

*Dé Céadaoin, 25 Deireadh Fómhair, 2006*  
*Wednesday, 25th October, 2006*

2.30 p.m.

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RIAR NA hOIBRE

*Order Paper*

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GNÓ POIBLÍ

*Public Business*

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1. Ráitis ar an bPáipéar Bán ón Rialtas ar Chúnamh ó Éirinn (*atógáil*).  
 Statements on the Government White Paper on Irish Aid (*resumed*).

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2. Bille na bPaitinní (Leasú) 1999 [*Dáil*] — An Dara Céim.  
 Patents (Amendment) Bill 1999 [*Dáil*] — Second Stage.

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*Tíolactha:*  
*Presented:*

3. 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.*

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4. An Bille Rialtais Áitiúil (Ceantair Feabhsúcháin Gnó) 2006 — An Tuarascáil.  
 Local Government (Business Improvement Districts) Bill 2006 — Report.

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

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

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- 7.** An Bille um Chlárú Uachtanna 2005 — An Coiste.  
Registration of Wills Bill 2005 — Committee.

—*Senator Terry Leyden.*

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- 8.** 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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- 9.** 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.*

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- 10.** 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:*

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

Bille dá ngairtear Acht d'athmheas Dlí an Chlúmhille go páirteach; d'aisghairm an Achta um Chlúmhilleadh 1961; agus do dhéanamh socrú i dtaobh nithe a bhaineann leis an méid sin.

Bill entitled an Act to revise in part the Law of Defamation; to repeal the Defamation Act 1961; and to provide for matters connected therewith.

—*Senator Mary O'Rourke.*

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- 12.** 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.*

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- 13.** 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.*

**14. 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.*

**15. 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 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 fhoirmliú; 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.

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 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.*

*Tairiscint:*

*Motion:*

**16.** “Go gceadaíonn Seanad Éireann an Stát d’fheidhmiú 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.*

*Ráitis:*

*Statements:*

**17.** Ráitis maidir leis an gCéad Tuarascáil faoi Dhul Chun Cinn ón gCoiste Comhairleach Náisiúnta um Dhrugaí (*atógáil*).

Statements on the First Progress Report of the National Advisory Committee on Drugs (*resumed*).

**18.** Ráitis maidir le Saoráidí Spóirt Náisiúnta a Sholáthar (*atógáil*).

Statements on the Provision of National Sporting Facilities (*resumed*).

**19.** Ráitis maidir le Beartas Iompair Réigiúnach (*atógáil*).

Statements on Regional Transport Policy (*resumed*).

**20.** Ráitis maidir le Sábháilteacht ar Bhóithre (*atógáil*).

Statements on Road Safety (*resumed*).

**21.** Ráitis maidir le Pleanáil agus saincheistanna gaolmhara (*atógáil*).

Statements on Planning and related issues (*resumed*).

**22.** Ráitis maidir leis an tuarascáil ó Choiste na Náisiún Aontaithe ar an dul chun cinn atá déanta i dtaca le staid leanaí in Éirinn (*atógáil*).

Statements on the UN Committee's report on progress made in the position of children in Ireland (*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 Afl hflhe 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

(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

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,

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
- (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

dúradh imithe in éag nuair a forghníomhaíodh é i dteach cónaithe an Bhreithimh Curtin;

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, 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]**

2. “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]**

3. “That Seanad Éireann supports:

the declaration of the 4th World Parliamentarians’ 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, Joe O’Toole.*

**[13 December, 2005]**

4. “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]**

5. “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]**

6. “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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7. “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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8. “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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9. “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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10. “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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11. “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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12. “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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13. “That Seanad Éireann calls on the Government to end political input into the appointment of members of the judiciary.”

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

**[27 September, 2006]**

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14. “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, Davis Norris, Mary Henry.*

**[27 September, 2006]**

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15. “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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16. “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]**

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17. “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]**

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18. “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]**

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19. “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]**

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20. “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]**

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21. “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.*

**[12 October, 2006]**

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22. “That Seanad Éireann welcomes the Ecumenical Accompaniment Programme of the World Council of Churches in arranging for human rights observers to work in Israel and Palestine; encourages the Government to work with intergovernmental organisations to establish a human rights observation force in the Occupied

Territories, and to press for an end to the occupation in a just and peaceful solution to the conflict on the basis of UN resolutions and the international rule of law.”

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

**[25 October, 2006]**

23. “That Seanad Éireann:

- congratulates those progressive Local Authorities, such as Fingal County Council, who are now predicating planning permissions with energy and insulation standards which are twice as efficient as those of the Department of Communications, Marine and Natural Resources and the Department of Environment, Heritage and Local Government;
- recognises that following the delayed introduction of an energy rating label for all houses from next year that regrettably hundreds of thousands of existing houses with poor energy efficiency, such as hollow block built homes, will have a lower energy rating and consequently a lower resale value and that home owners will continue to pay more every single year into the future to pay for the heating of those homes;
- is conscious that this and the studied indifference of the Department of Communications, Marine and Natural Resources and the Department of Environment, Heritage and Local Government to our commitments under the Kyoto protocols with regard to insulation and energy standards for the last eight years has resulted in the construction of at least a quarter of a million of sub-standard houses, and that these facts may well leave the Department open to charges of misfeasance or malfeasance and the State exposed to claims for compensation; and
- demands that the Government take immediate action to bring Ireland into line with Kyoto protocols by adopting the Fingal standards as national standards and by completely prohibiting the use of hollow blocks for homebuilding;
- Additionally this house rejects completely the attempts to transfer responsibility for this mess to the citizen who is being asked to turn down the heat as part of the power of one campaign when the truth is that this problem can only be resolved through the power of two departments.”

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

**[25 October, 2006]**

*Leasú:*

*Amendment:*

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

“welcomes the recent publication of the Green Paper: Towards a Sustainable Energy Future for Ireland, its foundation on three pillars — security of supply, environmental sustainability and economic competitiveness — and its commitment to secure 30% of electricity supply from renewable sources by 2020 and to improve energy efficiency by 20% over the same period;

acknowledges that the “House of Tomorrow” grant scheme, operated by Sustainable Energy Ireland, has been effective in encouraging private builders and local authorities to build housing schemes incorporating renewable energy systems;

P.T.O.

is delighted with the response to the Government's "Greener Homes" grants for the installation of renewable energy systems in individual dwellings, which has attracted almost 8,000 grant applications since the grants were introduced in March 2006;

welcomes the progressive increase in building code energy conservation standards — in 1998, 2003 and 2006 — and supports the Government's commitment to further increase these standards in 2008;

welcomes the recent publication of a review of the National Climate Change Strategy, looks forward to the preparation of a revised strategy, and notes the synergies between climate change and energy policy as exemplified in the Green Paper's focus on the sustainability of energy supply;

notes that the current strategy made a commitment to significantly increase insulation standards in two phases — in 2002 and 2005; and that Government surpassed this deadline by introducing the stricter standard in a single step in 2003;

congratulates the Government for its prompt action in implementing the EU Energy Performance of Buildings Directive, starting with the Building Energy rating of new dwellings from 1 January 2007; and

endorses the performance-based approach in the Building Regulations, which facilitates a choice of building materials, products and systems by designers and builders provided they comply with standards; and underpins competitiveness in the construction sector".

—*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 Sheirbhísí Uisce 2003.  
Water Services Bill 2003.

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

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

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An Bille um Europol (Leasú) 2006.  
Europol (Amendment) Bill 2006.

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## MEMORANDA

*Dé Céadaoin, 25 Deireadh Fómhair, 2006*

*Wednesday, 25 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.

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Tionólfar cruinniú den Fhochoiste um Thuarascáil Barron faoi Bhuamáil Theach Tábhairne Kay, Dún Dealgan, i Seomra Coiste 1, TL 2000, ar 10 a.m. (*Príobháideach*)

Meeting of the Sub-Committee on the Barron Report on the Bombing of Kay's Tavern, Dundalk, in Committee Room 1, LH 2000, at 10 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 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 2, TL 2000, ar 4.15 p.m.

Meeting of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in Committee Room 2, LH 2000, at 4.15 p.m.

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*Déardaoin, 26 Deireadh Fómhair, 2006*

*Thursday, 26 October, 2006*

Cruinniú den Fhochoiste um Iniúchadh Eorpach i Seomra Coiste 4, TL 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 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 Máirt, 31 Deireadh Fómhair, 2006*

*Tuesday, 31 October, 2006*

Cruinniú den Fhochoiste um Sheachthorthaí Dochracha Táirgí Cógaisíochta i Seomra Coiste 1, TL 2000, ar 2.30 p.m.

Meeting of the Sub Committee on the Adverse Side effects of Pharmaceuticals Committee Room 1, LH 2000, at 2.30 p.m.

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

*Reachtúil:*

1) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear na liostaí d'imeachtaí dócmhainneachta, d'imeachtaí foirceanta agus de leachtaitheoirí in Iarscríbhinní A, B agus C le Rialachán (CE) Uimh.1346/2000 maidir le himeachtaí dócmhainneachta — Tionscnamh ó Phoblacht na Seice chun Iarscríbhinní A, B agus C Rialachán 1346/2000 a leasú mar aon le nóta faisnéise míniúcháin.

2) An tOrdú fán Acht um Cheartas Coiriúil 2006 (Tosach Feidhme) (Uimh. 2) 2006.

3) An Bord Measúnaithe Díobhálacha Pearsanta. Plean Straitéiseach, 2006 - 2010.

4) An tÚdarás um Ard-Oideachas. Cuntais Bhliantúla, 2005.

5) An tOrdú fán Acht um Pleanáil agus Forbairt (Bonnegar Straitéiseach) 2006 (Tosach Feidhme) 2006 (I.R. Uimh 525 de 2006) [Leagan Leasaithe].

6) Coimisiún Thithe an Oireachtais. Ráiteas faoi Mheastacháin ar an méid airgid a mbeidh gá leis i leith caiteachais leanúnaigh don tréimhse dar tosach an 1 Eanáir, 2007 agus dar críoch an 31 Nollaig, 2007.

7) Togra le haghaidh Rialacháin ón gComhairle maidir le feoil bó-ainmhithe atá dhá mhí déag d'aois nó faoina bhun a mhargú mar aon le nóta faisnéise míniúcháin. COM (2006) 487.

8) An tOrdú Mara agus Acmhainní Nádirtha (Riarachán Roinne agus Feidhmeanna Aire a Aistriú) 2006. (I.R. Uimh. 530 de 2006).

9) FÁS. Tuarascáil Bhliantúil agus Ráitis Airgeadais, 2005.

*Neamhreachtúil:*

1) Na Rialacha Cúirte Cuarda (An tAcht um Pá Íosta Náisiúnta) 2006 (I.R. Uimh. 531 de 2006).

2) Na Rialacha Cúirte Cuarda (Cosaint Fostaithe (Obair Théarma Shocraithe)) 2006. (I.R. Uimh. 532 de 2006).

*Statutory:*

1) Proposal for a Council Regulation amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No. 1346/2000 on insolvency proceedings — Initiative by the Czech Republic to amend Annexes A, B and C of Regulation 1346/2000 together with explanatory information note.

2) Criminal Justice Act 2006 (Commencement) (No. 2) Order 2006.

3) Personal Injuries Assessment Board. Strategic Plan 2006 - 2010.

4) Higher Education Authority. Annual Accounts, 2005.

5) Planning and Development (Strategic Infrastructure) Act 2006 (Commencement) Order 2006 (S.I. No. 525 of 2006) [Amended Version].

6) Houses of the Oireachtas Commission. Statement of Estimates of the amount of moneys required in respect of ongoing expenditure for the period beginning on 1 January, 2007 and ending on 31 December, 2007.

7) Proposal for a Council Regulation on the marketing of the meat of bovine animals aged twelve months or less together with explanatory information note. COM (2006) 487.

8) Marine and Natural Resources (Transfer of Departmental Administration and Ministerial Functions) Order 2006. (S.I. No. 530 of 2006).

9) FÁS. Annual Report and Financial Statements, 2005.

*Non-Statutory:*

1) Circuit Court Rules (National Minimum Wage Act) 2006 (S.I. No. 531 of 2006).

2) Circuit Court Rules (Protection of Employees (Fixed-Term Work)) 2006 (S.I. No. 532 of 2006).

- 3) Na Rialacháin Aoisliúntais (Eagraíochtaí Ceadaithe a Ainmniú) (Uimh. 2) 2006 (I.R. Uimh. 523 de 2006).
- 4) Tithe an Oireachtais. An Comhchoiste um Chomhshaol agus Rialtas Áitiúil. Tuarascáil Iniúchta AE Uimh. 29: COM (2006) 94: Togra Leasaithe le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle lena mbunaítear grúpáil Eorpach um chomhar críche (EGTC). Meán Fómhair, 2006.
- 5) Tithe an Oireachtais. An Comhchoiste um Chomhshaol agus Rialtas Áitiúil. Tuarascáil Iniúchta AE Uimh. 21: COM (2006) 15: Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le tuilte a mheasúnú agus a bhainistiú. Meán Fómhair, 2006.
- 6) An Roinn Airgeadais. Ionchas Réamh-Bhuiséid. Deireadh Fómhair, 2006.
- 7) Litir ón Taoiseach go dtí Matti Vanhanen, Uas., Príomh-Aire na Fionlainne. 16 Deireadh Fómhair, 2006.
- 8) An Coiste Comhairleach Náisiúnta um Dhrugaí. Forléargas ar chineál agus méid úsáide drugaí aindleathacha i measc an Lucht Siúil: staidéar míniúcháin (2006).
- 9) Clár na gCoimisinéirí Ioncaim maidir le hEisfhoinsiú Ceapadh Sonraí. An Tionscnamh um Athbhreithniú ar Chaiteachas.
- 10) An tOrdú um Dhúichí agus Cheantair Chúirte Dúiche (Leasú) (An Seanchaisleán agus Ceanannas) 2006 (I.R. Uimh. 536 de 2006).
- 3) Superannuation (Designation of Approved Organisations) (No. 2) Regulations 2006 (S.I. No. 523 of 2006).
- 4) Houses of the Oireachtas. Joint Committee on Environment and Local Government. EU Scrutiny Report No. 29: COM (2006) 94: Amended Proposal for a Regulation of the European Parliament and of the Council establishing a European grouping of territorial co-operation (EGTC). September, 2006.
- 5) Houses of the Oireachtas. Joint Committee on Environment and Local Government. EU Scrutiny Report No. 21: COM (2006) 15: Proposal for a Directive of the European Parliament and of the Council on the assessment and management of floods. September, 2006.
- 6) Department of Finance. Pre-Budget Outlook. October, 2006.
- 7) Letter from the Taoiseach to Mr. Matti Vanhanen, Prime Minister of Finland. 16 October, 2006.
- 8) National Advisory Committee on Drugs. An Overview of the nature and extent of illicit drug use amongst the Traveller Community: an explanatory study (2006).
- 9) Revenue's Data Capture Outsourcing Programme. Expenditure Review Initiative.
- 10) District Court Districts and Areas (Amendment) (Oldcastle and Kells) Order 2006 (S.I. No. 536 of 2006).