Dé Céadaoin, 8 *Deireadh Fómhair,* 2003
Wednesday, 8*th October,* 2003

10.30 a.m.

RIAR NA hOIBRE

Order Paper

GNÓ POIBLÍ

Public Business

Tairiscintí:

Motions:

1. ''Go ndéanfar an togra go gceadaíonn Seanad Éireann, de réir Airteagal 29.4.6° de Bhunreacht na hÉireann, an Stát d'fheidhmiú an roghnaithe, dá bhforáiltear le hAirteagal 3 den cheathrú Prótacal atá leagtha amach i gConradh Amstardam, fógra a thabhairt d'Uachtarán Chomhairle an Aontais Eorpaigh gur mian leis a bheith páirteach i nglacadh agus i bhfeidhmiú an bhirt bheartaithe seo a leanas:

togra le haghaidh Rialacháin ón gComhairle (CE) i dtaobh an dlí is infheidhme maidir le hoibleagáidí neamhchonarthacha (An Róimh II),

ar beart beartaithe é ar leagadh cóip de faoi bhráid Sheanad Éireann an 6 Lúnasa, 2003, a tharchur chuig an gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan, de réir mhír (1) (Seanad) d'Orduithe Tagartha an Choiste sin, agus go ndéanfaidh an Coiste sin, tráth nach déanaí ná an 21 Deireadh Fómhair, 2003, teachtaireacht a chur chuig an Seanad ar an modh a fhorordaítear i mBuan-Ordú 67, agus go mbeidh feidhm dá réir ag Buan-Ordú 69(2).

That the proposal that Seanad Éireann approve, in accordance with Article 29.4.6° of Bunreacht na hÉireann, the exercise by the State of the option, provided by Article 3 of the fourth Protocol set out in the Treaty of Amsterdam, to notify the President of the Council of the European Union that it wishes to take part in the adoption and application of the following proposed measure:

a proposal for a Council Regulation (EC) on the law applicable to non-contractual obligations (Rome II),

copy of which proposed measure was laid before Seanad Éireann on 6th August, 2003, be referred to the Joint Committee on Justice, Equality, Defence and Women's Rights, in accordance with paragraph (1) (Seanad) of the Orders of Reference of that Committee, which, not later than 21st October, 2003, shall send a message to the Seanad in the manner prescribed in Standing Order 67, and Standing Order 69(2) shall accordingly apply.''

—*Senator Mary O'Rourke.*

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2. Ráitis maidir leis an gCoimisiún chun Drochúsáid Leanaí a Fhiosrú. (*atógáil*).
Statements on Commission to Inquire into Child Abuse. (*resumed*).

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3. An Bille um Cheartas Coiriúil (Scaoileadh Sealadach Príosúnach) 2001 [*Dáil*] — An Dara Céim.
Criminal Justice (Temporary Release of Prisoners) Bill 2001 [*Dáil*] — Second Stage.

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4. (*l*) An Bille um an Dlí Coiriúil (Gealtacht) 2002 — An Coiste.
(*a*) Criminal Law (Insanity) Bill 2002 — Committee.

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5. (*l*) An Bille um Chosaint Mháithreachais (Leasú) 2003 — An Coiste.
(*a*) Maternity Protection (Amendment) Bill 2003 — Committee.

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6. An Bille Léiriúcháin 2000 [*Dáil*] — An Dara Céim.
Interpretation Bill 2000 [*Dáil*] — Second Stage

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7. Ráitis maidir leis an leibhéal ard óil alcóil ag daoine óga. (*atógáil*).
Statements on the high level of alcohol consumption by young people. (*resumed*).

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8. Ráitis maidir le hUathachas. (*atógáil*).
Statements on Autism. (*resumed*).

Tíolactha:
Presented:

9. An Bille um Shaoráil Faisnéise (Leasú) (Uimh. 2) 2003 — Ordú don Dara Céim.
Freedom of Information (Amendment) (No. 2) Bill 2003 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Shaoráil Faisnéise 1997 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Freedom of Information Act 1997 and to provide for related matters.

—*Senator Brendan Ryan.*

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10. An Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003 — Ordú don Dara Céim.
Sea Pollution (Miscellaneous Provisions) Bill 2003 — Order for Second Stage.

Bille dá ngairtear Acht do thabhairt éifeacht don Choinbhinsiún Idirnáisiúnta ar Dhliteanas Sibhialta i leith Damáiste ó Ola-Thruailliú Buncair 2001 a rinneadh i Londain an 23 Bealtaine 2001 agus do dhéanamh socrú maidir le nithe a bhaineann le Rialachán (CE) Uimh. 44/2001 an 22 Nollaig 2000 ón gComhairle ar dhlínse agus ar aitheantas agus forghníomhú breithiúnas in ábhair shibhialta agus tráchtála a mhéid a bhaineann sé leis an gCoinbhinsiún sin, do thabhairt éifeacht do Phrótacal 2000 maidir le hUllmhacht, Freagairt agus Comhoibriú i leith Teagmhas Truaillithe ó Shubstaintí Guaiseacha agus Díobhálacha 2000 a rinneadh i Londain an 15 Márta 2000, do thabhairt éifeacht don Choinbhinsiún Idirnáisiúnta ar Chórais Dhíobhálacha Frith-Smálaithe a Rialú a rinneadh i Londain an

Bill entitled an Act to give effect to the International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 done at London on 23 May 2001 and to make provision for matters relating to Council Regulation (EC) No. 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters in so far as it relates to that Convention, to give effect to the Protocol 2000 on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances 2000 done at London on 15 March 2000, to give effect to the International Convention on the Control of Harmful Anti-Fouling Systems done at London on 5 October 2001, to give effect to Annex VI as added to the Marpol Convention by the

5 Deireadh Fómhair 2001, do thabhairt éifeacht d'Iarscríbhinn VI arna cur le Coinbhinsiún Marpol leis an bPrótacal a ghabhann leis an gCoinbhinsiún sin a rinneadh i Londain an 26 Meán Fómhair 1997, do leasú na nAchtanna um Thruailliú na Farraige 1991 go 1999, do leasú Chuid III den Acht Loingis Cheannaíochta 1992 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Protocol to that Convention done at London on 26 September 1997, to amend the Sea Pollution Acts 1991 to 1999, to amend Part III of the Merchant Shipping Act 1992 and to provide for related matters.

—*Senator Mary O'Rourke.*

Tairiscintí:
Motions:

11. "Go gceadaíonn Seanad Éireann an tOrdú seo a leanas ina dhréacht:

An tOrdú um an Acht Sláinte 1970 (Alt 76) fán *Simpson's Hospital Estate Act* (Leasú), 2003,

ar leagadh cóip de ina dhréacht faoi bhráid Sheanad Éireann an 25 Meitheamh, 2003.

That Seanad Éireann approves the following Order in draft:

The Health Act 1970 (Section 76) *Simpson's Hospital Estate Act* (Amendment) Order, 2003,

a copy of which was laid in draft before Seanad Éireann on 25th June, 2003."

—*Senator Mary O'Rourke.*

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12. "Go dtugann Seanad Éireann dá aire an Cúigiú Tuarascáil ón gComhchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha — Raidió Áitiúil: An Próiseas Ceadúnaithe — athbhreithniú ar an gcóras ceadúnaithe de réir na taithí atá ag Stáisiúin Raidió Áitiúil in Éirinn.

That Seanad Éireann takes note of the Fifth Report of the Joint Committee on Communications, Marine and Natural Resources — Local Radio: The Licencing Process — a review of the licencing system as experienced by Local Radio Stations in Ireland."

—*Senator Mary O'Rourke.*

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13. "Go gceadaíonn Seanad Éireann, de réir Airteagal 29.4.6° de Bhunreacht na hÉireann, an Stát d'fheidhmiú an roghnaithe, dá bhforáiltear le hAirteagal 3 den cheathrú Prótacal atá leagtha amach i gConradh Amstardam, fógra a thabhairt d'Uachtarán Chomhairle an Aontais Eorpaigh gur mian leis a bheith páirteach i nglacadh agus i bhfeidhmiú an bhirt bheartaithe seo a leanas:

togra le haghaidh Rialacháin ón gComhairle (CE) i dtaobh an dlí is infheidhme maidir le hoibleagáidí neamhchonarthacha (An Róimh II),

ar beart beartaithe é ar leagadh cóip de faoi bhráid Sheanad Éireann an 6 Lúnasa, 2003.

That Seanad Éireann approves, in accordance with Article 29.4.6° of Bunreacht na hÉireann, the exercise by the State of the option, provided by Article 3 of the fourth Protocol set out in the Treaty of Amsterdam, to notify the President of the Council of the European Union that it wishes to take part in the adoption and application of the following proposed measure:

a proposal for a Council Regulation (EC) on the law applicable to non-contractual obligations (Rome II),

copy of which proposed measure was laid before Seanad Éireann on 6th August, 2003."

—*Senator Mary O'Rourke.*

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14. Tairiscintí nach ón Rialtas.
Non-Government Motions.

1. "That Seanad Éireann expresses its concern at the recent dismissal of the Principal Teacher of an interdenominational Gaelscoil in Dunboyne, Co. Meath and, in order to develop a viable and comprehensive policy, calls on the Minister for Education and Science to establish immediately a Forum on Interdenominational Education, representative of the Education partners and appropriate Church Authorities; and requests the reinstatement of the Principal until such time as the Report of the Forum is considered."

—*Senators Joe O'Toole, Shane Ross, David Norris, Mary Henry.*

[9 October, 2002]

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2. "That Seanad Éireann deplores—

(*a*) the failure by the Minister for Finance to make public before the May General Election the true state of the public finances as subsequently outlined in last June's memo from the Minister for Finance to his fellow Government Ministers.

(*b*) the gross failure by the Minister for Finance in his December 2001 Budget Statement to accurately assess the now projected Budget Deficit and

(*c*) calls on the Minister for Finance to come before the Seanad for a full debate on the consequence of the current economic crisis and to introduce a Fiscal Responsibility Bill."

—*Senators Jim Higgins, Ulick Burke, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Brian Hayes, Joe McHugh, John Phelan, Sheila Terry.*

[9 October, 2002]

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3. "In view of the fact that Argentina is experiencing its worst economic crisis and, remembering how our emigrants were welcomed in Argentina during the 19th century, Seanad Éireann calls on the Minister for Justice, Equality and Law Reform to make some arrangement to allow members of the Irish-Argentine community to live and work in Ireland which they have been excluded from doing under the terms and provisions of the Irish Nationality and Citizenship Acts of 1956 and 1986."

—*Senators Joe O'Toole, David Norris, Shane Ross, Mary Henry, Feargal Quinn.*

[9 October, 2002]

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4. "That Seanad Éireann:

— recognises the crisis in the provision of insurance cover in Ireland and the consequent job losses,

— notes the report of the Motor Insurance Advisory Board (MIAB) published in April, 2002,

— expresses alarm at high insurance costs and the imposition that they impose on business, young drivers and consumers generally,

— expresses concern at the lack of competition in the insurance sector,

— notes the role of high legal costs in the high level of insurance costs,

— recognises an unacceptable level of insurance fraud in Ireland;

condemns the Government for its failure to tackle the crisis and in particular the complete inadequacy of the measures taken to date and calls on the Government to

— immediately implement the outstanding recommendations of the MIAB Report, refer the MIAB Report to an appropriate Oireachtas Committee to carry out an investigation into the findings of the MIAB and to take submissions from interested parties,

— introduce measures to facilitate greater competition in the insurance market in Ireland,

— introduce measures to reduce legal costs in Ireland, and

— introduce reforms to the system of civil litigation in Ireland.''

—*Senators Paul Coghlan, Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[10 October, 2002]

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5. ''That Seanad Éireann calls on the Government to set up a Joint Committee of the Oireachtas to investigate the activities of auctioneers.''

—*Senators Shane Ross, David Norris, Joe O'Toole, Mary Henry.*

[10 October, 2002]

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6. ''That Seanad Éireann demands that the Minister for Community, Rural and Gaeltacht Affairs, outlines to the House specific actions, if any, he is proposing to take in respect of:

(*a*) reversing the trends of rural depopulation,

(*b*) providing funding for the provision of essential services in rural Ireland,

(*c*) planning to roll out a modern communication infrastructure, and

(*d*) initiatives to increase employment, specifically cottage industry projects in areas where he has direct Ministerial responsibility.''

—*Senators Joe McHugh, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Noel Coonan, Paul Coghlan, Maurice Cummins, Frank Feighan, Michael Finucane, Brian Hayes, Jim Higgins, John Phelan, Sheila Terry.*

[16 October, 2002]

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7. ''That Seanad Éireann calls on the Minister for Justice, Equality and Law Reform:

— to explain how cutbacks in relation to training will impact on the provision of new Garda recruits;

— to outline how he proposes to increase the Garda Force by 2,000 to 14,000 by 2007 when an increasing number of Gardaí retire each year and an increasing number of senior and mid-ranking Gardaí are taking early retirement; and

P.T.O.

— to provide an option for Gardaí to defer their retirement to at least 60 years of age.''

—*Senators Sheila Terry, Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Noel Coonan, Paul Coghlan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan.*

[16 October, 2002]

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8. ''That Seanad Éireann notes the improved voter turnout at the most recent Referendum on the Nice Treaty; and calls on the Government to designate all future elections and referenda to take place on Saturday, as a day in the week which provides the electorate with the best possible opportunity to vote and thereby participate in the democratic process.''

—*Senators Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[6 November, 2002]

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9. ''That Seanad Éireann urgently desires and requests that all paramilitary organisations North and South, Orange and Green, Loyalist and Republican should forthwith disarm, disband and publicly confirm this action.''

—*Senators David Norris, Shane Ross, Joe O'Toole, Mary Henry.*

[6 November, 2002]

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10. ''That Seanad Éireann calls on the Minister for Environment and Local Government to guarantee that a minimum standard of service applies to all local authorities.''

—*Senators James Bannon, Brian Hayes, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry*.

[12 November, 2002]

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11. ''That Seanad Éireann calls on the Minister for Transport to take immediate action to:—

(a) improve the safety of the rail network,

(b) increase the physical capacity of the railway,

(c) improve the quality, speed and reliability of the rail network, and

(d) extend regional public transport bus service.''

—*Senators James Bannon, Brian Hayes, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[12 November, 2002]

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12. ''That Seanad Éireann calls on the Minister for Transport to indicate the reason the level of the roadway has not been reduced to accommodate the trucks currently using the M1 and the M50 to access the Dublin Port Tunnel.''

—*Senators Tom Morrissey, John Dardis, Kate Walsh, John Minihan.*

[12 November, 2002]

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13. "That Seanad Éireann in the light of the many positive resolutions on Tibet already passed in various fora including

— the European Parliament resolutions regarding Tibet dated October 14, 1987, March 15, 1989, September 15, 1993, May 17, 1995, July 13, 1995, April 18, 1996, May 23, 1996, May 13, 1997, January 16, 1998, May 13, 1998, July 6, 2000, April 11, 2002;

— the resolutions regarding fundamental rights violations in Tibet adopted by the German Bundestag (October 15, 1987, June 20, 1996 and April 18, 2002), adopted by the Foreign Affairs Committee of the Italian House of Representatives (April 12, 1989), by the Belgian House of Representatives (June 20, 1990), adopted by the Foreign Affairs Committee of the Irish Parliament (July 21, 1998);

— the resolution adopted on August 23, 1991 by the United Nations sub-Committee for the prevention of discrimination and protection of the rights of minorities;

— the resolutions adopted by the United States Government, by the Australian Senate and House of Representatives and by the Czech Parliament;

— the Constituent Act of the 'Association of Italian Communities, provinces and Regions' an organisation which many local organizations have joined; and

Bearing in mind

— the tragic historical events experienced since 1949 by the Tibetan people;

— the United Nations resolution n. 1353 of the year 1959, and n. 1723 of the year 1961 and n. 2079 of the year 1965; co-sponsored by Ireland,

— the 'agreement consisting of 17 points' signed in Beijing by the Tibetan authorities, which guaranteed full autonomy for Tibet and, particularly, the acknowledgement of its political system and the full respect of religious freedom; and

— the repeated attempts to give new force to the dialogue with Beijing authorities made by the Dalai Lama with the 'five point program', presented before the American Parliament in 1987, and with the 'Strasbourg proposal', presented before the European Parliament in 1988;

— the recent execution without a fair trial or legal representative of Lobsang Dhondrup in Sichuan despite protest from the E.U.;

Commends the position of the Dalai Lama and the Tibetan Government in exile as far as it concerns the realization of an autonomous government for Tibet as a moderate position encouraging dialogue and negotiations;

Shares its profound concern for the serious damage already done to the Tibetan environment, traditions, culture and the Tibetan religion, and for the deterioration of the situation regarding human rights in Tibet;

Commends the recent contacts commenced between the Chinese government and the Tibetan Government in exile;

Expresses the hope that these will become, as soon as possible, true direct negotiations between the Chinese government and the Tibetan Government in exile with the aim of defining a new statute which guarantees full autonomy for Tibet;

P.T.O.

Adopts as its own

— The European Parliament resolutions dated July 6, 2000 and April 11, 2002, and Requests the Government

— to adopt among the aforesaid European Parliament resolutions, all possible initiatives regarding the People's Republic of China, so that, by way of dialogue, conditions be created for the realization of a new statute for Tibet, which will guarantee full autonomy for the Tibetan people in all sectors of political, economic and cultural life, with the exception of foreign affairs and defence;

— to call upon the Chinese government to acknowledge and fully respect the fundamental political, social and cultural rights of religious, ethnic and other minorities, and also their cultural specificity including religious freedom;

— to aid, in accordance with the other European Union members, the dialogue between the Beijing authorities and the Dalai Lama the Tibetan Government in exile; and

— to work within the European Commission so as to designate an observer from the European Union concerning the Tibetan issue.''

—*Senators David Norris, Joe O'Toole.*

[14 November, 2002]

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14. ''That Seanad Éireann calls on the Minister for Justice, Equality and Law Reform to extend the terms of reference of the Morris Tribunal in order to include the performances of the former Minister for Justice, Equality and Law Reform, the former Attorney General, the Garda Commissioner and the State Solicitor for County Donegal in relation to their handling of alleged Garda misconduct in County Donegal.''

—*Senators Jim Higgins, Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Joe McHugh, John Phelan, Sheila Terry.*

[20 November, 2002]

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15. ''That Seanad Éireann requests the Minister for Health and Children in conjunction with the Minister for Finance to create a mechanism whereby medical research in Ireland can receive substantial support from lottery funding.''

—*Senators David Norris, Shane Ross, Feargal Quinn, Mary Henry, Joe O'Toole.*

[27 November, 2002]

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16. ''That Seanad Éireann requests the Minister for Foreign Affairs to explain the situation apparently obtaining at Shannon Airport under which (without the authority or approval of either House of the Oireachtas) American military aircraft are permitted to land and refuel in transit to the Gulf as part of the build up for military operations against Iraq, and under which circumstances Irish citizens have been detained by security personnel for taking photographs at the perimeter of the airport.''

—*Senators David Norris, Shane Ross, Mary Henry, Joe O'Toole.*

[27 November, 2002]

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17. ''That Seanad Éireann calls on the Government to end the practice of making political appointments to semi-state bodies.''

—*Senators Shane Ross, David Norris, Mary Henry, Joe O'Toole.*

[3 December, 2002]

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18. "That Seanad Éireann endorses The European Convention — Ireland's participation in Europe."

—*Senators Mary O'Rourke, Cyprian Brady, Michael Brennan, Eddie Bohan, Peter Callanan, Margaret Cox, Brendan Daly, Timmy Dooley, Geraldine Feeney, Liam Fitzgerald, Camillus Glynn, John Hanafin, Brendan Kenneally, Michael Kitt, Tony Kett, Terry Leyden, Don Lydon, Martin Mansergh, Marc MacSharry, Paschal Mooney, Pat Moylan, Francis O'Brien, Labhrás Ó Murchú, Ann Ormonde, Kieran Phelan, Eamon Scanlon, Jim Walsh, Mary White, Diarmuid Wilson.*

[17 December, 2002]

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19. "That Seanad Éireann calls on the Minister for Justice, Equality and Law Reform to investigate licensing practices of the District Court System and of the Planning Authority whereby licence applications for disreputable pubs, gambling arcades, lap dancing clubs and off licence outlets are routinely granted on a rubber stamp basis to the detriment of society in general."

—*Senators David Norris, Shane Ross, Feargal Quinn, Mary Henry.*

[17 December, 2002]

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20. "That Seanad Éireann calls on the Minister for Transport to outline the reason Irish Rail are spending hundreds of thousands of Euro per year to transport train drivers between Dublin and Longford."

—*Senators James Bannon, Brian Hayes, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[19 December 2002]

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21. "That Seanad Éireann calls upon the Minister for Foreign Affairs to come into the House to explain the situation relating to the use of Shannon Airport by American military and flight personnel."

—*Senators David Norris, Shane Ross, Joe O'Toole.*

[29 January, 2003]

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22. "That Seanad Éireann, acknowledging that responsibility for the administration and development of the game of rugby in Ireland rests with the Irish Rugby Football Union (IRFU), encourages the IRFU to continue to support the development of professional rugby in Connacht; and calls upon the Minister for Arts, Sport and Tourism to meet with the IRFU to discuss the situation."

—*Senators Mary O'Rourke, Eddie Bohan, Cyprian Brady, Michael Brennan, Peter Callanan, Margaret Cox, Brendan Daly, Timmy Dooley, Geraldine Feeney, Liam Fitzgerald, Camillus Glynn, John Hanafin, Brendan Kenneally, Tony Kett, Michael Kitt, Terry Leyden, Donal Lydon, Marc MacSharry, Martin Mansergh, Paschal Mooney, Pat Moylan, Francis O'Brien, Labhrás Ó Murchú, Ann Ormonde, Kieran Phelan, Eamon Scanlon, Jim Walsh, Mary White, Diarmuid Wilson.*

[28 January, 2003]

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23. ''That Seanad Éireann expresses its thanks and appreciation to the Information Commissioner for bringing to the attention of the Houses of the Oireachtas vital information regarding the operation of the Freedom of Information Act, 1997 and affirms his statutory entitlement to make such report.''

—*Senators Joe O'Toole, David Norris, Mary Henry.*

[13 March, 2003]

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24. ''That Seanad Éireann calls on the Taoiseach, Mr. Bertie Ahern, T.D., to clarify the Government's position concerning the war on Iraq and the use of Irish airspace and refueling facilities.''

—*Senators David Norris, Shane Ross, Mary Henry, Feargal Quinn, Joe O'Toole.*

[20 March, 2003]

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25. ''That Seanad Éireann condemns the Minister for Agriculture and Food for reducing the funding to Teagasc which has resulted in the closure of many offices around the country and undermines a valuable service to rural Ireland.''

—*Senators Frank Feighan, Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[25 March, 2003]

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26. ''That Seanad Éireann condemns the use by the invading US and UK forces in Iraq of cluster bombs and depleted uranium shells.''

—*Senators David Norris, Shane Ross, Joe O'Toole, Mary Henry, Feargal Quinn.*

[8 April, 2003]

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27. ''That Seanad Éireann calls on the United States and the United Kingdom Governments presently in occupation of the State of Iraq to honour their obligations as occupiers under the Geneva Convention and also—

(1) Allow United Nations Arms Inspectors to be invited back to complete their work of inspection and to verify any alleged discoveries of weapons of mass destruction as soon as the military situation is sufficiently stable;

(2) Provide appropriate medical aid to alleviate the suffering of the people and the protection of all medical, educational and cultural facilities and sites;

(3) Provide provision of a clean water supply; and

(4) Provide for the facilitation and protection of the international agencies in distributing humanitarian aid.''

—*Senators David Norris, Shane Ross, Joe O'Toole, Mary Henry, Feargal Quinn.*

[15 April, 2003]

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28. ''That Seanad Éireann asks the Minister for Social and Family Affairs to make the necessary arrangements to ensure that:

(1) performing artists be given a period of three years to pursue their profession during which period they would be entitled to full Social Welfare benefits;

(2) recognising the sporadic nature of performing artists work, the medical card once granted should not unreasonably be withdrawn;

(3) performing artists should be granted the same tax concessions as creative artists;

(4) while this is being adjudicated, performing artists income tax should be assessed over a three year period to allow for the fluctuation in performing artists incomes; and

(5) that special provision for social housing be provided to performing artists and that Local Authorities make special allocations for performing artists in all social housing provisions.''

—*Senators David Norris, Joe O'Toole, Feargal Quinn, Shane Ross, Mary Henry.*

[21 May, 2003]

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29. ''That Seanad Éireann

— acknowledging the work undertaken by community groups throughout the country with the assistance of the FÁS Community Employment Schemes, and the deteriorating economic climate for people who are displaced from community employment schemes who fail to gain access to other work

— recognising the deep concern of community, health and sporting organisations about the future of these schemes and the continuation of important local projects

— accepting the contribution that these schemes make to the self-esteem of the participants, and the support provided to groups involved in parish, sporting and voluntary activities

— aware of the difficulties encountered by people over 50 years of age in sourcing alternative employment calls on the Tánaiste and Minister for Enterprise, Trade and Employment

(*a*) to suspend the reduction of 5,000 places in community employment schemes at this time of economic downturn and lack of job opportunities in the open market

(*b*) to ensure that people in long-term unemployment will continue to have the opportunity to do valuable work through community employment schemes and

(*c*) to establish a new social employment scheme for the older age group who are long-term unemployed''.

—*Senators Paul Coghlan, Brian Hayes, Ulick Burke, Fergal Browne, Noel Coonan, Michael Finucane, Paddy Burke, Jim Higgins, Paul Bradford, John Paul Phelan, Frank Feighan, Sheila Terry, Joe McHugh, James Bannon, Maurice Cummins, Brendan Ryan, Kathleen O'Meara, Derek McDowell, Joanna Tuffy, Michael McCarthy.*

[28 May, 2003]

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30. "That Seanad Éireann believes that the existing expenditure limits for general elections should not be altered and that the issue of election expenditure before the date when an election is called be considered".

—*Senators James Bannon, Brian Hayes, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[12 June, 2003]

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31. That Seanad Éireann

- noting the recent critical reports on the treatment of people with mental illness by Amnesty International, the Irish Psychiatric Association and the Inspector of Mental Hospitals;

- concerned that Irish mental health policy and service provision remain out of step with international best practice and that the institutionalisation of the mental health services in Ireland has failed to live up to World Health Organisation standards;

- believing that the high admission and readmission rates to psychiatric hospitals are due in large measure to the lack of community based facilities;

- concerned at the lack of dedicated psychiatric facilities for adolescents, the lengthy waiting lists for treatment and the lack of consistency in the provision of mental health services throughout the country;

- deploring the fact that people with intellectual disability continue to be inappropriately accommodated in psychiatric facilities in violation of human rights law;

condemns the Government for

its neglect of the mental health sector and failure to vindicate the human rights of people with mental illness and for the reduction in the percentage of the health budget spent on mental health and calls on the Government to bring forward immediately a comprehensive package of measures, including appropriate finances, to provide

- a comprehensive, needs-based, service-user-led review of the mental health care services, promptly and fully implemented, ensuring that they meet international human rights standards and best practice in line with the World Health Organisation 2001 Annual Report, with an emphasis on community-based care;

- regular quality research in all areas of mental health care needs and service provision, an essential prerequisite for the development of a quality service;

- full financial provision for all areas of mental health care;

- all necessary resources and assistance for the Mental Health Commission in its securing adequate care and conditions for people with mental illness;

- effective action on all relevant recommendations made in the reports of international treaty-based committees, annual reports of the Inspector of Mental Hospitals, and government reviews and reports;

- a comprehensive system of personal advocacy and an effective complaints procedure, to ensure that people with mental illness are assisted in exercising the full range of their rights;

- specialised mental health care for all who need it, including children, the homeless,

prisoners, people with other forms of disability, travellers, asylum seekers and refugees, and other minority or vulnerable groups;

- a public education and awareness campaign to counter the stigma of mental illness, emphasizing the rights of people with mental illness;

- rights-based disability and mental health legislation to give full effect to its international human rights obligations, with due regard to its obligation to enable persons with disabilities to exercise their rights on an equal basis with other citizens.''.

—*Senators Frank Feighan, Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[18 June, 2003]

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32. ''That Seanad Éireann calls upon the Government to immediately request of the British Government that the Radiological Protection Institute of Ireland be granted observer status at the Sellafield reprocessing site in Britain to make independent reports to the Irish people on the safety or otherwise of this facility''.

—*Senators Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[26 June, 2003]

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33. ''That Seanad Éireann resolves to annul Statutory Instrument number 264 of 2003 (Freedom of Information Act 1997)(Free) Regulations 2003) with immediate effect''.

—*Senators Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[3 July, 2003]

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34. ''In view of the critical state of the nation's finances, Seanad Éireann calls on the Government to suspend the benchmarking deal with the Public Service immediately''.

—*Senators Shane Ross, David Norris, Feargal Quinn.*

[7 October, 2003]

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35. ''That Seanad Éireann expresses concern at the withdrawal of funding by the Government for third level research''.

—*Senators David Norris, Shane Ross, Mary Henry, Feargal Quinn, Joe O'Toole.*

[7 October, 2003]

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36. ''That Seanad Éireann calls on the Government to introduce legislation governing the control of the importation, licensing and keeping as pets of exotic animals''.

—*Senators David Norris,Shane Ross, Mary Henry, Joe O'Toole.*

[7 October, 2003]

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37. ''That Seanad Éireann calls on the Government to review the situation regarding declarations of interest by Chairpersons of public bodies, members of the judiciary and other public officials''.

—*Senators David Norris, Shane Ross, Mary Henry, Joe O'Toole.*

[7 October, 2003]

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38. ''That Seanad Éireann resolves that payment of the remaining phases of benchmarking be suspended pending the implementation of a serious reform package which would yield improvements in the quality of services delivered to the public commensurate with the extra cost involved.''

—*Senators Jim Higgins, Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane,, Joe McHugh, John Phelan, Sheila Terry.*

[7 October, 2003]

Leasú:
Amendment:

1. To delete all words after ''Seanad Éireann,'' and substitute the following:

''notes that:

(*a*) the benchmarking exercise under the PPF was an important initiative in developing a better system of pay determination in the public service;

(*b*) payment of the second and third phases of the increases recommended by the Public Service Benchmarking Body and of the general round increases under Sustaining Progress is conditional on the maintenance of industrial relations peace and on progress on modernisation in the public service; and

(*c*) effective verification processes have been put in place to ensure that these conditions are met.''

—*Senator Mary O'Rourke.*

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39. ''That Seanad Éireann calls on the Government to give maximum possible incentives to encourage computer games development companies to locate in Ireland.''

—*Senators Shane Ross, David Norris, Joe O'Toole, Feargal Quinn, Mary Henry.*

[7 October, 2003]

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40. ''That Seanad Éireann urges the Government to amend the Approved Share Options Scheme rules to allow the maximum number of employees to enter the scheme.''

—*Senators Shane Ross, David Norris, Joe O'Toole, Feargal Quinn, Mary Henry.*

[7 October, 2003]

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41. ''That Seanad Éireann notes:

— the 57 recommendations of the Motor Insurance Advisory Report relating to Government Departments and Agencies, and

— the 2002 consultants report on speed cameras commissioned by the National Roads Authority;

recognises:

— the initial success of the penalty points system in reducing road fatalities;

— the lack of resources available to the Gardaí to enforce our road traffic laws and implement the penalty points system once the 'hype' has died down;

— the extraordinarily high costs for insurance premiums quoted to drivers under the age of 30;

— that driver instruction is not supported or regulated by the State;

— that the Irish driving test has not been updated for 20 years is perceived as being unfair and has an unacceptable failure rate;

condemns the Government for its delay in implementing the necessary reforms to alleviate the insurance crisis facing young drivers and further condemns the Government for failing to invest adequately in road safety education and enforcement; and calls on the Government to:

— ring-fence the proceeds of the 2% levy on motor insurance for investment in road safety initiatives;

— enact the outstanding recommendations of the MIAB report;

— introduce free compulsory driving lessons for all drivers before they sit the driving test;

— implement a complete overhaul of the driving test based on making it a fair test and relevant to 21st century Irish driving conditions;

— purchase new speed camera vans as proposed in the consultants report commissioned by the National Roads Authority;

— immediately establish the Garda Traffic corps;

— abolish VRT on safety features in all new cars; and

— speed up the establishment of the PIAB and authorise it immediately to begin dealing with motor accident compensation.

—*Senators Fergal Browne, Brian Hayes, James Bannon, Paul Bradford, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Phelan, Sheila Terry.*

[7 October, 2003]

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15. An Seanad a chur ar athló.
Adjournment of the Seanad.

BILLÍ AR SIÚL AGUS GNÓ ATÁ ORDAITHE
BILLS IN PROGRESS AND BUSINESS ORDERED

Déardaoin, 9 *Deireadh Fómhair,* 2003
Thursday, 9th October, 2003

An Bille um Ola-Thruailliú na Farraige (Dliteanas Sibhialta agus Cúiteamh) (Leasú) 2003 — An Coiste.

Oil Pollution of the Sea (Civil Liability and Compensation) (Amendment) Bill — Committee.

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

An Bille um Airm Núicléacha a Imshrianadh 2000.
Containment of Nuclear Weapons Bill 2000.

An Bille um Dhumpáil ar Farraige (Leasú) 2000.
Dumping at Sea (Amendment) Bill 2000.

An Bille um Dhlí na Farraige (Píoráideacht a Chur faoi Chois) 2001.
Law of the Sea (Repression of Piracy) Bill 2001.

An Bille um Cheartas Coiriúil (Foirne Comhpháirteacha um Imscrúdú) 2003.
Criminal Justice (Joint Investigation Teams) Bill 2003.

Bille na gCuideachtaí (Iniúchadh agus Cuntasaíocht) 2003.
Companies (Auditing and Accounting) Bill 2003.

MEMORANDA

Dé Céadaoin, 8 Deireadh Fómhair, 2003
Wednesday, 8*th October,* 2003

Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 1, LH 2000, ar 9.30 a.m.
Meeting of the Joint Committee on Transport in Committee Room 1, LH 2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 2, LH 2000, ar 9.30 a.m.
Meeting of the Joint Committee on Justice, Equality, Defence and Women's Rights, in Committee Room 2, LH 2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha, Fhochoiste um Chomhar Forbartha i Seomra Coiste 1, LH 2000, ar 2 p.m.
Meeting of the Joint Committee on Foreign Affairs, Sub-Committee on Development Co-Operation in Committee Room 1, LH 2000, at 2 p.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eorpacha i Seomra Coiste 3, LH 2000 ar 2 p.m.
Meeting of the Joint Committee on European Affairs in Committee Room 3, LH 2000, at 2 p.m.

Cruinniú den Chomhchoiste um Thalmhaíocht agus Bia i Seomra Coiste 4, LH 2000, ar 3 p.m.
Meeting of the Joint Committee on Agriculture and Food in Committee Room 4, LH 2000, at 3 p.m.

Cruinniú den Choiste um Nós Imeachta agus Pribhléidí i Seomra 102, Dorchla an tSeanaid, Teach Laighean, ar 4 p.m.
Meeting of the Committee on Procedure and Privileges in Room 102, Seanad Corridor, Leinster House, at 4 p.m.

Déardaoin, 9 *Deireadh Fómhair,* 2003
Thursday, 9th October, 2003

Cruinniú den Chomhchoiste um Oideachas agus Eolaíocht i Seomra Coiste 2, LH 2000, ar 11.30 a.m.
Meeting of the Joint Committee on Education and Science in Committee Room 2, LH 2000, at 11.30 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha i Seomra Coiste 2, LH 2000 ar 4.30 p.m.
Meeting of the Joint Committee on Foreign Affairs in Committee Room 2, LH 2000 at 4.30 p.m.

PÁIPÉIR A LEAGADH FAOI BHRÁID AN tSEANAID
Papers laid before the Seanad

Reachtúil:

1) An Fochoiste um Iniúchadh Eorpach. An Fichiú Tuarascáil ar Thaighde Suthanna CE — Togra le haghaidh cinnidh. (2 Deireadh Fómhair, 2003).

2) Na Rialacháin Leasa Shóisialaigh (Forálacha Íocaíochtaí Comhdhlúite) (Leasú) (Uimh. 6) (Méadú i leith Linbh Cháilithe) 2003 (I.R. Uimh. 453 de 2003).

3) Togra le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle maidir le longa lasta agus paisinéirí a aistriú idir cláir laistigh den Chomhphobal mar aon le nóta faisnéise míniúcháin. COM (2003) 478.

4) Comhsheasamh ón gComhairle 2003/666/CFSP an 22 Meán Fómhair, 2003 lena leasaítear Comhsheasamh 2001/357/CFSP maidir le bearta sriantacha in aghaidh na Libéire mar aon le nóta faisnéise míniúcháin.

Statutory:

1) Sub-Committee on European Scrutiny. Twentieth Report on EU Embryo Research — Proposal for decision. (2 October, 2003).

2) Social Welfare (Consolidated Payments Provisions) (Amendment) (No. 6) (Qualified Child Increase) Regulations 2003 (S.I. No. 453 of 2003).

3) Proposal for a Regulation of the European Parliament and of the Council on the transfer of cargo and passenger ships between registers within the Community together with explanatory information note. COM (2003) 478.

4) Council Common Position 2003/666/CFSP of 22 September, 2003 amending Common Position 2001/357/CFSP concerning restrictive measures against Liberia together with explanatory information note.

5) Togra le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Rialachán (CEE) Uimh. 2913/92 ón gComhairle lena mbunaítear Cód Custam an Chomhphobail mar aon le nóta faisnéise míniúcháin. COM (2003) 452.

5) Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No. 2913/92 establishing the Community Customs Code together with explanatory information note. COM (2003) 452.

6) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear Rialachán (CE) Uimh. 850/98 maidir le sceireacha coiréil domhainuisce a chosaint ar iarsmaí na tráiléireachta i limistéar siar ó thuaidh ó Albain mar aon le nóta faisnéise míniúcháin. COM (2003) 519.

6) Proposal for a Council Regulation amending Regulation (EC) No. 850/98 as regards the protection of deep-water coral reefs from the effects of trawling in an area north west of Scotland together with explanatory information note. COM (2003) 519.

7) Togra le haghaidh Rialacháin ón gComhairle maidir le córas tráchta teorann áitiúil a bhunú ag teorainneacha talún seachtracha na mBallstát [agus] Togra le haghaidh Rialacháin ón gComhairle maidir le córas tráchta teorann áitiúil a bhunú ag an teorainn talún sheachtrach shealadach idir Ballstáit mar aon le nóta faisnéise míniúcháin. COM (2003) 502.

7) Proposal for a Council Regulation on the establishment of a regime of local border traffic at the external land borders of the Member States [and] Proposal for a Council Regulation on the establishment of a regime of local border traffic at the temporary external land border between Member States together with explanatory information note. COM (2003) 502.

8) An tÚdarás um Ard-Oideachas. Cuntais Bhliantúla, 2001.

8) Higher Education Authority. Annual Accounts, 2001.

9) An Comchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta. Tuarascáil ar Éifeachtacht Clubanna Óige sa Phobal Áitiúil. (Meán Fómhair, 2003).

9) Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs. Report on Effectiveness of Youth Clubs in the Local Community. (September, 2003).

10) An tOrdú um an Acht Leasa Shóisialaigh (Forálacha Ilghnéitheacha) 2002 (Alt 16) (Uimh. 3) (Tosach Feidhme) 2003 (I.R. Uimh. 455 de 2003).

10) Social Welfare (Miscellaneous Provisions) Act 2002 (Section 16) (No. 3) (Commencement) Order 2003 (S.I. No. 455 of 2003).

11) Na Rialacháin Leasa Shóisialaigh (Liúntas Leasa Forlíontach Comhdhlúite) (Leasú) (Uimh. 2) 2003 (I.R. Uimh. 454 de 2003).

11) Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 2003 (S.I. No. 454 of 2003).

12) Na Rialacháin Leasa Shóisialaigh (An Scéim Díolúine Árachais Shóisialaigh Pá-Choibhneasa d'Fhostóirí) 2003 (I.R. Uimh. 452 de 2003).

12) Social Welfare (Employers' Pay-Related Social Insurance Exemption Scheme) Regulations 2003 (S.I. No. 452 of 2003).

Neamhreachtúil:

An tOrdú um an *Registration of Births and Deaths (Ireland) Act* 1863 (Alt 17 agus Alt 18) (An Sciobairín) 2003 (I.R. Uimh. 436 de 2000).

Non Statutory:

Registration of Births and Deaths (Ireland) Act 1863 (Section 17 and Section 18) (Skibbereen) Order 2003 (S.I. No. 436 of 2000).

Wt. 509. 351. 10/03. Cahill. (X45029). Gr. 30-15.