

Dé Máirt, 3 Deireadh Fómhair, 2006
Tuesday, 3rd October, 2006

2.30 p.m.

RIAR NA hOIBRE

Order Paper

GNÓ POIBLÍ

Public Business

Tíolactha:

Presented:

1. An Bille um Thrácht ar Bhóithre agus Iompar 2006 — Ordú don Dara Céim.
 Road Traffic and Transport Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do leasú agus do leathnú Chuid III den Acht um Thrácht ar Bhóithre 1994 agus do dhéanamh socrú maidir leis an Aire Iompair do dheonú ceadúnas d'oibrithoirí tarlaithe bóthair agus iompair paisinéirí de bhóthar agus do dhéanamh socrú i dtaobh nithe comhghaolmhara.

Bill entitled an Act to amend and extend Part III of the Road Traffic Act 1994 and to make provision for the Minister for Transport to grant licences to road haulage and road passenger transport operators and to provide for connected matters.

—*Senator Mary O'Rourke.*

2. Ráitis ar Thuarascáil Bhliantúil 2005 ón nGníomhaireacht Airgeadais d'Fhorbairt Náisiúnta.
 Statements on the 2005 Annual Report of the National Development Finance Agency.

3. (l) An Bille Rialtais Áitiúil (Ceantair um Fheabhsú Gnó) 2006 — An Coiste.
 (a) Local Government (Business Improvement Districts) Bill 2006 — Committee.

Tíolactha:

Presented:

4. An Bille um Europol (Leasú) 2006 — Ordú don Dara Céim.
 Europol (Amendment) Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do thabhairt feidhm dlí do Phrótacail an 30 Samhain 2000, an 28 Samhain 2002 agus an 27 Samhain 2003 a ghabhann le Coinbhinsiún an 26 Iúil 1995 maidir le hOifig Eorpach

Bill entitled an Act to give the force of law to the Protocols of 30 November 2000, 28 November 2002 and 27 November 2003 to the Convention of 26 July 1995 on the establishment of a European Police Office,

P.T.O.

Póilíní a bhunú, do leasú chun na críche sin to amend for that purpose the Europol Act an Achta um Europol 1997 agus do 1997 and to provide for related matters. dhéanamh socrú i dtaobh nithe gaolmhara.

—*Senator Mary O'Rourke.*

5. Ráitis ar an bPáipéar Bán ón Rialtas ar Chúnamh ó Éirinn.
Statements on the Government White Paper on Irish Aid.

6. An Bille um an gCúirt Choiriúil Idirnáisiúnta 2003 [*Dáil*] — An Tuarascáil.
International Criminal Court Bill 2003 [*Dáil*] — Report.

7. An Bille um Athchóiriú an Dlí Talún agus Tíolactha 2006 — Ordú don Choiste.
Land and Conveyancing Law Reform Bill 2006 — Order for Committee.

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

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

—*Senator Terry Leyden.*

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.*

11. An Bille um Chosaint Beatha agus Maoine 2006 — An Dara Céim.
Defence of Life and Property Bill 2006 — Second Stage.

—*Senators Tom Morrissey, Michael Brennan, John Minihan.*

12. Bille Náisiúntachta agus Saoránachta Éireann (Leasú) (An Garda Síochána) 2006 —
An Dara Céim.
Irish Nationality and Citizenship (Amendment) (An Garda Síochána) Bill 2006 —
Second Stage.

—*Senators Brian Hayes, Maurice Cummins, Ulick Burke.*

Tíolactha:
Presented:

13. An Bille um Chlúmhilleadh 2006 — Ordú don Dara Céim.
Defamation Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht d'athmheas Dlí an Bill entitled an Act to revise in part the Chlúmhille go páirteach; d'aisghairm an Law of Defamation; to repeal the Achta um Chlúmhilleadh 1961; agus do Defamation Act 1961; and to provide for dhéanamh socrú i dtaobh nithe a bhaineann matters connected therewith. leis an méid sin.

—*Senator Mary O'Rourke.*

14. An Bille um Príobháideacht 2006 — Ordú don Dara Céim.
Privacy Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le Tort arb éard é Príobháideacht a Shárú; agus do dhéanamh socrú i dtaobh nithe a bhaineann leis an méid sin.

Bill entitled an Act to provide for a Tort of Violation of Privacy; and to provide for matters connected therewith.

—*Senator Mary O'Rourke.*

15. An Bille um Chúram Leanaí (Leasú) 2006 — Ordú don Dara Céim.
Child Care (Amendment) Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Chúram Leanaí 1991 chun a chumasú do thuismitheoirí altrama agus do ghaolta a bhí ag tabhairt cúram do leanbh ar feadh tréimhse nach giorra ná 5 bliana iarratas a dhéanamh ar ordú cúirte i ndáil le cúram an linbh; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Child Care Act 1991 to enable foster parents and relatives who have been taking care of a child for a period of not less than 5 years to apply for a court order in relation to the care of the child; and to provide for related matters.

—*Senator Mary O'Rourke.*

16. 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.*

17. 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.*

18. An Bille Ginealais agus Araltais 2006 — Ordú don Dara Céim.
Genealogy and Heraldry Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht d'aisghairm agus do leasú alt den Acht um Fhorais Chultúir Náisiúnta 1997; do bhunú Údaráis Araltais d'Éirinn agus do dhéanamh socrú maidir le feidhmeanna, dualgais agus cumhachtaí an chéanna; do thabhairt chun rialtacha agus do nuachóiriú an tsoláthair seirbhísí araltais

Bill entitled an Act to repeal and to amend sections of the National Cultural Institutions Act 1997; to establish a Heraldic Authority for Ireland and provide for the functions, duties and powers thereof; to regularise and modernise the delivery of heraldic services by the State; to establish

ag an Stát; do bhunú Oifig na nArmas agus do dhéanamh socrú ina leith, arb éard a bheidh inti Príomh-Aralt na hÉireann (*Chief Herald of Ireland*) agus Leas-Phríomharalt na hÉireann (*Deputy Chief Herald of Ireland*); do mhíniú, do chomhordú agus do bhunú nósanna imeachta chun an Stát do sholáthar seirbhísí araltais, brateolaíochta agus ginealais agus chun beartas i leith na nithe sin a fhoirmlíú; do dhéanamh socrú maidir le cothabháil, cosaint, agus coimeád dlíthiúil taifead a bhaineann leis na feidhmeanna sin thuas agus le rochtain phoiblí ar na taifid sin; do dhéanamh socrú maidir le daingniú cúlghabhálach Deonuithe Armas a rinne an Oifig Ghinealais neamhrechtúil in ainm Phríomh-Aralt na hÉireann thar ceann an Stáit ó 1943 i leith agus do leasú an dlí a bhaineann le feidhmeanna araltais an Stáit agus do dhéanamh socrú i dtaobh nithe gaolmhara.

and make provision for an Office of Arms consisting of Príomh-Aralt na hÉireann (Chief Herald of Ireland) and Leas-Phríomharalt na hÉireann (Deputy Chief Herald of Ireland); to define, coordinate and establish procedures for the delivery of heraldic, vexillological and genealogical services by the State and for the formulation of policy in respect of such matters; to provide for the maintenance, protection, legal custody and public accessibility of records pertaining to the functions above; to provide for the retrospective confirmation of Grants of Arms made by the non-statutory Genealogical Office in the name of the Chief Herald of Ireland on behalf of the State since 1943 and to amend the law relating to the heraldic functions of the State and to provide for related matters.

—*Senator Brendan Ryan.*

Tairiscintí:

Motions:

19. “Go gceadaíonn Seanad Éireann an Stát d’fheidmiú an roghnaithe, arna chur ar fáil le hAirteagal 4 den cheathrú Prótacal atá leagtha amach i gConradh Amstardam, fógra a thabhairt don Chomhairle agus don Choimisiún gur mian leis glacadh leis an mbeart seo a leanas:

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

20. “Go gceadaíonn Seanad Éireann, de réir alt 31(6) den Acht um Míchumas 2005, na pleananna earnála arna n-ullmhú ag na hAíre seo a leanas:

That Seanad Éireann, in accordance with section 31(6) of the Disability Act 2005, approves of the sectoral plans which have been prepared by the following Ministers:

An tAire Sláinte agus Leanaí,

Minister for Health and Children,

An tAire Gnóthaí Sóisialacha agus Teaghlaigh,

Minister for Social and Family Affairs,

An tAire Iompair,

Minister for Transport,

An tAire Cumarsáide, Mara agus Acmhainní Náidúrtha,	Minister for Communications, Marine and Natural Resources,
An tAire Comhshaoil, Oidhreacht agus Rialtais Áitiúil,	Minister for the Environment, Heritage and Local Government,
An tAire Fiontar, Trádála agus Fostaíochta,	Minister for Enterprise, Trade and Employment,
ar beart é ar leagadh cóip de faoi bhráid Sheanad Éireann an 20 Iúil, 2006.	copies of which were laid before Seanad Éireann on 20th July, 2006.” — <i>Senator Mary O’Rourke.</i>

*Ráitis:**Statements:*

21. *Ráitis maidir leis an gcor reatha sa Mheán-Oirthear (atógáil).*
Statements on the current situation in the Middle East (*resumed*).
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22. *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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23. *Ráitis maidir le Saoráidí Spóirt Náisiúnta a Sholáthar (atógáil).*
Statements on the Provision of National Sporting Facilities (*resumed*).
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24. *Ráitis maidir le Beartas Iompair Réigiúnach (atógáil).*
Statements on Regional Transport Policy (*resumed*).
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25. *Ráitis maidir le Sábháilteacht ar Bhóithre (atógáil).*
Statements on Road Safety (*resumed*).
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26. *Ráitis maidir le Pleanáil agus saincheisteanna gaolmhara (atógáil).*
Statements on Planning and related issues (*resumed*).
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*Tairiscint (atógáil):**Motion (resumed):*

27. “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 fhaisnéis í a fuair *The United States Postal Inspection Service* le linn cuardaigh ar áitreabh in Fort Worth, Texas, a bhain le
- (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

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,

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 Stiúrtóra Ionchúiseamh Poiblí i mí Dheireadh Fómhair 2002, agus gur threoraigh an Stiúrtóir 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

(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

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;

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):

28. 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.*

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

1. “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, Derek McDowell.*

[5 October, 2005]

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2. “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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3. “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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4. “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, Shane Ross.*

[3 November, 2005]

5. “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, Sheila Terry.*

[9 November, 2005]

6. “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, Fergal Quinn, Joe O’Toole.*

[13 December, 2005]

7. “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, Sheila Terry.*

[25 January, 2006]

8. “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, Joe O’Toole.*

[3 May, 2006]

9. “That Seanad Éireann will establish a petitions committee and initiate procedures for civil engagement with the Seanad through a right of individuals, community groups and organisations to petition the Seanad and make a request to the Seanad to take a view or initiate or amend legislation in relation to matters of public interest or concern”

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

[30 May, 2006]

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10. “That Seanad Éireann calls on the Government to introduce a scheme to automatically register all those who turn 18 years of age and for the creation of a new centrally run National Electoral Register.”

—*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.*

[3 July, 2006]

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11. “That Seanad Éireann calls on the Government to provide the funding to deliver the investments in water and sanitary services for towns and villages promised by the current Government 1997 and 2002 and condemns the failure of the Government, in this and the previous administration, to deliver to small towns and villages all over this country the necessary infrastructural investment to sustain their survival and future.”

—*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.*

[3 July, 2006]

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12. “That Seanad Éireann calls on the Government to provide greater funding for the Private Residential Tenancies Board to tackle the poor maintenance of some rental properties and for the empowerment of the Board to take over the regulation of property management companies, the poor state of which is contributing directly to the inferior maintenance of public areas.”

—*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.*

[3 July, 2006]

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13. “That Seanad Éireann calls on the Government to end the blight of unfinished housing estates by passing legislation that would prohibit those developers who have not met their commitments under previously granted planning permission, from obtaining planning permission in the future.”

—*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.*

[3 July, 2006]

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14. “That Seanad Éireann expresses its concerns following recent reports in relation to the proximity of telecommunications structures to domestic dwellings, schools, hospitals and childcare facilities and calls on the Government to review the existing National Guidelines in relation to the proximity of telecommunications structures to domestic dwellings, schools, hospitals, childcare facilities, workplaces and amenities and empowers the Radiological Protection Institute to carry out monitoring of the

emissions from telecommunications masts and other installations that emit ionising and non-ionising radiation.”

—*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.*

[3 July, 2006]

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15. “That Seanad Éireann, in light of inconvenience to individuals and the potential damage being done to the reputation of this country in terms of efficient communications, calls on the Government to maximise the resources being put into ensuring broadband access in every home and business in Ireland.”

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

[27 September, 2006]

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16. “That Seanad Éireann calls on the Attorney General to request the Law Reform Commission to produce a report examining the current status of Pre Nuptial Agreements in Irish Courts; and to investigate the consequences of their possible introduction and the impact on the constitutional and legal rights of spouses and children; and that this Report to be laid before the House within a period of 9 months or sooner if possible.”

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

[27 September, 2006]

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17. “That Seanad Éireann congratulates His Holiness the Dalai Lama on the US Congress passing a Bill which will award the Dalai Lama the U.S. Congressional Gold Medal.”

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

[27 September, 2006]

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18. “That Seanad Éireann calls on the Government to end political input into the appointment of members of the judiciary.”

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

[27 September, 2006]

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19. “That Seanad Éireann calls on the Government to ensure that future appointments to the boards of semi-state bodies and agencies are subject to hearings and approval by Oireachtas committees.”

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

[27 September, 2006]

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20. “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, 2006]

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21. “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, 2006]

22. “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, 2006]

23. “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, 2006]

24. “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, 2006]

25. “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, 2006]

26. “That Seanad Éireann will establish a petitions committee and initiate procedures for civil engagement with the Seanad through a right of individuals, community groups and organisations to petition the Seanad and make a request to the Seanad to take a view or initiate or amend legislation in relation to matters of public interest or concern.”

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

[3 October, 2006]

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

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

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

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

An Bille um Cheartas Coiriúil (Cúnamh Frithpháirteach) 2005.
Criminal Justice (Mutual Assistance) Bill 2005.

An Bille um Chistí Infheistíochta, Cuideachtaí agus Forálacha Ilghnéitheacha 2006.
Investment Funds, Companies and Miscellaneous Provisions Bill 2006.

MEMORANDA

Dé Máirt, 3 Deireadh Fómhair, 2006
Tuesday, 3rd October, 2006

Tionólfar cruinniú den Fhochoiste um Thuarascáil Barron faoi Bhuamáil Theach Tábhairne Kay, Dún Dealgan, i Seomra Coiste 1, TL 2000, ar 9.30 a.m.

Meeting of the Sub-Committee on the Barron Report on the Bombing of Kay’s Tavern, Dundalk, in Committee Room 1, LH 2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Sóisialacha agus Teaghlaigh i Seomra Coiste 3, TL 2000, ar 3 p.m.

Meeting of the Joint Committee on Social and Family Affairs in Committee Room 3, LH 2000, at 3 p.m.

Dé Céadaoin, 4 Deireadh Fómhair, 2006
Wednesday, 4 October, 2006

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.

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 Iompar i Seomra Coiste 1, TL 2000, ar 2.30 p.m.
 Meeting of the Joint Committee on Transport in Committee Room 1, LH 2000, at 2.30 p.m.

Cruinniú den Chomhchoiste um Airgeadas agus an tSeirbhís Phoiblí i Seomra Coiste 2, TL 2000, ar 4.15 pm
 Meeting of the Joint Committee on Finance and the Public Service in Committee Room 2, LH 2000, at 4.15 p.m.

Déardaoin, 5 Deireadh Fómhair, 2006
Thursday, 5th October, 2006

Cruinniú den Chomhchoiste um Shláinte agus Leanaí i Seomra Coiste 4, TL 2000, ar 9.30 a.m.

Meeting of the Joint Committee on Health and Children in Committee Room 4, LH 2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Oideachas agus Eolaíocht i Seomra Coiste 2, TL 2000, ar 11.30 a.m.

Meeting of the Joint Committee on Education and Science in Committee Room 2, LH 2000, at 11.30 a.m.

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

Reachtúil:

1) Togra leasaithe le haghaidh Cinnidh ó Pharlaimint na hEorpa agus ón gComhairle maidir le seachtú creatchlár an Chomhphobail Eorpaigh le haghaidh taighde, forbartha teicneolaíochta agus gníomhaíochtaí taispeántais (2007 go 2013) [agus] Togra Leasaithe le haghaidh Cinnidh ón gComhairle maidir leis an seachtú creatchlár de chuid an Chomhphobail Eorpaigh do Fhuinneamh Adamhach (Euratom) le haghaidh taighde núicléach agus gníomhaíochtaí oiliúna (2007 go 2011) mar aon le nóta faisnéise míniúcháin. COM (2006) 364.

Statutory:

1) Amended Proposal for a Decision of the European Parliament and of the Council concerning the seventh framework programme of the European Community for research, technological development and demonstration activities (2007 to 2013) [and] Amended Proposal for a Council Decision concerning the seventh framework programme of the European Atomic Energy Community (Euratom) for nuclear research and training activities (2007 to 2011) together with explanatory information note. COM (2006) 364.

2) Togra le haghaidh Cinnidh ón gComhairle lena nglactar, thar ceann an Chomhphobail Eorpaigh, leis an bPrótacal lena leasaítear an Comhshocraíocht maidir le Gnéithe de Chearta Maoine Intleachtúla a Bhaineann le Trádáil (TRIPS) arna dhéanamh sa Ghinéiv an 6 Nollaig 2005 mar aon le nóta faisnéise míniúcháin. COM (2006) 175.

3) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle ar cheart ligean ar cíos agus ar cheart tabhairt ar iasacht agus ar chearta áirithe a bhaineann le cóipcheart i réimse na maoine intleachtúla (leagan códaithe) mar aon le nóta faisnéise míniúcháin. COM (2006) 226.

4) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle ar an téarma cosanta cóipchirt agus ar chearta gaolmhara áirithe (leagan códaithe) mar aon le nóta faisnéise míniúcháin. COM (2006) 219.

5) Togra leasaithe le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le bearta i dtaobh coireachta a bhfuil sé mar aidhm acu forfheidhmiú ceart maoine intleachtúla a chinntiú mar aon le nóta faisnéise míniúcháin. COM (2006) 168.

6) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Treoir 89/391/CEE ón gComhairle, a Treoracha aonair agus Treoracha 83/477/CEE, 91/383/CEE, 92/29/CEE agus 94/33/CE ón gComhairle d'fhonn na tuarascálacha maidir le cur i ngníomh praiticiúil a shimpliú agus a réasúnú mar aon le nóta faisnéise míniúcháin. COM (2006) 390.

7) Togra le haghaidh Rialachán ón gComhairle lena leagtar síos bearta sonracha maidir le talmhaíocht i bhfabhar na n-oileán Aeigéach is lú agus lena leasaítear Rialachán (CE) Uimh. 1782/2003 mar aon le nóta faisnéise míniúcháin. COM (2006) 264.

8) Togra le haghaidh Rialachán ón gComhairle lena leasaítear Rialachán (CE) Uimh. 1788/2003 lena mbunaítear tobhach in earnáil an bhainne agus táirgí bainne mar aon le nóta faisnéise míniúcháin. COM (2006) 330.

9) Togra le haghaidh Rialachán ón gComhairle lena n-aisghairtear Rialachán (CE) Uimh. 7/2005 ón gComhairle lena nglactar bearta uathrialacha agus idirthréimhseacha chun cuóta taraife Comhphobail a oscailt i

2) Proposal for a Council Decision accepting, on behalf of the European Community, of the Protocol amending the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), done at Geneva on 6 December 2005 together with explanatory information note. COM (2006) 175.

3) Proposal for a Directive of the European Parliament and of the Council on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version) together with explanatory information note. COM (2006) 226.

4) Proposal for a Directive of the European Parliament and of the Council on the term of protection of copyright and certain related rights (codified version) together with explanatory information note. COM (2006) 219.

5) Amended Proposal for a Directive of the European Parliament and of the Council on criminal measures aimed at ensuring the enforcement of intellectual property rights together with explanatory information note. COM (2006) 168.

6) Proposal for a Directive of the European Parliament and of the Council amending Council Directive 89/391/EEC, its individual Directives and Council Directives 83/477/EEC, 91/383/EEC, 92/29/EEC and 94/33/EC with a view to simplifying and rationalising the reports on practical implementation together with explanatory information note. COM (2006) 390.

7) Proposal for a Council Regulation laying down specific measures for agriculture in favour of the smaller Aegean islands and amending Regulation (EC) No. 1782/2003 together with explanatory information note. COM (2006) 264.

8) Proposal for a Council Regulation amending Regulation (EC) No. 1788/2003 establishing a levy in the milk and milk products sector together with explanatory information note. COM (2006) 330.

9) Proposal for a Council Regulation repealing Council Regulation (EC) No 7/2005 adopting autonomous and transitional measures to open a Community tariff quota for certain agricultural products

gcomhair táirgí talmhaíochta áirithe de bhunadh na hEilvéise mar aon le nóta faisnéise míniúcháin. COM (2006) 353.

10) Togra le haghaidh Treorach ón gComhairle lena leagtar síos caighdeáin íosta le haghaidh laonna a chosaint (leagan códaithe) mar aon le nóta faisnéise míniúcháin. COM (2006) 258.

11) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear Rialachán (CE) Uimh. 1698/2005 maidir le tacaíocht d'fhorbairt tuaithe ón gCiste Eorpach Talmhaíochta um Fhorbairt Tuaithe (EAFRD) mar aon le nóta faisnéise míniúcháin. COM (2006) 237.

12) Togra le haghaidh Cinnidh ón gComhairle lena leasaítear Cinneadh 90/424/CEE ar chaiteachas i réimse na tréadliachta mar aon le nóta faisnéise míniúcháin. COM (2006) 273.

13) Togra le haghaidh Cinnidh ón gComhairle maidir le críochnú Prótacail lena leasaítear an Comhaontú Cobhsaíochta agus Comhlachais idir na Comhphobail Eorpacha agus a mBallstáit, de pháirt, agus Poblacht na Cróite, den pháirt eile, maidir le cuóta taraife i gcomhair siúcra agus táirgí siúcra de bhunadh na Cróite nó an Chomhphobail mar aon le nóta faisnéise míniúcháin. COM (2006) 377.

14) Togra le haghaidh Cinnidh ó Pharlaimint na hEorpa agus ón gComhairle lena geartaítear Treoir 2002/2/CE lena leasaítear Treoir 79/373/CEE ón gComhairle maidir le cúrsaíocht ábhar beatha cumaisc mar aon le nóta faisnéise míniúcháin. COM (2006) 340.

15) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear Rialachán (CE) Uimh. 2424/2001 maidir leis an dara glúin de Chóras Faisnéise Schengen (SIS II) a fhorbairt [agus] Togra le haghaidh Cinnidh ón gComhairle lena leasaítear Cinneadh 2001/886/JHA maidir leis an dara glúin de Chóras Faisnéise Schengen (SIS II) a fhorbairt mar aon le nóta faisnéise míniúcháin. COM (2006) 383.

16) Fodhlíthe Lárionad Chuan Iascaigh Bhaile Chaisleáin Bhéarra (Pléascáin) 2006 (I.R. Uimh. 375 de 2006).

17) Bord Fiontar Contae Mhaigh Eo. Tuarascáil Bhliantúil agus Cuntais, 2005.

originating in Switzerland together with explanatory information note. COM (2006) 353.

10) Proposal for a Council Directive laying down minimum standards for the protection of calves (codified version) together with explanatory information note. COM (2006) 258.

11) Proposal for a Council Regulation amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) together with explanatory information note. COM (2006) 237.

12) Proposal for a Council Decision amending Decision 90/424/EEC on expenditure in the veterinary field together with explanatory information note. COM (2006) 273.

13) Proposal for a Council Decision on the conclusion of a Protocol amending the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, on tariff quotas for sugar and sugar products originating in Croatia or in the Community together with explanatory information note. COM (2006) 377.

14) Proposal for a Decision of the European Parliament and of the Council correcting Directive 2002/2/EC amending Council Directive 79/373/EEC on the circulation of compound feedingstuffs together with explanatory information note. COM (2006) 340.

15) Proposal for a Council Regulation amending Regulation (EC) No 2424/2001 on the development of the second generation Schengen Information System (SIS II) [and] Proposal for a Council Decision amending Decision 2001/886/JHA on the development of the second generation Schengen Information System (SIS II) together with explanatory information note. COM (2006) 383.

16) Castletownbere Fishery Harbour Centre (Explosives) Bye-Laws 2006 (S.I. No. 375 of 2006).

17) Mayo County Enterprise Board. Annual Report and Accounts, 2005.

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| 18) An Bord um Chúnadh Dlíthiúil. Tuarscáil Bhliantúil, 2005. | 18) Legal Aid Board. Annual Report, 2005. |
| 19) Na Rialacháin um Shábháilteacht, Sláinte agus Leas ag an Obair (Foirgníocht) 2006 (I.R. Uimh. 504 de 2006). | 19) Safety, Health and Welfare at Work (Construction) Regulations 2006 (S.I. No. 504 of 2006). |
| 20) Ordú na gCuideachtaí (Táillí) 2006 (I.R. Uimh. 502 de 2006). | 20) Companies (Fees) Order 2006 (S.I. No. 502 of 2006). |
| 21) Na Rialacháin fán Acht um Rialáil Tac-saithe 2003 (Beagfheithiclí Seirbhíse Poiblí) (Ceadúnú) (Uimh. 2) (Leasú) 2006 (I.R. Uimh. 501 de 2006). | 21) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Licensing) (No. 2) (Amendment) Regulations 2006 (S.I. No. 501 of 2006). |
| 22) Cuntais Airgeadais don bhliain airgeadais dar chríoch 31 Nollaig, 2005. | 22) Finance Accounts for the financial year ended 31 December, 2005. |
| 23) An Oifig Náisiúnta um Fhéimharú a Chosc. Tuarscáil Bhliantúil, 2005. | 23) National Office for Suicide Prevention. Annual Report, 2005. |

Neamhrechtúil:

- 1) Na Rialacháin um Acht na dTeangacha Oifigiúla 2003 (Alt 9) 2006 (Dréacht).
- 2) Tithe an Oireachtais. An Comhchoiste um Chomhshaol agus Rialtas Áitiúil. Tuarscáil Iniúchta AE Uimh. 35: Iniúchadh ar thograí reachtacha ón AE a bhaineann le Bianna Géinmhodhnaithe — COM (2005) 161 go COM (2005) 169 go huile. Lúnasa, 2006.

Non-Statutory:

- 1) Official Languages Act 2003 (Section 9) Regulations 2006 (Draft).
- 2) Houses of the Oireachtas. Joint Committee on the Environment and Local Government. EU Scrutiny Report No. 35: Scrutiny of EU legislative proposals relating to Genetically Modified Foods — COM (2005) 161 to COM (2005) 169 inclusive. August, 2006.