

*Dé Céadaoin, 26 Deireadh Fómhair, 2005*  
*Wednesday, 26th October, 2005*

10.30 a.m.

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RIAR NA hOIBRE

*Order Paper*

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GNÓ POIBLÍ

*Public Business*

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1. Ráitis maidir le “Lámh a Shíneadh — An Straitéis Náisiúnta le haghaidh Gnímh maidir le Féinmharú a Chosc 2005-2014”.

Statements on Reach Out — “The National Strategy for Action on Suicide Prevention 2005-2014”.

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2. Ráitis maidir le Clár Athchóirithe Náisiúnta Liospóin  
 Statements on the Lisbon National Reform Programme.
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3. An Bille Aerloingseoireachta (Eurocontrol) 2005 — Ordú don Dara Céim.  
 Air Navigation (Eurocontrol) Bill 2005 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir leis an Aire Iompair do dheonú slánaíochtaí do ghnóthais aerloingseoireachta agus do dhéanamh socrú i dtaobh nithe a bhaineann leis sin.

Bill entitled an Act to make provision for the granting of indemnities to air navigation undertakings by the Minister for Transport and to make provision for matters related thereto.

—*Senator Mary O'Rourke.*

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4. Bille na bPríosún 2005 — Ordú don Dara Céim.  
 Prisons Bill 2005 — Order for Second Stage.

Bille dá ngairtear Acht dá chumasú don Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí do dhéanamh comhaontuithe d'fhonn daoine is páirtithe sna comhaontuithe sin do sholáthar seirbhísí áirithe a bhaineann le coimeád príosúnach; do dhéanamh socrú maidir le deimhniúchán a dhéanamh ar dhaoine a chomhlíonfaidh feidhmeanna faoin Acht seo de bhun na gcomhaontuithe sin; do dhéanamh socrú maidir le príosúnaigh do

Bill entitled an Act to enable the Minister for Justice, Equality and Law Reform to enter into agreements for the provision of certain services relating to the custody of prisoners by persons who are parties to such agreements; to provide for the certification of persons who will perform functions under this Act pursuant to such agreements; to provide for the giving of evidence by prisoners in certain types of proceedings before the courts by live television link; to

thabhairt fianaise i gcineálacha áirithe amend the Prisons Act 1933; and to provide imeachtaí os comhair na gcúirteanna trí for matters connected therewith. nasc teilifíse beo; do leasú Acht na bPríosún 1933; agus do dhéanamh socrú i dtaobh nithe a bhaineann leis an méid sin.

—*Senator Mary O'Rourke.*

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**5. Bille na dTeangacha Oifigiúla (Leasú) 2005 — An Dara Céim.**

Official Languages (Amendment) Bill 2005 — Second Stage.

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

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**6. An Bille um Shábháilteacht Iarnróid 2001 [Dáil] — An Dara Céim.**

Railway Safety Bill 2001 [Dáil] — Second Stage.

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**7. An Bille um Fhostaithe (Faisnéis agus Comhchomhairle a Sholáthar) 2005 — An Tuarascáil.**

Employees (Provision of Information and Consultation) Bill 2005 — Report Stage.

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*Tíolactha:*

*Presented:*

**8. An Bille um Bord Leigheasra na hÉireann (Forálacha Ilghnéitheacha) 2005 — Ordú don Dara Céim.**

Irish Medicines Board (Miscellaneous Provisions) Bill 2005 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Mí-Úsáid Drugaí 1977 (arna leasú leis an Acht um Mí-Úsáid Drugaí 1984); do leasú an Achta um Bord Leigheasra na hÉireann 1995; do leasú an Achta um Rialú Trialacha Cliniúla 1987; agus do dhéanamh leasú iarmhartach ar rialacháin a rinneadh faoin Acht um Bord Leigheasra na hÉireann 1995 nó dá dtagraítear in alt 34(4) den Acht sin.

Bill entitled an Act to amend the Misuse of Drugs Act 1977 (as amended by the Misuse of Drugs Act 1984); to amend the Irish Medicines Board Act 1995; to amend the Control of Clinical Trials Act 1987; and to consequentially amend regulations that are either made under the Irish Medicines Board Act 1995 or referred to in section 34(4) of that Act.

—*Senator Mary O'Rourke.*

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**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 Fhorfheidhmiú Orduithe Cúirte (Uimh. 2) 2004 — Ordú don Dara Céim.**

Enforcement of Court Orders (No. 2) Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir leis na cúirteanna do dhéanamh orduithe astaithe tuillimh, orduithe astaithe leasa agus orduithe tráthchoda chun forfheidhmiú orduithe cúirte, fíneálacha agus fiacha eile neamhurscaoilte a éascú agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to provide for the making of attachment of earnings orders, attachment of welfare orders, and instalment orders by the courts to facilitate the enforcement of undischarged court orders, fines and other debts and to provide for related matters.

—*Senator Brian Hayes.*

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**11. An Bille um Chlárú Uachtanna 2005 — Ordú don Dara Céim.**  
Registration of Wills Bill 2005 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir leis an tSeirbhís um Chlárú Sibhialta a leathnú chuig clárú faisnéise áirithe maidir le huachtanna agus chun na gcríoch sin d'athmheas an dlí a bhaineann leis an tSeirbhís um Chlárú Sibhialta agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to provide for the extension of the Civil Registration Service to the registration of certain information regarding wills and for those purposes to revise the law relating to the Civil Registration Service and to provide for related matters.

—*Senator Terry Leyden.*

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*Ráitis:*  
*Statements:*

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

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

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

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

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**16. Ráitis maidir le Beartas Iompair Réigiúnach (atógáil).**  
Statements on Regional Transport Policy (*resumed*).

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

**17. “Go ndéanann Seanad Éireann, de bhun Bhuan-Ordú Uimh. 60A,**

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

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

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

- (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 dlí seo a líomhnaíodh a bheith aitheanta amhlaidh,
- (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) go raibh san áireamh sna mionsonraí sin ainmneacha, pasfhocail agus mionsonraí cárta creidmheasa agus cárta muirir daoine áirithe,
- (b) that these details included the names, passwords and credit card and charge card details of certain persons,
- (c) go raibh duine darb ainm *Brian Curtin*, 35 *Ashe Street, Tralee, Co. Kerry*, ar dhuine de na daoine ón dlí 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,
- (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,
- (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) 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,
- (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) 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,
- (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) 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.

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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.

(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.*

*Bille (atógáil) (05 n. fágtha):*

*Bill (resumed) (05 m. remaining):*

**18.** An Bille um Páirtíocht Shibhialta 2004 — An Dara Céim (*atógáil*).  
Civil Partnership Bill 2004 — Second Stage (*resumed*).

—*Senator David Norris.*

*Leasú ar an Tairiscint don Dara Léamh (atógáil):*

*Amendment to Motion for Second Reading (resumed):*

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

“Seanad Éireann declines to give a second reading to the Bill so as to permit further consideration of important legal and constitutional issues and in particular

- (a) the resolution of current litigation regarding the recognition of a foreign same-sex marriage;
- (b) finalisation by the All-Party Oireachtas Committee on the Constitution of its examination of Articles 40.3, 41 and 42, relating to the family;
- (c) publication of the Report of the Law Reform Commission on the Rights and Duties of Cohabitees.”.

—*Senator Mary O’Rourke.*

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

1. “That Seanad Éireann calls 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]**

2. “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]**

3. “That Seanad Éireann calls on the Government to end the practice of making political appointments to the judiciary.”

—*Senators Shane Ross, David Norris.*

**[15 December, 2004]**

4. “In view of the continuing slow progress of the transitional Government in the Democratic Republic of the Congo (DRC) towards democratic elections, added to the catastrophic humanitarian consequences of the civil war that has caused the death of 3.8 million people there since 1998, the ongoing lack of human rights respect and protection in the country, the shameful economic exploitation by foreign interests, and the ineffectiveness of the UN’s peacekeeping mission (MONUC), Seanad Éireann calls on the Government;

- (i) to do all in their power, especially through UN, EU and other inter-governmental organisations, to put pressure on the DRC’s transition government to meet the requirements of the Pretoria Agreement. In particular to ensure that delays and impediments to the holding of elections by 30 June, 2005 — such as the passing of essential legislation — be addressed immediately; and



- (ii) to ensure that the transitional Government which has been ineffective and negligent in its implementation of the Pretoria Agreement does not continue to hold the people of the DRC to ransom beyond the deadline laid out by that agreement (30 June 2005), and that if an extension is required in order to hold elections that an alternative transitional Government with political legitimacy be put in place by the International Committee in Support of the Transition (CIAT).”

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

**[22 March, 2005]**

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5. “That Seanad Éireann takes note of the Human Rights Watch Report ‘Not a Level Playing Field: Zimbabwe’s Parliamentary elections in 2005’.”

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

**[24 March, 2005]**

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6. “That Seanad Éireann:

- welcomes the publication of the Report of the Consumer Strategy Group and is in agreement with the Group that in order to ensure the needs of the modern consumer are met, it is essential that a new Agency with an expanded remit be established;
- congratulates the Minister for Enterprise, Trade and Employment, Michael Martin T.D. on the decision to establish a new statutory National Consumer Agency to promote and protect consumer interests;
- maintains that the new Agency will ensure for the first time that the interests of consumers will be brought to the forefront of national and local decision making in Ireland;
- supports the establishment of the Board of the new National Consumer Agency on an interim basis until such time as the necessary legislation can be enacted to establish the Agency on a statutory footing;
- believes the new Agency will act as a forceful advocate for the consumer and that it will have the necessary powers, functions and support to challenge vested interests and to ensure that the consumers voice is heard;
- notes the comprehensive nature of the entire Consumer Strategy Group Report which contains over 30 separate recommendations and welcomes the decision to establish a High Level Interdepartmental Committee to examine all the Group’s recommendations and to report back to Government with a detailed implementation plan within 3 months;
- supports the decision of the Minister to engage in a public consultation process on the future of the Groceries Order and notes that process is expected to be completed within two months; and
- urges the Minister to continue to bring forward initiatives in the area of consumer awareness, advocacy and education which will help to demonstrate to consumers that further progress can be achieved.”

—Senators Mary O’Rourke, Eddie Bohan, Cyprian Brady, 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, Francie O’Brien, Labhrás Ó Murchú, Ann Ormonde, Kieran Phelan, Eamon Scanlon, Jim Walsh, Mary White and Diarmuid Wilson.

**[19 May, 2005]**

7. “That Seanad Éireann calls on the Minister for Community, Rural and Gaeltacht Affairs that before signing any Placename Order under Section 5 of the Official Languages Act 2003 he shall have due regard for the expressed wishes of the local community concerned and the applicable local authority in each case.”

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

**[31 May, 2005]**

*Leasú:*

*Amendment:*

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

“notes that the Placenames (Ceantair Ghaeltachta) Order 2004 was published in draft form in June 2004 by the Minister for Community, Rural and Gaeltacht Affairs to encourage consultation with local communities and other interested parties in the Gaeltacht; notes that a total of 24 submissions in writing were received relating to the draft Order as a result of this active consultation process with Gaeltacht communities; notes that a number of amendments to the Order were made on the advice of An Coimisiún Logainmneacha based on these submissions; welcomes this consultative approach to the matter by Minister for Community, Rural and Gaeltacht Affairs and welcomes the making by him of the Order in December 2004; and further notes that the effect of the Order is that the original placenames of Gaeltacht areas now have official status in law for the first time.”

—*Senator Mary O’Rourke.*

8. “That Seanad Éireann urges the Government as of this September to increase the number of places in Irish medical schools for EU students to 700 as recommended in the Hanly Report of October 2003; and to provide the resources to so do in order to allow for an adequate supply of doctors for the Irish health service.”

—*Senator Mary Henry, Joe O’Toole, Feargal Quinn, David Norris, Shane Ross.*

**[14 June, 2005]**

9. “That Seanad Éireann

- conscious of the outmoded and non user-friendly nature of the process associated with registering, changing address and application for postal votes;
- conscious of the procedural difficulties encountered in the up dating of the Electoral Register, particularly the failure to include eligible voters, recently relocated or those turned 18 years;
- conscious of the lack of an up-date in relation to electronic voting; calls for
  - root and branch reform of the electoral process,
  - review of procedures associated with the up-dating of the Electoral Register,
  - an assurance of greater accuracy and accessibility for those registering,
  - information campaigns on the role of Local Government, the European Parliament, the Houses of the Oireachtas and the President prior to the relevant election, highlighting the importance of transfers in the proportional representational system,
  - widening of the grounds of application for a postal ballot and an extension of deadline for applications,



— definitive up-date on electronic voting, in particular costly storage of obsolete machines; and

automatic registration of all 18 year olds using the PPS serial number provided by the Department of Social and Family Affairs.”

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

**[22 June, 2005]**

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10. “That Seanad Éireann notes that:

- Ireland has one of the highest incidences of Cystic Fibrosis in the world;
- Cystic Fibrosis is Ireland’s most common life threatening genetically inherited disease with 1 in every 20 people carrying the recessive Cystic Fibrosis gene;
- people with Cystic Fibrosis rely heavily on a health system that is inadequately staffed and resourced;
- the survival statistics relating to Cystic Fibrosis is directly proportional to the quality of the health care system, and Ireland sadly falls well below internationally accepted norms;
- with the correct health care, a large proportion of people with Cystic Fibrosis will be able to live a normal productive life; and
- and Seanad Éireann calls on the Government to take immediate steps to provide adequate increased funding and resources to help sufferers of this condition.”

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

**[28 June, 2005]**

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11. “That Seanad Éireann calls on the Government to examine the status of charities and charitable collections and in particular to investigate the practice of so called ‘chugging’ or charity mugging by street collectors.”

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

**[28 September, 2005]**

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12. “That Seanad Éireann, in the light of recent tragic fires in France and other countries involving hostel accommodation of migrant workers and asylum seekers and in the light of our own recent narrow escapes from such tragedies, calls upon the Government to ensure that all such accommodation in Ireland is professionally vetted to ensure compliance with fire regulations, health, safety and hygiene provisions.”

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

**[28 September, 2005]**

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13. “That Seanad Éireann calls on the Minister for Communications, Marine and Natural Resources to ensure,

- 1) a total ban on use or sale of mono and multi-monofilament gill and drift nets;
- 2) a ban on trawling within 6 mile limit;

- 3) no netting of any description within 1 mile of the low water mark;
- 4) the creation of and an increase in the protection for spawning/nursery areas;
- 5) closed seasons to protect spawning fish;
- 6) that angling groups like the IFSA are involved in consultation processes;
- 7) that a full survey of all recreational anglers to determine our economic input is commissioned;
- 8) that there is an increase in minimum sizes and a reduction of quotas for commercially exploited species;
- 9) increased fishery protection resources;
- 10) much tighter oversight of domestic and foreign vessels as regards landings, gear etc.;
- 11) an end to the practices of marine dumping and aggregate extraction; and
- 12) an end to nuclear waste dumping/discharges in the Irish Sea.”

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

**[28 September, 2005]**

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14. “That Seanad Éireann requests the Minister for Foreign Affairs to seek the establishment of a monitoring group to supervise the implementation of the Human Rights Attachments to the External Association Agreement between the European Union and the State of Israel.”

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

**[28 September, 2005]**

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15. “That Seanad Éireann requests the Government to take all possible measures to ensure that the refinancing of Irish Insurance risk internationally does not as a result of recent tragic global events make Irish domestic insurance unacceptably high.”

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

**[28 September, 2005]**

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16. “That Seanad Éireann requests the Minister for Arts, Sports and Tourism to come into the house to give a full account of the current situation regarding the future of the Abbey Theatre and its possible relocation.”

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

**[28 September, 2005]**

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17. “That Seanad Éireann calls on the Minister for Environment, Heritage and Local Government to give this House a definitive time-scale for the final introduction of electronic voting, in the light of the unacceptable level of spending being incurred by him, including and following the initial €50 million outlay, the €685,000 annual storage cost incurred over the last three years which will continue to be spent for an indefinite period and the €400,000 spent on testing the system.”

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

**[29 September, 2005]**

18. “That Seanad Éireann believes that the Groceries Order should be replaced with a new law to take account of changes in the Competition Act and modern trends in the grocery trade to include the following:—

- (1) that all discounts appear on invoices so that the benefits of food competition can be fully passed on to consumers; and
- (2) that our communities are protected from predatory pricing by major multiples in order to see choice and diversity in the food sector where multiples and locals shops can compete on a level playing pitch.”

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

**[29 September, 2005]**

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19. “That Seanad Éireann,

- appalled at the continuing imprisonment of 5 law abiding citizens from Rossport in County Mayo;
- acknowledging that the 5 remain convinced that the Shell operation at Rossport poses a serious threat to life and health;
- condemns the extraordinarily lethargic and indifferent response of the Government to the men’s imprisonment;
- calls on Shell immediately to waive it’s interests under the injunction;
- invites the five men simultaneously to apologise to the court; and
- calls on the Government to appoint an independent mediator acceptable to the five men to do the following:
  - (1) To report, using independent professional and technical advice as required, on the appropriateness or otherwise of the proposed development on environmental, health and safety grounds and in particular on the appropriateness or otherwise of the use of Quantified Risk Assessments in such a development;
  - (2) To identify and quantify following discussions with the Government and Shell how if at all the proposed development will be used to benefit this region of Mayo; and
  - (3) To identify and quantify following discussions with the Government and Shell the benefits, if any, which will accrue to this country generally from the proposed development.”

—*Senators Brendan Ryan, Kathleen O’Meara, Joanna Tuffy, Michael McCarthy, Derek McDowell.*

**[5 October, 2005]**

20. “That Seanad Éireann expresses its concern at growing reports of climate change in various parts of the world; and requests the Minister to come into the house and give a progress report on our position concerning Ireland reaching its target under the Kyoto Protocol.”

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

**[5 October, 2005]**

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21. “That Seanad Éireann urges the Government to begin the process of implementing the recommendations of a number of recent reports on childcare by providing funds in the forthcoming Budget to phase in the following five initiatives:

- (1) extending maternity leave to 26 weeks;
- (2) introducing paid parental leave of 26 weeks;
- (3) making free childcare places available to all three year olds;
- (4) establishing an overall accreditation body to ensure that all of the various suppliers of early childhood care and education are recognised and qualified; and
- (5) appointing one Minister and one Department to be fully responsible for the area of early childhood care and education.”

—*Senators Joe O’Toole, Shane Ross, Mary Henry.*

**[5 October, 2005]**

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22. “That Seanad Éireann, mindful of Ireland’s unprecedented national wealth, urges the Minister for Finance to give far greater resources in the next Budget to childcare and the difficulties encountered by parents of children attending crèches, primary or secondary schools. In particular, Seanad Éireann urges the Minister to set up structures unlocking parents from the difficulties encountered by huge bills for crèches if they decide to work outside the home, aimed at giving them real choices about whether to rejoin the workforce or to care for their children themselves.”

—*Senators Shane Ross, Joe O’Toole, Mary Henry.*

**[5 October, 2005]**

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23. “That Seanad Éireann

- notes the ongoing commitment of the parties in government to the National Pensions Reserve Fund which is helping to ensure future generations of the elderly will be properly provided for;
- congratulates the Government for maintaining the National Pension Reserve Fund and the payment of 1% of GNP per annum into the Fund;
- welcomes the fact that this year so far the Fund has earned €1.7 billion or some 14% bringing its total value to €14.4 billion;
- acknowledges also that, overall, since its inception in difficult market conditions four years ago, the Fund has earned €2.6 billion; and

- urges the Government to continue to support this innovative scheme which will assist in meeting our great responsibility to provide for those who will need pensions in future years.”

—*Senators Mary O'Rourke, Eddie Bohan, Cyprian Brady, 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 and Diarmuid Wilson.*

**[11 October, 2005]**

*Leasú:*

*Amendment:*

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

“condemns the Government for its failure to support private sector workers in securing private pension plans given that 50% of private sector workers in Ireland have no private pension plan; and calls on the Government, in the upcoming budget, to increase tax relief for the provision of private pension cover with particular emphasis on those in receipt of low incomes.”

—*Senators John Paul Phelan, 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, Sheila Terry.*

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24. “That the time limit for the Order of Business be extended to a maximum of 45 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.*

**[20 October, 2005]**

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25. “That Seanad Éireann, mindful of Ireland’s unprecedented national wealth and the difficulties encountered by parents of children attending crèches or primary or secondary schools;

— urges the Government to give far greater resources in the next Budget to childcare;

— insists that the Government matches any benefits given to parents in the workforce with tangible recognition of the work of stay at home parents;

— urges the Government to set up structures unlocking parents from the difficulties encountered by huge bills for crèches if they decide to work outside the home, aimed at giving them real choices about whether to rejoin the workforce or to care for their children themselves;

— urges the Government to begin the process of implementing the recommendations of a number of recent reports on childcare by providing additional childcare funds in the forthcoming Budget in order to;

(1) make free childcare places available to all;

(2) establish an overall accreditation body to ensure that all of the various suppliers of early childhood care and education are recognized and qualified; and

(3) appoint one Minister and one Department to be fully responsible for the area of early childhood care and education.”

—*Senators Shane Ross, Joe O’Toole, Mary Henry.*

**[25 October, 2005]**

*Leasú:*

*Amendment:*

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

“notes:

- the considerable progress which has been made in increasing the availability of quality and affordable childcare places across the country through the Equal Opportunities Childcare Programme and other Government initiatives;
- the provision of an additional 38,500 new childcare places, 26,000 of which are already in place, as a result of funding allocated to date under the Equal Opportunities Childcare Programme;
- the very significant increase in child benefit which is available to all parents of children under 16, and children under 19 if they are in full time education, which affords choices to parents in relation to the care of their children;
- the fourfold increase since 1997 in Child Benefit expenditure from €506 million to over €1.9 billion;
- the staffing grant assistance which is provided under the Equal Opportunities Childcare Programme which aims to ensure that these grants target community based not for profit groups which serve families who are disadvantaged;
- recent reports on Childcare policy, notably by the National Women’s Council of Ireland (NWCII) and the National Economic and Social Forum (NESF);

and endorses this Government’s ongoing commitment to:

- the development of quality affordable childcare to support parents in employment, education and training through the Equal Opportunities Childcare Programme and its eventual successor programme;
- the provision of considerable current funding support towards the staffing costs of childcare services which support disadvantaged parents;
- the provision of early education opportunities for disadvantaged children through the Early Start and other initiatives under the direction of the Minister for Education and Science;
- the development of quality early education opportunities for children; and
- the use of child benefit as an equitable way of giving support to parents towards the cost of rearing and caring for their children, irrespective of the mother’s employment status.”

—*Senator Mary O’Rourke.*

**20.** An Seanad a chur ar athló.  
Adjournment of the Seanad.



BILLÍ SEANAID SA DÁIL  
*Seanad Bills with the Dáil*

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

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

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

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An Bille um Shaoire do Thuismitheoirí (Leasú) 2004.  
 Parental Leave (Amendment) Bill 2004.

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An Bille um an Dlí Coiriúil (Gealtacht) 2002.  
 Criminal Law (Insanity) Bill 2002.

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An Bille um Ghairmithe Sláinte agus Cúraim Shóisialaigh 2004.  
 Health and Social Care Professionals Bill 2004.

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An Bille um Athchóiriú an Dlí Reachtúil (Réamh-1922) 2004.  
 Statute Law Revision (Pre-1922) Bill 2004.

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An Bille um Chlárú Gníomhas agus Teidil 2004.  
 Registration of Deeds and Title Bill 2004.

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MEMORANDA

*Dé Céadaoin, 26 Deireadh Fómhair, 2005*  
*Wednesday, 26th October, 2005*

Cruinniú den Chomhchoiste um Fhiontraíocht agus Mionghnóthaí i Seomra Coiste 3,  
 TL 2000, ar 9.30 a.m.  
 Meeting of the Joint Committee on Enterprise and Small Business in Committee  
 Room 3, LH 2000, at 9.30 a.m.

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Cruinniú den Bhuan-Chomhchoiste um Billí Comhdhlúite i Seomra Coiste 4, TL 2000 ar  
 9.30 a.m. (*poiblí*).  
 Meeting of the Standing Joint Committee on Consolidation Bills in Committee Room 4,  
 LH 2000 at 9.30 a.m. (*in public*).

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Cruinniú den Chomhchoiste um Sheirbhísí an Tí i Seomra Coiste 3, TL 2000, ar  
 11.30 a.m. (*príobháideach*).  
 Meeting of the Joint House Services Committee in Committee Room 3, LH 2000, at  
 11.30 a.m. (*private*).

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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.

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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.

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Cruinniú den Chomhchoiste um Airgeadas agus an tSeirbhís Phoiblí i Seomra Coiste 4, TL 2000, ar 3 p.m.

Meeting of the Joint Committee on Finance and the Public Service in Committee Room 4, LH 2000, at 3 p.m.

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Cruinniú den Chomhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta i Seomra Coiste 1, TL 2000, ar 4.45 p.m.

Meeting of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in Committee Room 1, LH 2000, at 4.45 p.m.

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*Déardaoin, 27 Deireadh Fómhair, 2005*

*Thursday, 27th October, 2005*

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.

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Cruinniú den Bhuan-Chomhchoiste um Billí Comhdhlúite i Seomra Coiste 3, TL 2000 ar 9.30 a.m. (*poiblí*).

Meeting of the Standing Joint Committee on Consolidation Bills in Committee Room 3, LH 2000 at 9.30 a.m. (*in public*).

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Cruinniú den Fhochoiste um Iniúchadh Eorpach i Seomra Coiste 4, LH 2000, ar 9.30 a.m.

Meeting of the Sub-Committee on European Scrutiny in Committee Room 4, LH 2000, at 9.30 a.m.

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Cruinniú den Choiste um Nós Imeachta agus Pribhléidí i Seomra 102, Dorchla an tSeanaid, Teach Laighean, ar 12 meán lae.

Meeting of the Committee on Procedure and Privileges in Room 102, Seanad Corridor, Leinster House, at 12 noon.

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Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 2, TL 2000, ar 12.45 p.m.  
Meeting of the Joint Committee on Transport in Committee Room 2, LH 2000, at 12.45 p.m..

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

*Reachtúil:*

1) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle lena n-aisghairtear Treoir 90/544/CEE ón gComhairle maidir leis na bandaí minicíochta atá ainmnithe chun glaoireacht raidió phoiblí thalamhbhunaithe uile-Eorpach a thabhairt isteach go comhordaithe sa Chomhphobal mar aon le nóta faisnéise míniúcháin. COM (2005) 361.

2) Togra le haghaidh Cinnidh ón gComhairle a bhaineann le Coinbhinsiún Uimh. 198 ó Chomhairle na hEorpa maidir le sciúradh, cuardach, urghabháil agus coigistiú na bhfáltas ó choireacht agus maidir le maoiniú sceimhlitheoireachta a shíniú thar ceann an Chomhphobail mar aon le nóta faisnéise míniúcháin. COM (2005) 426.

3) Institiúid Ealaíne, Deartha agus Teicneolaíochta Dhún Laoghaire. Ráitis Airgeadais don bhliain dar chríoch 31 Lúnasa, 2004.

4) An Bord um Chosaint Shibhialta. Plean go dtí 2007.

5) An Chuideachta Amharclann Náisiúnta Teoranta. Tuarascáil na Stiúrthóirí agus Ráitis Airgeadais, 2004.

*Neamhreachtúil:*

1) Tithe an Oireachtais. An Comhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan. Tuarascáil Iniúchta AE Uimh. 8: Com (2003) 688: Cinneadh Beartaithe ar an mBarántas Fianaise Eorpach chun rudaí, doiciméid agus sonraí a fháil lena n-úsáid in imeachtaí i gcúrsaí coiriúla. Deireadh Fómhair, 2005.

2) Tithe an Oireachtais. An Comhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan. Tuarascáil Iniúchta AE Uimh. 9: Com (2005) 280: Togra le haghaidh Rialacháin ón gComhairle lena mbunaítear Gníomhaireacht Aontais Eorpaigh um

*Statutory:*

1) Proposal for a Directive of the European Parliament and of the Council repealing Council Directive 90/544/EEC on the frequency bands designated for the coordinated introduction of pan-European land-based public radio paging in the Community together with explanatory information note. COM (2005) 361.

2) Proposal for a Council Decision concerning the signing, on behalf of the European Community, of Council of Europe Convention No. 198 on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism together with explanatory information note. COM (2005) 426.

3) Dún Laoghaire Institute of Art, Design and Technology. Financial Statements for the year ended 31 August, 2004.

4) Civil Defence Board. Strategic Plan to 2007.

5) National Theatre Society Limited. Directors Report and Financial Statements, 2004.

*Non-Statutory:*

1) Houses Of The Oireachtas. Joint Committee on Justice, Equality, Defence and Women's Rights. EU Scrutiny Report No. 8: Com (2003) 688: Proposed Decision on the European Evidence Warrant for obtaining objects, documents and data for use in proceedings in criminal matters. October, 2005.

2) Houses Of The Oireachtas. Joint Committee on Justice, Equality, Defence and Women's Rights. EU Scrutiny Report No. 9: Com (2005) 280: Proposal for a Council Regulation establishing European Union Agency for Fundamental Rights [and] Proposal for a Council Decision

Chearta Bunúsacha [agus] Togra le empowering the European Union Agency  
haghaidh Cinnidh ón gComhairle a for Fundamental Rights to pursue its  
chumasóidh do Ghníomhaireacht an activities in areas referred to in Title VI of  
Aontais Eorpaigh um Chearta Bunúsacha the Treaty on European Union. October,  
dul i mbun a gníomhaíochtaí i réimsí dá 2005.  
dtagraítear i dTeideal VI den Chonradh ar  
an Aontas Eorpach Deireadh Fómhair,  
2005.

3) Tuarascáil Fearna. (25 Deireadh 3) The Ferns Report. (25 October, 2005).  
Fómhair, 2005).

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