

*Dé Céadaoin, 10 Bealtaine, 2006*  
*Wednesday, 10th May, 2006*

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. (l) An Bille um Cheartas Coiriúil (Cúnamh Frithpháirteach) 2005 — An Tuarascáil.  
 (a) Criminal Justice (Mutual Assistance) Bill 2005 — Report Stage.

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  2. An Bille um Shaoire do Thuismitheoirí (Leasú) 2004 [*Bille Seanaid arna leasú ag an Dáil*] — An Tuarascáil.  
 Parental Leave (Amendment) Bill 2004 [*Seanad Bill amended by the Dáil*] — Report Stage.

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  3. An Bille fán Údarás um Shábháilteacht ar Bhóithre 2004 athraithe ó An Bille fán Údarás um Thástáil agus Caighdeáin do Thiománaithe 2004 [*Dáil*] — An Dara Céim.  
 Road Safety Authority Bill 2004 changed from Driver Testing and Standards Authority Bill 2004 [*Dáil*] — Second Stage.

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  4. Ráitis maidir leis an Tuarascáil ar Imirce ón gComhchoiste um Ghnóthaí Eorpacha.  
 Statements on the Joint Committee on European Affairs Report on Migration.

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  5. An Bille um Pleanáil agus Forbairt (Bonneagar Straitéiseach) 2006 — An Tuarascáil.  
 Planning and Development (Strategic Infrastructure) Bill 2006 — Report Stage.

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  6. An Bille um Cheadanna Fostaíochta 2005 [*Dáil*] — An Dara Céim.  
 Employment Permits Bill 2005 [*Dáil*] — Second Stage.

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  7. Bille na bPríosún 2005 — An Coiste.  
 Prisons Bill 2005 — Committee.

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  8. An Bille um an Oifig Náisiúnta d'Fhorbairt Eacnamaíoch agus Shóisialach 2002 [*Dáil*] — An Coiste.  
 National Economic and Social Development Office Bill 2002 [*Dáil*] — Committee.

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9. An Bille um Chlárú Uachtanna 2005 — An Coiste.  
Registration of Wills Bill 2005 — Committee.

—*Senator Terry Leyden.*

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10. 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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*Tíolactha:*  
*Presented:*

11. 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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12. 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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13. An Bille um Chiontaí in aghaidh an Stáit (Leasú) 2006 — Ordú don Dara Céim.  
Offences Against the State (Amendment) Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Chiontaí in Aghaidh an Stáit 1939.

Bill entitled an Act to amend the Offences Against the State Act 1939.

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

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14. Bille na dTithe (Íocaíochtaí Céime) 2006 — Ordú don Dara Céim.  
Housing (Stage Payments) Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do thoirmeasc íocaíochtaí céime i gconarthaí le haghaidh tithe nua áirithe.

Bill entitled an Act to prohibit stage payments in contracts for certain new houses.

—*Senators Paul Coghlan, Joe O’Toole and Brendan Ryan.*

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*Tairiscintí:*  
*Motions:*

15. “Go gceadaíonn Seanad Éireann an Stát d’fheidhmiú an roghnaithe, arna chur ar fáil le hAirteagal 4 den cheathrú Prótacal

That Seanad Éireann approves the exercise by the State of the option, provided by Article 4 of the fourth Protocol set out

atá leagtha amach i gConradh Amstardam, fógra a thabhairt don Chomhairle agus don Choimisiún gur mian leis glacadh leis an mbeart seo a leanas:

in the Treaty of Amsterdam, to notify the Council and the Commission that it wishes to accept the following measure:

Treoir 2004/82/CE an 29 Aibreán, 2004 ón gComhairle maidir le hoibleagáid a bheith ar iompróirí sonraí a thabhairt mar gheall ar phaisinéirí,

Council Directive 2004/82/EC of 29th April, 2004 on the obligation of carriers to communicate passenger data,

ar beart é ar leagadh cóip de faoi bhráid Sheanad Éireann an 25 Iúil, 2005.

a copy of which measure was laid before Seanad Éireann on 25th July, 2005.”

—*Senator Mary O’Rourke.*

**16.** “Go gceadaíonn Seanad Éireann na rialacháin seo a leanas ina ndrúacht:

That Seanad Éireann approves the following regulations in draft:

Na Rialacháin fán Acht um Shaoráil Faisnéise 1997 (Comhlachtaí Forordaithe) 2006,

Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2006,

ar leagadh cóipeanna díobh ina ndrúacht faoi bhráid Sheanad Éireann an 28 Aibreán, 2006.

copies of which were laid in draft form before Seanad Éireann on 28th April, 2006.”

—*Senator Mary O’Rourke.*

*Ráitis:*

*Statements:*

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

**18.** 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*).

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

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

**21.** Ráitis maidir le Sábháilteacht ar Bhóithre (*atógáil*).  
Statements on Road Safety (*resumed*).

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

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

23. “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 dlínse 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 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,

(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;
- (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;

agus

and

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.
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):*

24. 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.*

**25. Tairiscintí nach ón Rialtas:**  
Non-Government Motions:

*1.* “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]**

2. “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.*

3. “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]**

4. “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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5. “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 and Sheila Terry.*

**[28 June, 2005]**

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6. “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 and Joe O’Toole.*

**[28 September, 2005]**

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7. “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 and Shane Ross.*

**[28 September, 2005]**

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8. “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 and Joe O’Toole.*  
**[28 September, 2005]**
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9. “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 and Joe O’Toole.*  
**[28 September, 2005]**
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10. “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 and Joe O’Toole.*  
**[28 September, 2005]**
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11. “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 and Joe O’Toole.*  
**[28 September, 2005]**
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12. “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 and Sheila Terry.*

**[29 September, 2005]**

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13. “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 and Sheila Terry.*

**[29 September, 2005]**

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14. “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 its 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 and Derek McDowell.*

**[5 October, 2005]**

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15. “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, Fergal Quinn and Mary Henry.*

**[5 October, 2005]**

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16. “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 and Mary Henry.*

**[5 October, 2005]**

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17. “That Seanad Éireann, in the light of the Ferns Report, requests the Government to re-examine the exemption of the churches from the operations of equality legislation.”

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

**[3 November, 2005]**

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18. “That Seanad Éireann calls on the Minister for Environment, Heritage and Local Government, in the light of increased tax receipts, to increase funding to all Local Authorities in the upcoming Budget, as they face unprecedented financial hardship in the coming year.”

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

**[9 November, 2005]**

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19. “That Seanad Éireann supports:

the declaration of the 4th World Parliamentarian’s Convention on Tibet adopted by parliamentarians from 30 different countries on November 19, 2005 in Edinburgh, Scotland in support of Tibet’s goal of genuine autonomy;

supports His Holiness the Dalai Lama’s Middle Way approach to resolve the conflict between the People’s Republic of China and the Tibetan Government in exile through negotiations in the spirit of non-violence and reconciliation;

commends the Chinese Government in inviting the Dalai Lama’s special envoys for four rounds of high-level meetings in Beijing and Berne between September 2002 and June 2005;

supports the creation of a zone of ahimsa (peace and non-violence) throughout the Tibetan plateau;

deplores the refusal of the Chinese Government to release political prisoners, in particular the Panchen Lama, Gebhum Choekyi Nyima, who has been held in a secret location since 1995, when he was only 6 years old; and

the recent forcible attempts by the Chinese authorities to introduce a brutal discipline known as ‘Patriotic re-education’ which has been inflicted upon monasteries in Tibet and which has resulted in injury and death to some of the monks at the Drepung Monastery in Tibet.”

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

**[13 December, 2005]**

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20. “That Seanad Éireann calls on the Minister for Environment, Heritage and Local Government, for an urgent debate on the Nitrates Directive, in light of his hasty signing of said directive, particularly as the figures on which he based his decision, have now been highlighted as being erroneous and the impossibility of the Government standing over such figures, allied with its total disregard for the future of Irish farming.”

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

**[25 January, 2006]**

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21. “That Seanad Éireann urges the Government to ensure that the child sex abuse victim from Cork is not under any circumstances to be pursued for her costs in the wake of her recent unsuccessful legal action.”

—*Senators David Norris, Shane Ross, Mary Henry, Joe O’Toole, Feargal Quinn, Brian Hayes, James Bannon, Paul Bradford, Fergal Browne, Paddy Burke, Ulick Burke, Paul Coghlan, Noel Coonan, Maurice Cummins, Frank Feighan, Michael Finucane, Jim Higgins, Joe McHugh, John Paul Phelan, Sheila Terry, Brendan Ryan, Kathleen O’Meara, Joanna Tuffy, Michael McCarthy and Derek McDowell.*

**[28 March, 2006]**

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22. “That Seanad Éireann calls on the Irish Government to redouble its efforts to ensure the closure of British Nuclear Fuel’s Sellafield plant.”

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

**[3 May, 2006]**

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23. “That Seanad Éireann,

- mindful of revelations that up to 800,000 individuals may be inaccurately recorded on the Electoral Register;
- aware of the huge potential for disenfranchisement and voter fraud that this situation causes;
- bearing in mind the responsibility of the Department of the Environment, Heritage and Local Government to ensure a modern electoral system;

calls for

- the automatic registration of all individuals who turn 18 years of age, by utilising the PPS registration system;
- the establishment of an Independent Electoral Commission to oversee all aspects of the electoral system;
- the scrapping of e-voting due to a lack of public confidence, which the poor state of the Electoral Register has exacerbated;
- the immediate setting up of a student summer scheme under which third level students would be employed for the summer months to work as enumerators in an effort to bring the Register up to date as speedily as possible;
- legislation that would make it obligatory to produce photo ID when casting a ballot; and
- the granting of responsibility for the location of polling stations to Local Authorities, so that polling stations are located closer to new communities thereby encouraging more citizens to vote at elections.”

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

**[9 May, 2006]**

*Leasú:*

*Amendment:*

1. To delete all words after “Seanad Éireann” and substitute the following:
  - “shares the concerns about the accuracy and comprehensiveness of the Electoral Register, which reflect the challenges presented by electoral registration in many jurisdictions, as recognised by the International Institute for Democracy and Electoral Assistance in its study of Electoral System Design in 2005;
  - endorses the Government’s programme to support and assist local authorities in working to secure significant improvement in the Electoral Register in the short-term, through;
    - updated and consolidated guidance to all local authorities
    - the use of census enumerators, or other temporary staff, to assist local authorities in intensive fieldwork as part of a new register campaign
    - provision of additional financial resources to local authorities to support intensified action on the Register
    - an early start to the Register campaign for 2007-8
    - new arrangements to delete deceased persons from the Register
    - better online facilities to help people check the voting Register, including an additional online facility through the website of the Department of the Environment, Heritage and Local Government
    - an intensive public information campaign,

P.T.O.

- supports full consideration of longer-term options in relation to the electoral registration process on a cross-party basis;
- acknowledges the importance of strengthened controls at the polls and, noting that current guidance, which will be highlighted to Returning Officers and Presiding Officers at the next election, requires that at least 25% of voters be asked to produce an identity document, accepts that there is a need for balance between this requirement to maintain the security and integrity of the electoral process and providing a necessary degree of flexibility;
- notes that the Oireachtas agreed to the establishment of the Commission on Electronic Voting and that the timing of further use of the electronic voting and counting system is dependent on the progress made with the ongoing work of the Commission, the Government's programme of further assessment, testing and validation of the system, the associated decisions arising in this regard, and dates at which future polls may be held; and
- notes that the Electoral Act 1992, in accordance with the principle of local responsibility, already provides that each local authority, in consultation with the relevant returning officer(s), is required to make a polling scheme dividing the county or city into polling districts and appointing a polling place for each polling district, and that this is a reserved function of the local authority."

—*Senator Mary O'Rourke.*

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

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**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 Sheirbhísí Uisce 2003.  
Water Services Bill 2003.

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**MEMORANDA**

*Dé Céadaoin, 10 Bealtaine, 2006*  
*Wednesday, 10th May, 2006*

Cruinniú den Chomhchoiste um Thalmhaíocht agus Bia i Seomra na Dála, ar 12.10 p.m.  
Meeting of the Joint Committee on Agriculture and Food in Dáil Chamber, at 12.10 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 ar Airteagal 35.4.1 den Bhunreacht agus ar alt 39 den Acht Cúirteanna Breithiúnais 1924 i Seomra Coiste 3, TL 2000, ar 5.30 p.m. (*príobháideach*).

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 3, LH 2000, at 5.30 p.m. (*private*).

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*Déardaoin, 11 Bealtaine, 2006*  
*Thursday, 11th May, 2006*

Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 3, TL 2000, ar 9.30 a.m.

Meeting of the Joint Committee on Transport in Committee Room 3, LH 2000, at 9.30 a.m.

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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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*Dé Céadaoin, 17 Bealtaine, 2006*  
*Wednesday, 17th May, 2006*

Cruinniú den Chomhchoiste um Thalmhaíocht agus Bia i Seomra Coiste 3, TL 2000, ar 12.30 p.m.

Meeting of the Joint Committee on Agriculture and Food in Committee Room 3, LH 2000, at 12.30 p.m.

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

*Reachtúil:*

1) Togra le haghaidh Cinnidh ón gComhairle maidir le seasamh an Chomhphobail i ndáil leis an dréacht-Rialachán ó Choimisiún Eacnamaíochta na Náisiún Aontaithe don Eoraip maidir le mótarfheithiclí a cheadú i ndáil leis an réimse radhairc chun tosaigh ag tiománaí na mótarfheithicle mar aon le nóta faisnéise míniúcháin. COM (2006) 127.

2) Togra le haghaidh Cinnidh ón gComhairle maidir le seasamh an Chomhphobail i ndáil leis an dréacht-Rialachán ó Choimisiún Eacnamaíochta na Náisiún Aontaithe don Eoraip maidir le córais deighilte chun

*Statutory:*

1) Proposal for a Council Decision on the position of the Community in relation to the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of motor vehicles with regard to the forward field of vision of the motor vehicle driver together with explanatory information note. COM (2006) 127.

2) Proposal for a Council Decision on the position of the Community in relation to the draft Regulation of the United Nations Economic Commission for Europe concerning the approval of partitioning systems to

paisinéirí a chosaint ar bhagáiste díláithrithe, arna soláthar mar threalamh nach trealamh bunaidh é mar aon le nóta faisnéise míniúcháin. COM (2006) 112.

3) Togra le haghaidh Cinnidh ón gComhairle maidir le síniú an Chomhaontaithe Cobhsaíochta agus Comhlachais idir na Comhphobail Eorpacha agus a gcuid Ballstát agus Poblacht na hAlbáine thar ceann an Aontais Eorpaigh [agus] Togra le haghaidh Cinnidh ón gComhairle agus ón gCoimisiún maidir le críochnú an Chomhaontaithe Cobhsaíochta agus Comhlachais idir na Comhphobail Eorpacha agus a gcuid Ballstát, de pháirt, agus Poblacht na hAlbáine, den pháirt eile, mar aon le nóta faisnéise míniúcháin. COM (2006) 138.

4) An tÚdarás Comhionannais. Tuarascáil Bhliantúil, 2005.

*Neamhreachtúil:*

1) Tithe an Oireachtais. An Comhchoiste um Shláinte agus Leanaí. Ordú ag bunú Fochoiste um Sheachthorthaí Dochracha Táirgí Cógaisíochta.

2) Rialacháin na gComhphobal Eorpach (Líonraí agus Seirbhísí Cumarsáide Leictreonaí) (Creat) (Leasú) 2006 (I.R. Uimh. 210 de 2006).

3) Rialacháin na gComhphobal Eorpach (Rialú ar Allmhairí Táirgí de Bhunadh Ainmhíoch ó Mhadagascar) 2006 (I.R. Uimh. 190 de 2006).

4) Rialacháin na gComhphobal Eorpach (Fliú Éanúil) (Rialú ar Allmhairí ón gCróit) (Leasú) (Uimh. 2) 2006 (I.R. Uimh. 191 de 2006).

5) Na Rialacha Cúirte Dúiche (Ordú 16) 2006 (I.R. Uimh. 238 de 2006).

protect passengers against displaced luggage, supplied as non-original equipment together with explanatory information note. COM (2006) 112.

3) Proposal for a Council Decision on the signing of the Stabilisation and Association Agreement between the European Communities and their Member States and the Republic of Albania on behalf of the European Community [and] Proposal for a Council and Commission Decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part together with explanatory information note. COM (2006) 138.

4) Equality Authority. Annual Report, 2005.

*Non-Statutory:*

1) Houses of the Oireachtas. Joint Committee on Health and Children. Order establishing a Sub-Committee on the Adverse Side Effects of Pharmaceuticals.

2) European Communities (Electronic Communications Networks and Services) (Framework) (Amendment) Regulations 2006 (S.I. No. 210 of 2006).

3) European Communities (Control on Imports of Products of Animal Origin from Madagascar) Regulations 2006 (S.I. No. 190 of 2006).

4) European Communities (Avian Influenza) (Control on Imports from Croatia) (Amendment) Regulations (No. 2) 2006 (S.I. No. 191 of 2006).

5) District Court (Order 16) Rules 2006 (S.I. No. 238 of 2006).