Dé Céadaoin, 24 *Samhain,* 2004
Wednesday, 24*th November,* 2004

10.30 a.m.

RIAR NA hOIBRE
Order Paper

GNÓ POIBLÍ
Public Business

Tairiscint:
Motion:

1. ''Go ndéanfar an togra go mbeartaíonn Seanad Éireann go leanfaidh ailt 2, 3, 4, 5 agus 6 den Acht um Cheartas Coiriúil (Gáinneáil ar Dhrugaí), 1996 (Uimh. 29 de 1996), i ngníomh ar feadh na tréimhse dar críoch an 31 Nollaig, 2006, 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 30 Samhain, 2004, 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 resolves that sections 2, 3, 4, 5 and 6 of the Criminal Justice (Drug Trafficking) Act 1996 (No. 29 of 1996), shall continue in operation for the period ending on 31st December, 2006 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 30th November, 2004, 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. An Bille um Fháltais ó Choireacht (Leasú), 1999 [*Dáil*] — An Dara Céim.
Proceeds of Crime (Amendment) Bill, 1999 [*Dáil*] — Second Stage

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3. Ráitis faoi Leabhar na Meastachán 2005.
Statements on the Book of Estimates 2005.

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4. (*l*) An Bille um Ghairmithe Sláinte agus Cúraim Shóisialaigh 2004 — An Coiste. (*alt 9, atógáil*).
(*a*) Health and Social Care Professionals Bill 2004 — Committee (*section 9, resumed).*

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5. An Bille um Chleachtadh Tréidliachta 2004 — An Coiste.
Veterinary Practice Bill 2004 — Committee.

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6. **(***l*) An Bille um Shábháilteacht Mhuirí 2004 — An Coiste.
(a) Maritime Safety Bill 2004 — Committee.

P.T.O.

7. (*l*) An Bille um an Dlí Coiriúil (Gealtacht) 2002 — An Tuarascáil.
(*a*) Criminal Law (Insanity) Bill 2002 — Report Stage.

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8. Bille Náisiúntachta agus Saoránachta Éireann agus Airí agus Rúnaithe (Leasú) 2003 — An Coiste.
Irish Nationality and Citizenship and Ministers and Secretaries (Amendment) Bill 2003 — Committee.

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9. (*l*) Bille an Gharda Síochána 2004 — Ordú don Choiste.
(*a*) Garda Síochána Bill 2004 — Order for Committee.

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10. (*l*) An Bille Léiriúcháin 2000 — An Coiste.
(*a*) Interpretation Bill 2000 — Committee.

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11. (*l*) An Bille um Chuntais Dhíomhaoine (Leasú) 2004 — An Tuarascáil.
(*a*) Dormant Accounts (Amendment) Bill 2004 — Report Stage.

Tíolactha:
Presented:
12. 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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13. An Bille um Chlárú Gníomhas agus Teidil 2004 — Ordú don Dara Céim.
Registration of Deeds and Title Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta d'aisghairm agus d'athachtú, maille le leasuithe, an dlí a bhaineann le clárú gníomhas agus doiciméad eile a dhéanann difear do thalamh agus do leasú an dlí a bhaineann le clárú teidil chun tálún.

Bill entitled an Act to repeal and re-enact, with amendments, the law relating to the registration of deeds and other documents affecting land and to amend the law relating to the registration of title to land.

—*Senator Mary O'Rourke.*

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14. Ráitis maidir leis an gcor reatha sa Mheán-Oirthear (*atógáil*).
Statements on the current situation in the Middle East (*resumed*).

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15. Ráitis maidir leis An Dara Tuarascáil ón Tascfhórsa Straitéiseach ar an Alcól, Meán Fómhair 2004 (*atógáil*).
Statements on the Strategic Task Force on Alcohol, Second Report September 2004 (*resumed*).

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16. Ráitis maidir le Pleanáil agus saincheisteanna gaolmhara(*atógáil*).
Statements on Planning and related issues (*resumed*).

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17. Ráitis maidir leis an gCéad Tuarascáil faoi Dhul Chun Cinn ón gCoiste Comhairleach Náisiúnta um Dhrugaí (*atógáil*).
Statements on the First Progress Report of the National Advisory Committee on Drugs (*resumed*).

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18. Ráitis maidir le Saoráidí Spóirt Náisiúnta a Sholáthar (*atógáil*).
Statements on the Provision of National Sporting Facilities (*resumed*).

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19. Ráitis maidir le hIomaíochas agus Cosaint Tomhaltóirí (*atógáil*).
Statements on Competitiveness and Consumer Protection (*resumed*).

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20. Tairiscint (*atógáil*):
Motion (*resumed*):

"Go ndéanann Seanad Éireann, de bhun Bhuan-Ordú Uimh. 60A,

1. Á thabhairt dá aire an fhaisnéis seo a leanas ón Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí:

(*a*) go ndearna an Garda Síochána, i mí Lúnasa 2001, ar fhaisnéis a fháil ó Interpol ar faisnéis í a fuair *The United States Postal Inspection Service* le linn cuardaigh ar áitreabh in Fort Worth, Texas, a bhain le mionsonraí custaiméirí líomhnaithe cuideachta a raibh rochtain á tairiscint aici ar shuímh idirlín pornagrafaíochta leanaí, tús a chur le hoibríocht i ndáil le daoine ón dlínse seo a líomhnaíodh a bheith aitheanta amhlaidh,

(*b*) go raibh san áireamh sna mionsonraí sin ainmneacha, pasfhocail agus mionsonraí cárta creidmheasa agus cárta muirir daoine áirithe,

(*c*) go raibh duine darb ainm *Brian Curtin, 35 Ashe Street, Tralee, Co. Kerry*, ar dhuine de na daoine ón dlínse seo a ainmníodh amhlaidh agus gur léirigh fiosrúcháin dá éis sin gurbh é Brian Curtin, Breitheamh den Chúirt Chuarda, agus seoladh tí cónaithe 24 Ard na Lí, Trá Lí, Co. Chiarraí aige, an duine sin,

That Seanad Éireann, pursuant to Standing Order No. 60A,

1. Noting the following information from the Minister for Justice, Equality and Law Reform:

(*a*) that the Garda Síochána in August 2001, on receipt of information from Interpol obtained by the United States Postal Inspection Service during a search of premises in Fort Worth, Texas, concerning details of alleged customers of a company offering access to child pornography websites, commenced an operation in relation to persons allegedly so identified from this jurisdiction,

(*b*) that these details included the names, passwords and credit card and charge card details of certain persons,

(*c*) that one of the persons from this jurisdiction so named was a Brian Curtin, 35 Ashe Street, Tralee, Co. Kerry, and that subsequent enquiries indicated that this person was Brian Curtin, Judge of the Circuit Court, with a home address of 24 Ard na Lí, Tralee, Co Kerry,

(*d*) go ndearna an Chúirt Dúiche barántas chun teach cónaithe an Bhreithimh Curtin a chuardach faoi alt 7 den Acht um Gháinneáil ar Leanaí agus Pornagrafaíocht Leanaí 1998 a eisiúint de bhun iarratais ó chomhalta den Gharda Síochána an 20 Bealtaine 2002,

(*e*) go ndearnadh cuardach ar theach cónaithe an Bhreithimh Curtin dá éis sin de bhun an bharántais sin agus gur ghlac Gardaí seilbh ar ríomhaire pearsanta agus ar ábhar eile le linn an chuardaigh,

(*f*) gur chuir údaráis an Gharda comhad imscrúdaithe faoi bhráid an Stiúrthóra Ionchúiseamh Poiblí i mí Dheireadh Fómhair 2002, agus gur threoraigh an Stiúrthóir Ionchúiseamh Poiblí go ndéanfaí an Breitheamh Curtin a ionchúiseamh as pornagrafaíocht leanaí a bheith ina sheilbh go feasach contrártha d'alt 6 den Acht um Gháinneáil ar Leanaí agus Pornagrafaíocht Leanaí 1998,

(*g*) gur thosaigh triail an chúisimh sin an 20 Aibreán 2004 i gCúirt Chuarda Thrá Lí agus go bhfuarthas an Breitheamh Curtin neamhchiontach sa chúiseamh sin an 23 Aibreán 2004 gan fianaise a bheith tugtha i ndáil le hábhar an chúisimh, tar éis don Chúirt Chuarda Choiriúil a chinneadh go raibh an barántas sin a dúradh imithe in éag nuair a forghníomhaíodh é i dteach cónaithe an Bhreithimh Curtin;

agus

2. A éileamh go ndéanfar, de bhun Airteagal 35.4 den Bhunreacht agus alt 39 den Acht Cúirteanna Breithiúnais 1924, an tOnórach an Breitheamh Brian Curtin, Breitheamh den Chúirt Chuarda, a chur as oifig de dheasca mí-iompair a luafar, arb é atá i gceist ann a chuid iompair maidir le síntiús a thabhairt do shuímh idirlín ar a raibh íomhánna pornagrafaíochta leanaí, rochtain a fháil ar na suímh sin agus na suímh sin a úsáid agus i ndáil leis na nithe sin agus é féin a fhágáil mí-oiriúnach dá dheasca sin chun oifig Breithimh den Chúirt Chuarda a fheidhmiú.

(*d*) that a warrant to search Judge Curtin's home under section 7 of the Child Trafficking and Pornography Act 1998 issued from the District Court on foot of an application by a member of the Garda Síochána on 20 May 2002,

(*e*) that Judge Curtin's home was subsequently searched on foot of the said warrant and that Gardaí took possession of a personal computer and other material during the search,

(*f*) that an investigation file was submitted to the Director of Public Prosecutions by the Garda authorities in October 2002 and that the Director of Public Prosecutions instructed that Judge Curtin be prosecuted for knowingly having in his possession child pornography contrary to section 6 of the Child Trafficking and Pornography Act, 1998,

(*g*) that the trial of the said charge commenced on 20 April 2004 at Tralee Circuit Court and that on 23 April 2004 Judge Curtin was found not guilty of that charge without evidence being given in relation to the subject matter of the charge, the Circuit Criminal Court having determined that the aforesaid warrant was spent when executed at the home of Judge Curtin;

and

2. Calls for the removal, pursuant to Article 35.4 of the Constitution and section 39 of the Courts of Justice Act 1924, of His Honour Judge Brian Curtin, Judge of the Circuit Court, from office for stated misbehaviour, being his conduct in and in relation to subscribing to, accessing and use of websites containing child pornographic images and thereby rendering himself unsuitable to exercise the office of a Judge of the Circuit Court.''

—Senator Mary O'Rourke.

21. ''Go mbeartaíonn Seanad Éireann go leanfaidh ailt 2, 3, 4, 5 agus 6 den Acht um Cheartas Coiriúil (Gáinneáil ar Dhrugaí), 1996 (Uimh. 29 de 1996), i ngníomh ar feadh na tréimhse dar críoch an 31 Nollaig, 2006.

That Seanad Éireann resolves that sections 2, 3, 4, 5 and 6 of the Criminal Justice (Drug Trafficking) Act 1996 (No. 29 of 1996), shall continue in operation for the period ending on 31st December, 2006.

—*Senator Mary O'Rourke.*

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22. Tairiscintí nach ón Rialtas:
Non-Government Motions:

1. ''That Seanad Éireann condemns the Government for its inaction in relation to:

(1) fishermen and co-ops who are frustrated at licensing delays with the lack of response from the Department of Communications, Marine and Natural Resources;

(2) the lack of progress in relation to promised investment in harbour development, highlighted in a reduction in funding of 27% in this year's estimates;

(3) the new licensing and control regime for aqua-culture and shell fish farming;

(4) fish farming delays in relation to licensing, and

(5) the promotion of sea-angling as a viable option for future tourism development.''

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

[3 December,2003]

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2. ''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;

— 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 genuine autonomy for Tibet;

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 appoint an E.U. Special Representative for Tibetan Affairs.''

—Senators David Norris, Joe O'Toole.

[21 January, 2004]

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3. ''That Seanad Éireann, in light of the introduction of inequitable development levies on new housing that will make building a house prohibitive for many young people and the refusal of the Government to fulfil its promise to make it easier for local residents to build one-off houses in rural areas, condemns the Government for failing to act on its promise to ease planning legislation on one-off housing and calls on the Government to restore immediately public confidence by reversing its decision to

introduce development levies and to honour its pre-election promise to improve the planning process and by doing so reinvigorate rural Ireland.''

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

[5 February, 2004]

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4. ''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 success to date 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 in the long-term;

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

— that the recently-established Personal Injuries Assessment Board is not yet dealing with motor accident compensation claims;

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

— that the Irish driving test has not been updated for 20 years and 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 long-term 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 17 new 'GATSO' speed camera vans as proposed in the consultants report commissioned by the National Roads Authority;

— establish immediately the Garda Traffic corps;

— authorise the Personal Injuries Assessment Board immediately to begin dealing with motor accident compensation claims; and

— use its remaining period of time as President of the EU to prioritise further reform of the EU common internal motor insurance market.''

—*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.*

[18 February, 2004]

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5. ''That Seanad Éireann

- condemns the blatant and cynical move by the Minister for the Environment and Local Government in bringing forward guidelines for rural housing, particularly as the said guidelines offer no hope to people in need of housing in rural Ireland and

- considers that there is an urgent need for the Government to make a statement on the position of local authorities in readjusting their County Development Plans to facilitate the Government's u-turn on this matter.''

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

[10 March, 2004]

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6. ''That Seanad Éireann:

- recognises that the services provided by the National Educational Psychological Service (NEPS) are very important to many children throughout the country;

- considers that access to an educational psychologist can be critical in finding out what special educational requirements a child may have, and how best they can be met within the school system;

- notes, however, that access to the services provided by NEPS is extremely slow, with many children waiting an unacceptable amount of time before seeing a psychologist after referral;

- refers to the findings of a recent survey which showed clearly that the average waiting time for a child to see an educational psychologist was 6.5 months with more than a quarter of schools waiting more that 9 months for access to a psychologist for their students;

- maintains that the Government has a clear responsibility to fund NEPS properly so that such unacceptable delays no longer occur;

- laments the paltry increase in funding to NEPS of only 1% in Budget 2004;

- believes that children who require psychological assessment should be seen within one month of this assessment being requested, with 6 weeks being the maximum permitted waiting time.''

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

[7 April, 2004]

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7. ''That Seanad Éireann requests the Government to use its present leading position as holder of the European Union Presidency to ensure that the European Union and its

member States take the necessary steps, including by engagement with the United States, to ensure that the 60th session of the UNCHR will:

(*a*) support adequate monitoring of human rights in Iraq, permitting the monitors to cover human rights abuses in Iraqi territory by any party, and ensuring that their reports are regularly and publicly available;

(*b*) extend the mandate of the Special Rapporteur on the situation of human rights in Iraq for a further year, clarifying that the mandate covers all past and present human rights violations in Iraq;

(*c*) support the establishment of a UN commission of experts tasked with developing proposals for building the rule of law in Iraq, in consultation with Iraqi civil society;

(*d*) support the establishment of an international commission of inquiry mandated to conduct independent, impartial and thorough investigations into past human rights violations, regardless of when they occurred; and

(*e*) call on the Coalition Provisional Authority to bring to trial, in accordance with international standards for fair trial, Saddam Hussein and other officials and associates of the former Iraqi government accused of committing human rights violations.''

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

[7 May, 2004]

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8. ''That Seanad Éireann calls on the Minister for Communications, Marine and Natural Resources to provide greater transparency to the operations of the National Lottery and, in particular, calls on the Government to make the National Lottery subject to the Freedom of Information Act.''

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

[27 May, 2004]

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9. ''That Seanad Éireann takes note of the Report on the Proposal for a Dublin Metro System prepared by the Joint Oireachtas Committee on Transport.''

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

[15 June, 2004]

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10. ''That Seanad Éireann

— taking account of the outdated and cumbersome procedures involved in registering, changing address and applying for postal votes

and

— aware of the many deficiencies in the Electoral Register, especially the non-inclusion of eligible voters who have recently moved house or have turned 18 years of age,

calls for

— root and branch reform of the electoral process,

— a review of the procedures used to update the Electoral Register to ensure greater accuracy and improved convenience for those wishing to register,

— information campaigns on the role of Local Government, the European Parliament, the Houses of the Oireachtas and the President prior to the relevant election and the importance of transfers in the proportional representational system,

— a widening of the grounds on which a postal ballot can be applied for and an extension in the deadline for applications,

and

— the automatic registration of all people upon reaching the age of 18 by means of using the PPS serial number provided by the Department of Social and Family Affairs.''

— *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 P. Phelan and Sheila Terry.*

[22 June, 2004]

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11. ''That the time limit for the Order of Business be extended to a maximum of 90 minutes in order to facilitate the proper ventilation of topical matters of current public interest by members.''

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

[14 October, 2004]

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12. ''That Seanad Éireann calls on the Government to honour the commitment clearly given by An Taoiseach at the United Nations in 2002 that Ireland would reach the target of 0.7% of GDP for overseas development aid by 2007.''

—Senators David Norris, Shane Ross.

[14 October, 2004]

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13. ''That Seanad Éireann,

— expresses its extreme concern at increase in drug abuse nationally and the increasing availability of hard drugs to all parts of the country;

— condemns the Fianna Fáil-Progressive Democrat Government for its failure to adequately fund the National Drugs Strategy 2001-2008 and to meet the commitments promised under the strategy;

— denounces the Government for its failure to expand drug prevention, treatment, rehabilitation and other community-based diversionary facilities such as sporting and entertainment venues for young people;

— demands that this Government give full recognition to Ireland's growing drug problem by immediately establishing a high level Ministerial Task Force to report and make recommendations on tackling this problem;

— recognises the links between alcohol misuse and drug abuse and moves to create a National Addiction Strategy, which seeks to address the interrelationship between the two;

— calls on the Government to fulfil all of the 100 commitments made under the National drugs Strategy 2001-2008; and

— demands that the Government provides increased funding to both the Local and Regional Drugs Task Forces.''

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

[20 October, 2004]

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14. ''That Seanad Éireann call on the Government to launch an emergency national plan for the disposal of waste and demands that the Minister for the Environment, Heritage and Local Government introduces legislation increasing the penalties for illegal dumping''.

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

[28 October, 2004]

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15. ''That Seanad Éireann:

- acknowledging the work undertaken by Community Groups throughout the country with the assistance of the FÁS Community Employment Schemes;

- acknowledging the deteriorating economic climate for people who are displaced from CE Schemes in gaining access to other work and in particular that people over 50 years of age have particular difficulty in sourcing alternative employment;

- 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 that people in long-term unemployment should continue to have the opportunity to do valuable work through CE Schemes;

calls on the Minister for Enterprise, Trade and Employment to reverse the decisions that were made in the last Budget to reduce the number of participants on the Community Employment Schemes from 25,000 to 20,000 and return the number of CES places to 2003 levels so that the importance of community development and the valuable contribution of community groups and participants is fully recognised in the context of training for job opportunities in the future and to establish a new social employment scheme for the older age group who are long-term employed.''

—*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 Paul Phelan, Sheila Terry.*

[3 November, 2004]

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16. ''That Seanad Eireann,

while fully accepting the importance of developing an adequate roads infrastructure and ever mindful of the need to have a practical approach to planning matters, is appalled by the prospect of a motorway being constructed through archaeologically important sites near the Hill of Tara;

recognises that the current proposals are likely to destroy at least 25 known sites;

believes it would be an affront to our people that this specific area, a place of kings, saints and scholars, steeped as it is in our history, culture, mythology and legendry and, immeasurably important as it is to our identity, be ravaged and despoiled;

sees this proposed route as irresponsible and unnecessary and therefore calls on the Government to intervene, as a matter of urgency, on behalf of the people to oppose the current plans and to ensure the selection of a more sensible and suitable route for this important motorway project.''

—Senators Joe O'Toole, Shane Ross, Mary Henry, Feargal Quinn and Shane Ross.

Leasú:
Amendment:
1. To delete all words after ''That'' and substitute the following:

''Seanad Éireann

commends the Government's commitment and proactive approach in the delivery of the upgraded national roads network—

— notes the Government's commitment to the protection of our national heritage and the preservation of archaeological sites and features;

— notes the ongoing liaison between the NRA and the National Monuments Division of the Department of the Environment, Heritage and Local Government in preserving our National Heritage and with dealing with archaeological sites and features in accordance with best practice;

— notes that the roads programme is being implemented in full accord with the Code of Practice on Archaeology for the national roads programme agreed with the then Department of Arts, Heritage and the Gaeltacht in 2000;

— commends the National Roads Authority (NRA) on its commitment and investment in placing archaeological issues at the centre of the road planning process — evident in the discovery of so many previously unrecorded areas of historical/archaeological importance;

— notes that the national roads investment programme is being implemented as part of the National Development Plan 2000-2006 and supports the objectives of the National Spatial Strategy, confirms the importance of the transport corridor that links the North-West, Cavan and North Meath to Dublin as one of the busiest in the country;

— notes that the Government investment in our road network is essential to provide for balanced regional investment and .is delivering shorter, safer and superior road journeys;

— notes the comprehensive statutory public consultation procedures in place, under the Roads Act 1993, which are also being supplemented by extensive non statutory local consultations by road authorities; and

— emphasises the importance of Public Private Partnerships in harnessing the necessary skills and finance to support the earlier completion of the Government's ambitious national road infrastructure targets.''

—Senator Mary O'Rourke.

[24 November, 2004]

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

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

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

An Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003.
Sea Pollution (Miscellaneous Provisions) Bill 2003.

An Bille um Shaoire Uchtaíoch 2004.
Adoptive Leave Bill 2004.

An Bille um Fhorghníomhú Pianbhreitheanna a Aistriú 2003.
Transfer of Execution of Sentences Bill 2003.

An Bille um Sheirbhísí Uisce 2003.
Water Services Bill 2003.

An Bille Talún 2004.
Land Bill 2004.

MEMORANDA
Dé Céadaoin, 24 *Samhain* 2004.
Wednesday, 24*th November*, 2004.

Cruinniú den Chomhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 1, TL 2000, ar 9.30 a.m.
Meeting of the Joint Committee on Justice, Equality, Defence and Women's Rights, in Committee Room 1, LH 2000, at 9.30 a.m.

Cruinniú den Fhochoiste um Chearta an Duine i Seomra Coiste 3, TL 2000, ar 12 mean leá.
Meeting of the Sub-Committee on Human Rights in Committee Room 3, LH 2000, at 12 noon.

Cruinniú den Chomhchoiste um Chomhshaol agus Rialtas Áitiúil i Seomra Coiste 3, TL 2000, ar 2.30 p.m.
Meeting of the Joint Committee on the Environment and Local Government in Committee Room 3, LH 2000, at 2.30 p.m.

Cruinniú den Chomhchoiste um Thalmhaíocht agus Bia i Seomra Coiste 1, TL 2000, ar 3 p.m.
Meeting of the Joint Committee on Agriculture and Food in Committee Room 1, LH 2000, at 3 p.m.

Cruinniú den Chomhchoiste ar Airteagal 35.4.1 den Bhunreacht agus ar alt 39 den Acht Cúirteanna Breithiúnais 1924 i Seomra Coiste 4, TL 2000, ar 6.30 p.m.
Meeting of the Joint Committee on Article 35.4.1 of the Constitution and section 39 of the Courts of Justice Act 1924 in Committee Room 4, LH 2000, at 6.30 p.m.

Déardaoin, 25 *Samhain* 2004
Thursday, 25*th November,* 2004

Cruinniú den Fhochoiste um Iniúchadh Eorpach i Seomra Coiste 1, TL 2000, ar 9.30 a.m.
Meeting of the Sub-Committee on European Scrutiny in Committee Room 1, LH 2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Shláinte agus Leanaí i Seomra Coiste 2, TL 2000, ar 9.30 a.m.
Meeting of the Joint Committee on Health and Children in Committee Room 2, LH 2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta i Seomra Coiste 3, TL 2000, ar 10 a.m.
Meeting of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in Committee Room 3, LH 2000, at 10 a.m.

Cruinniú den Chomhchoiste ar Airteagal 35.4.1 den Bhunreacht agus ar alt 39 den Acht Cúirteanna Breithiúnais 1924 i Seomra Coiste 4, TL 2000, ar 10 a.m
Meeting of the Joint Committee on Article 35.4.1 of the Constitution and section 39 of the Courts of Justice Act 1924 in Committee Room 4, LH 2000, at 10 a.m.

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

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha i Seomra Coiste 3, TL 2000, ar 2 p.m.
Meeting of the Joint Committee on Foreign Affairs in Committee Room 3, LH 2000, at 2.00 p.m.

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

1) Togra le haghaidh Cinnidh ón gComhairle maidir leis an seasamh a bheidh le glacadh ag an gComhphobal sa Chomhairle Chomhlachais arna bunú leis an gComhaontú idir na Comhphobail Eorpacha agus a mBallstáit, de pháirt, agus An Rómáin, den pháirt eile, a bhaineann leis na feabhsuithe ar na socruithe trádála le haghaidh táirgí talmhaíochta próiseáilte dá bhforáiltear i bPrótacal 3 den Chomhaontú Eorpa idir an Comhphobal

1) Proposal for a Council Decision on the position to be taken by the Community in the Association Council established by the Agreement between the European Communities and their Member States, of the one part, and Romania, of the other part, concerning the improvements of the trade arrangements for processed agricultural products provided for in Protocol 3 of the Europe Agreement between the European Community and

Eorpach agus An Rómáin mar aon le nóta faisnéise míniúcháin. COM (2004) 615.

2) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear Rialachán (CE) Uimh. 1782/2003 lena mbunaítear comhrialacha do scéimeanna tacaíochta dírí faoin gcomhbheartas talmhaíochta agus lena mbunaítear scéimeanna tacaíochta áirithe d'fheirmeoirí agus Rialachán (CE) Uimh. 1788/2003 lena mbunaítear tobhach in earnáil an bhainne agus táirgí bainne mar aon le nóta faisnéise míniúcháin.
COM (2004) 710.

3) Togra le haghaidh Cinnidh ón gComhairle lena mbunaítear dearcadh an Chomhphobail maidir le fad a chur leis an gComhaontú Idirnáisiúnta maidir le hOla Olóige agus Ológa Boird, 1986 mar aon le nóta faisnéise míniúcháin. COM (2004) 665.

4) COM (2004) 617: nóta faisnéise athbhreithnithe.

5) COM (2004) 618: nóta faisnéise athbhreithnithe.

6) COM (2004) 619: nóta faisnéise athbhreithnithe.

7) COM (2004) 622: nóta faisnéise athbhreithnithe.

8) COM (2004) 640: nóta faisnéise athbhreithnithe.

9) COM (2004) 685: nóta faisnéise athbhreithnithe.

10) An tOrdú um Acht na nDídeanaithe 1996 (Tíortha Tionscnaimh Sábháilte) 2004 (I.R. Uimh. 714 de 2004).

11) An Institiúid Éireannach um Chosaint Raideolaíoch. Tuarascáil Bhliantúil agus Cuntais, 2003.

12) Ráiteas Síntiús/Dearbhuithe Reachtúla maidir leis an Toghchán do Pharlaimint na hEorpa 2004 ón Uas. Gerard Hannon de bhun ailt 24(1)(*a*) agus 24(3) den Acht Toghcháin, 1997.

13) Ráiteas i leith Comhairleora Speisialta don Aire Stáit ag Roinn an Taoisigh agus Príomh-Aoire an Rialtais de réir na nAchtanna um Eitic in Oifigí Poiblí 1995 agus 2001 [19 Samhain 2004].

Romania together with explanatory information note. COM (2004) 615.

2) Proposal for a Council Regulation amending Regulation (EC) no. 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and Regulation (EC) No. 1788/2003 establishing a levy in the milk and milk products sector together with explanatory information note. COM (2004) 710.

3) Proposal for a Council Decision establishing the Community position with respect to the prolongation of the International Agreement on Olive Oil and Table Olives, 1986 together with explanatory information note.
COM (2004) 665.

4) COM (2004) 617: revised information note.

5) COM (2004) 618: revised information note.

6) COM (2004) 619: revised information note.

7) COM (2004) 622: revised information note.

8) COM (2004) 640: revised information note.

9) COM (2004) 685: revised information note.

10) Refugee Act 1996 (Safe Countries of Origin) Order 2004 (S.I. No. 714 of 2004).

11) Radiological Protection Institute of Ireland. Annual Report and Accounts, 2003.

12) Donation Statement/Statutory Declaration in respect of the European Parliament Election 2004 from Mr. Gerard Hannan pursuant to sections 24(1)(*a*) and 24(3) of the Electoral Act 1997.

13) Statement in respect of Special Adviser to the Minister of State at the Department of the Taoiseach and Government Chief Whip in accordance with the Ethics in Public Office Acts 1995 and 2001 [19 November 2004].

14) Measatacháin i gcomhair Seirbhísí Poiblí, 2005 (Leagan Coimrithe) agus an Clár Achomair Caipitil Phoiblí, 2005.

14) Estimates for Public Services, 2005 (Abridged Version) and Summary Public Capital Programme, 2005.

15) An tOrdú um an Acht Luachála 2001 (Luacháil Uileghabhálach) (Uiscebhealaí Éireann) 2004 (I.R. Uimh. 707 de 2004).

15) Valuation Act 2001 (Global Valuation) (Waterways Ireland) Order 2004 (S.I. No. 707 of 2004).

16) An tOrdú um an Acht Luachála 2001 (Luacháil Uileghabhálach) (Iarnród Éireann) 2004 (I.R. Uimh. 708 de 2004).

16) Valuation Act 2001 (Global Valuation) (Iarnród Éireann) Order 2004 (S.I. No. 708 of 2004).

17) An Roinn Oideachais and Eolaíochta. Tuarascáil Bhliantúil, 2003.

17) Department of Education and Science. Annual Report, 2003.

18) Togra le haghaidh Cinnidh ón gComhairle maidir le síniú an Chomhaontaithe idir an Comhphobal Eorpach agus Prionsacht Mhonacó lena ndéanfar foráil maidir le bearta atá coibhéiseach leo sin atá leagtha síos i dTreoir 2003/48/CE an 3 Meitheamh 2003 ón gComhairle maidir le cánachas ar ioncam ó choigiltis i bhfoirm íocaíochtaí úis agus maidir le ceadú agus síniú an Mheabhráin Tuisceana atá ina theannta [agus] Togra le haghaidh Cinnidh ón gComhairle maidir le críochnú an Chomhaontaithe idir an Comhphobal Eorpach agus Prionsacht Mhonacó lena ndéanfar foráil maidir le bearta atá coibhéiseach leo sin atá leagtha síos i dTreoir 2003/48/CE an 3 Meitheamh 2003 ón gComhairle maidir le cánachas ar ioncam ó choigiltis i bhfoirm íocaíochtaí úis mar aon le nóta fáisnéise míniúcháin.
COM (2004) 733.

18) Proposal for a Council Decision on the signature of the Agreement between the European Community and the Principality of Monaco providing for measures equivalent to those laid down in Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments and the approval and signature of the accompanying Memorandum of Understanding [and] Proposal for a Council Decision on the conclusion of the Agreement between the European Community and the Principality of Monaco providing for measures equivalent to those laid down in Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments together with explanatory information note.
COM (2004) 733.

19) Togra le haghaidh Cinnidh ón gComhairle maidir le síniú an Chomhaontaithe idir an Comhphobal Eorpach agus Poblacht Shan Mairíne lena ndéanfar foráil maidir le bearta atá coibhéiseach leo sin atá leagtha síos i dTreoir 2003/48/CE ón gComhairle maidir le cánachas ar ioncam ó choigiltis i bhfoirm íocaíochtaí úis agus maidir le ceadú agus síniú an Mheabhráin Tuisceana atá ina theannta [agus] Togra le haghaidh Cinnidh ón gComhairle bhfoirm íocaíochtaí úis mar aon le nóta maidir le críochnú an Chomhaontaithe idir an Comhphobal Eorpach agus Poblacht Shan Mairíne lena ndéanfar foráil maidir le bearta atá coibhéiseach leo sin atá leagtha síos i dTreoir 2003/48/CE ón gComhairle maidir le cánachas ar ioncam ó choigiltis i faisnéise míniúcháin. COM (2004) 643.

19) Proposal for a Council Decision on the signature of the Agreement between the European Community and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments and the approval and signature of the accompanying Memorandum of Understanding [and] Proposal for a Council Decision on the conclusion of the Agreement between the European Community and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments together with explanatory information note.
COM (2004) 643.

20) Na Rialacháin fán Acht um Thruailliú Aeir 1987 (Breoslaí a Mhargú, a Dhíol agus a Dháileadh) (Leasú) 2004 (I.R. Uimh. 713 de 2004).

20) Air Pollution Act 1987 (Marketing, Sale and Distribution of Fuels) (Amendment) Regulations 2004 (S.I. No. 713 of 2004).

Neamhreachtúil:

1) Rialacháin na gComhphobal Eorpach (Acmhainn Bhonneagair Iarnróid a Leithroinnt agus Muirir a thobhac i leith Úsáide Bonneagair Iarnróid agus Deimhniúcháin Sábháilteachta), 2004 (I.R. Uimh. 643 de 2004).

Non-Statutory:

1) European Communities (Allocation of Railway Infrastructure Capacity and the levying of Charges for the use of Railway Infrastructure and Safety Certification) Regulations 2004 (S.I. No. 643 of 2004).

2) Rialacháin na gComhphobal Eorpach (Táirgí Cosanta Plandaí a Údarú, a Chur ar an Margadh, a Úsáid agus a Rialú) (Leasú) (Uimh. 3) 2004 (I.R. Uimh. 580 de 2004).

2) European Communities (Authorisation, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 3) Regulations 2004 (S.I. No. 580 of 2004).

3) Rialacháin na gComhphobal Eorpach (Táirgí Cosanta Plandaí a Údarú, a Chur ar an Margadh, a Úsáid agus a Rialú) (Leasú) (Uimh. 4) 2004 (I.R. Uimh. 581 de 2004).

3) European Communities (Authorisation, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 4) Regulations 2004 (S.I. No. 581 of 2004).

4) Rialacháin na gComhphobal Eorpach (Táirgí Cosanta Plandaí a Údarú, a Chur ar an Margadh, a Úsáid agus a Rialú) (Leasú) (Uimh. 5) 2004 (I.R. Uimh. 650 de 2004).

4) European Communities (Authorisation, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 5) Regulations 2004 (S.I. No. 650 of 2004).

5) Rialacháin na gComhphobal Eorpach (Táirgí Cosanta Plandaí a Údarú, a Chur ar an Margadh, a Úsáid agus a Rialú) (Leasú) (Uimh. 6) 2004 (I.R. Uimh. 651 de 2004).

5) European Communities (Authorisation, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 6) Regulations 2004 (S.I. No. 651 of 2004).

6) Rialacháin na gComhphobal Eorpach (Céannú agus Clárú Bó-Ainmhithe) 2004 (I.R. Uimh. 687 de 2004).

6) European Communities (Identification and Registration of Bovine Animals) Regulations 2004 (S.I. No. 687 of 2004).

7) An tOrdú um Acht na gCúirteanna agus na nOifigeach Cúirte 2002 (Alt 46) (Tosach Feidhme) 2004 (I.R. Uimh. 712 de 2004).

7) Courts and Court Officers Act 2002 (Section 46) (Commencement) Order 2004 (S.I. No. 712 of 2004).

8) Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Eorpacha. Tuarascáil ar Thairiscint maidir le Próiseas Síochána an Mheán-Oirthir. Samhain 2004.

8) Houses of the Oireachtas. Joint Committee on European Affairs. Report on Motion re: Middle East Peace Process. November 2004.

9) Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Eorpacha. Tuarascáil ar Thairiscint maidir le Comhaltas na Tuirce san Aontas Eorpach. Samhain 2004.

9) Houses of the Oireachtas. Joint Committee on European Affairs. Report on Motion re: Turkish Membership of the European Union. November 2004.

10) Rialacháin na gComhphobal Eorpach (Trédhearcacht Airgeadais) 2004 (I.R. Uimh. 693 de 2004).

10) European Communities (Financial Transparency) Regulations 2004 (S.I. No. 693 of 2004).

11) Turasóireacht Éireann. Tuarascáil Bhliantúil agus Cuntais, 2003.

11) Tourism Ireland. Annual Report and Accounts, 2003.

12) Tithe an Oireachtais. An Comhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan. Tuarascáil Eatramhach maidir leis an Tuarascáil ón gCoimisiún Fiosrúcháin Neamhspleách faoi Bhuamáil Bhaile Átha Cliath i 1972 agus i 1973. Samhain 2004. [19 Samhain 2004].

12) Houses of the Oireachtas. Joint Committee on Justice, Equality, Defence and Women's Rights. Interim Report on the Report of the Independent Commission of Inquiry into the Dublin Bombings of 1972 and 1973. November 2004. [19 November 2004].

13) Dáil Éireann. An Roghchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha. Tuarascáil ar Thairiscint maidir le EUTELSAT. Samhain 2004.

13) Dáil Éireann. Select Committee on Communications, Marine and Natural Resources. Report on Motion re EUTELSAT. November 2004.

14) Dáil Éireann. An Roghchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha. Tuarascáil ar Thairiscint maidir leis an Oifig Eorpach um Raidióchumarsáid (OER). Samhain 2004.

14) Dáil Éireann. Select Committee on Communications, Marine and Natural Resources. Report on Motion re European Radiocommunications Office (ERO). November 2004.

15) An Tionscnamh um Athbhreithniú ar Chaiteachas. An Chéad Tuarascáil Fhoirmiúil don Aire Airgeadais ón bPríomhchoiste Stiúrtha um Athbhreithniú ar Chaiteachas (a bhaineann leis an tréimhse Meitheamh 2002 — Meitheamh 2004). Deireadh Fómhair 2004.

15) Expenditure Review Initiative. First Formal Report to the Minister of Finance by the Expenditure Review Central Steering Committee (covering period June 2002 — June 2004). October 2004.

16) Athbhreithniú Meántéarma ar Chlár Oibre Liospóin - Aighneacht na hÉireann chuig an gCoimisiún.

16) Mid-Term Review of the Lisbon Agenda - Irish Submission to the Commission.

17) Óráid an Taoisigh, an tUas. Parthalán Ó hEachthairn, T.D., ag an bhFáiltiú don Phobal Éireannach sa Róimh, Teach an Ambasadóra chun na Cathaoireach Naofa, 29 Deireadh Fómhair 2004.

17) Speech by the Taoiseach, Mr. Bertie Ahern, T.D., at the Reception for the Irish Community in Rome, Residence of the Ambassador to the Holy See, 29 October 2004.

Wt. 5651. 296. 11/04. Cahill. (X47021). Gr. 30-15.