i nglacadh an bhirt bheartaithe seo a leanas:

togra le haghaidh Cinnidh ón gComhairle maidir leis an mBuainchoiste ar chomhoibriú oibríochta maidir le slándáil inmheánach a bhunú,

ar leagadh cóip de faoi bhráid Dháil Éireann an 14 Nollaig, 2009.

That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption of the following proposed measure:

a proposal for a Council Decision on setting up the Standing Committee on operational cooperation on internal security,

a copy of which was laid before Dáil Éireann on 14th December, 2009.”

—*An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.*

## ORDUITHE AN LAE ORDERS OF THE DAY

24. Ráitis maidir leis an gComhairle Eorpach, An Bhruiséil.  
Statements on European Council, Brussels.

25. An Bille um Pleanáil agus Forbairt (Leasú) 2009 [*Seanad*] — An Dara Céim (*atógáil*).  
Planning and Development (Amendment) Bill 2009 [*Seanad*] — Second Stage (*resumed*).

## GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

*Tairiscint (atógáil) (1 ur. 30 n. fágtha):*

*Motion (resumed) (1 hr. 30 m. remaining):*

80. “That Dáil Éireann:

- noting the unprecedented crisis in the Irish banking system, the contribution of that crisis to the present economic emergency and the on-going implications of that crisis for employment and output;
- noting the emergency measures that have already been taken to stabilise the banking system, including the blanket guarantee, the nationalisation of Anglo-Irish Bank and the re-capitalisation from the public purse of other banks;
- further noting the losses incurred by bank shareholders, taxpayers and the general public as a result of the banking crisis;

- believing it is necessary to examine in detail the nature and causes of the banking crisis, including the manner in which relevant laws, regulations, administrative systems, procedures and practices were employed and applied, identifying in particular:
  - any defects in planning, information-gathering and information-analysis on the part of public authorities;
  - any other defects in systems of regulation and oversight on the part of public authorities;
  - any systematic default on the part of regulated persons or bodies in their duty to comply with relevant regulations; and
  - any defects in relevant laws or regulations;
- believing further that it is necessary for this and other purposes that there be conferred by statute on each House of the Oireachtas and on both of them acting jointly, through committees, a power to appoint inquiries into and to commission reports upon matters relevant to the exercise of the legislative power of the State including defects in social, economic or administrative systems and systems of governance within the State, for the purpose of proposing legislation to remedy any defects so identified and to make recommendations for the better regulation and governance of the State; and
- resolves to take all necessary steps for the establishment of an inquiry by a committee of Dáil Éireann into the banking crisis, including the consideration and passing as a matter of urgency of legislation along the lines of the Committees of the Houses of the Oireachtas (Powers of Inquiry) Bill 2010.” — *Joan Burton, Eamon Gilmore, Emmet Stagg, Thomas P. Broughan, Joe Costello, Michael D. Higgins, Brendan Howlin, Ciarán Lynch, Kathleen Lynch, Liz McManus, Brian O'Shea, Jan O'Sullivan, Willie Penrose, Ruairí Quinn, Pat Rabbitte, Seán Sherlock, Róisín Shortall, Joanna Tuffy, Mary Upton, Jack Wall*

[19 January, 2010]

*Leasú (atógáil):*

*Amendment(resumed):*

1. To delete all the words after “Dáil Éireann” and substitute the following:

- “— commends the ongoing programme of actions being taken by the Government to restore banking stability and restructure the financial sector; including the recapitalisation of the two main banks which will facilitate increased access to funding for SMEs and for first-time home buyers as well as offering protections for existing homeowners in arrears;
- calls for the transfer of assets to the National Asset Management Agency (NAMA) to be expedited in order to further enhance the stability and financial soundness of the institutions concerned;
- notes the Government decision to introduce important reforms to financial regulation in Ireland which will secure confidence in the banking system through the introduction of new standards of banking regulation and corporate governance, will restore Ireland’s international reputation and will reposition the country’s regulatory system;
- commends the Government’s support for the comprehensive programme of reforms to financial regulation that are being put in place at the EU level;

- notes that essential work remains to be completed in order to bring further stability to the banking sector; including the critical ‘transfer of assets’ to NAMA, agreement on the bank’s restructuring plans and their future capital requirements and expected early progress on the consolidation of the building society sector;
- notes that significant resources are being devoted to these efforts and the officials involved continue to be fully engaged in achieving the objectives of banking stability and restructuring of the financial sector;
- notes that any inquiries that are established must also have regard to the ongoing criminal and regulatory investigations into wrongdoings at certain financial institutions;
- commends the decision of the Government:
  - to request the Governor of the Central Bank to report to him on the performance of the respective functions of the Central Bank and Financial Regulator in the period since the establishment of the Financial Regulator up to September 2008 having regard to the statutory powers, roles and responsibilities of the Central Bank and Financial Regulator;
  - to commission an independent review from a recognised expert or experts of high standing and reputation to conduct a preliminary investigation into the background to and causes of the recent crisis in Ireland’s banking system up to September 2008 to assess what lessons can be learned and to inform the future management and regulation of the sector, both in relation to individual institutions and in relation to the management of risks and stability issues within the regulatory and governmental systems
  - that these reports will consider also the international, social and macro-economic environment which provided the context for the recent crisis in the banking sector;
  - that these reports shall have regard as appropriate to the de Larosière and Turner Reports;
  - that both reports are to be initiated as soon as possible and completed urgently and no later than 31 May 2010;
  - that following completion of these reports, an independent, statutory Commission of Investigation is to be established by 30 June 2010, chaired by a recognised expert of high standing and reputation, to identify, examine and report on the causes of the systemic failures such as corporate strategy, governance and risk management in the Irish banking sector which culminated in the need for the State guarantee, the recapitalisation programme, the nationalisation and rescue recapitalisation of Anglo-Irish Bank and the establishment of NAMA in order to preserve financial stability;
  - that the terms of reference for the Commission of Investigation will be informed by the conclusions of the reports of the Governor of the Central Bank and the independent review; and
  - that the report of the Commission of Investigation would be completed within six months;
- notes that
  - an appropriate Oireachtas Committee will meet both the Governor and the independent expert(s) at the outset of their work to be briefed on the Oireachtas’ priorities for investigation;

- the two preliminary reports, when completed, would be laid before the Houses of the Oireachtas and the appropriate Oireachtas Committee will be invited to consider the findings of the reports;
- the terms of reference and draft Government Order to establish the statutory Commission of Investigation will be laid before the Oireachtas; and
- the report of the Commission of Investigation will, when completed, be laid before the Oireachtas for further consideration and action.” — *An tAire Airgeadais*.

## MEMORANDA

*Dé Céadaoin, 20 Eanáir, 2010*  
*Wednesday, 20th January, 2010*

Cruinniú den Chomhchoiste um Ghnóthaí Sóisialacha agus Teaghlaigh i Seomra Coiste 2, TL2000, ar 11 a.m.  
 Meeting of the Joint Committee on Social and Family Affairs in Committee Room 2, LH2000, at 11 a.m.

Cruinniú den Chomhchoiste um Thalmhaíocht, Iascach agus Bia i Seomra Coiste 4, TL2000, ar 11.30 a.m.  
 Meeting of the Joint Committee on Agriculture, Fisheries and Food in Committee Room 4, LH2000, at 11.30 a.m.

Cruinniú den Chomhchoiste um Shláinte agus Leanaí i Seomra Coiste 2, TL2000, ar 1.30 p.m. (*príobháideach*).  
 Meeting of the Joint Committee on Health and Children in Committee Room 2, LH2000, at 1.30 p.m. (*private*).

Cruinniú den Roghchoiste um Leasanna Comhaltaí i Seomra Coiste 1, TL2000, ar 1.50 p.m. (*príobháideach*).  
 Meeting of the Select Committee on Members' Interests in Committee Room 1, LH2000, at 1.50 p.m. (*private*).

Cruinniú den Chomhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta i Seomra Coiste 4, TL2000, ar 2 p.m.  
 Meeting of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in Committee Room 4, LH2000, at 2 p.m.

Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 3, TL2000, ar 2 p.m.  
 Meeting of the Joint Committee on Transport in Committee Room 3, LH2000, at 2 p.m.

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Cruinniú den Chomhchoiste um Athrú Aeráide agus Áirithiú Fuinnimh i Seomra Coiste 1, TL2000, ar 2.30 p.m.

Meeting of the Joint Committee on Climate Change and Energy Security in Committee Room 1, LH2000, at 2.30 p.m.

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Cruinniú den Chomhchoiste um an Leasú Bunreachta maidir le Leanaí i Seomra Coiste 2, TL2000, ar 5 p.m. (*príobháideach*).

Meeting of the Joint Committee on the Constitutional Amendment on Children in Committee Room 2, LH2000, at 5 p.m. (*private*).

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### SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA DÁLA DOCUMENTS LAID BEFORE THE DÁIL

#### *Reachtúil:*

1) An Scéim Íocaíochta um Dhócmhainneacht Pinsean 2010 (I.R. Uimh. 4 de 2010).

2) Na Rialacháin um Eitic in Oifigí Poiblí (Poist Ainmnithe i gComhlachtaí Poiblí) (Leasú) 2010 (I.R. Uimh. 5 de 2010).

3) Togra le haghaidh Cinnidh ón gComhairle maidir leis an gCreat-Chomhaontú idir an Comhphobal Eorpach agus a Bhallstáit, de pháirt, agus Poblacht na Cóiré, den pháirt eile, a shíniú thar ceann an Chomhphobail Eorpaigh agus a chur chun feidhme go sealadach mar aon le nóta faisnéise míniúcháin. COM (2009) 631.

4) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear na liostaí d'imeachtaí dócmhainneachta, d'imeachtaí foirceanta agus de leachtaitheoirí in Iarscríbhinní A, B agus C a ghabhann le Rialachán (CE) Uimh.1346/2000 maidir le himeachtaí dócmhainneachta, agus lena gcódaítear Iarscríbhinní A, B, agus C, a ghabhann leis an Rialachán sin, mar aon le nóta faisnéise míniúcháin. Doiciméad 5059/10 ón gComhairle.

#### *Statutory:*

1) Pensions Insolvency Payment Scheme 2010 (S.I. No. 4 of 2010).

2) Ethics in Public Office (Designated Positions in Public Bodies) (Amendment) Regulations 2010 (S.I. No. 5 of 2010).

3) Proposal for a Council Decision on the signing on behalf of the European Community and provisional application of the Framework Agreement between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part together with explanatory information note. COM (2009) 631.

4) Proposal for a Council Regulation amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No. 1346/2000 on insolvency proceedings and codifying Annexes A, B and C to that Regulation together with explanatory information note. Council Document 5059/10.

#### *Neamhreachtúil:*

1) An Bord Athbheithnithe Meabhair-Shláinte (An Dlí Coiriúil). Tuarascáil Bhliantúil, 2008

#### *Non-Statutory:*

1) Mental Health (Criminal Law) Review Board. Annual Report, 2008.



- 2) An tOrdú fán Acht um Údarás Iompair Bhaile Átha Cliath 2008 (Leasuithe ar an Acht um Pleanáil agus Forbairt 2000) (Tosach Feidhme) 2009 (I.R. Uimh. 574 de 2009).
- 2) Dublin Transport Authority Act 2008 (Amendments of Planning and Development Act 2000) (Commencement) Order 2009 (S.I. No. 574 of 2009).