

Déardaoin, 20 Nollaig, 2007
Thursday, 20th December, 2007

10.30 a.m.

RIAR NA hOIBRE

Order Paper

GNÓ POIBLÍ

Public Business

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1. An Bille Leithreasa 2007 [*Bille Airgid Deimhnithe*] — An Dara Céim.
Appropriation Bill 2007 [*Certified Money Bill*] — Second Stage.
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Tairiscint:
Motion:

2. “Go gcomhthoílíonn Seanad Éireann, de bhun fho-alt 2^o d’alt 2 d’Airteagail 25 den Bhunreacht, leis an Rialtas in achainí chun an Uachtaráin go gcuirfidh sí a lámh leis an mBille Leithreasa 2007, níos luaithe ná an cúigiú lá tar éis an dáta a thairgfear an Bille di.

That, pursuant to subsection 2^o of section 2 of Article 25 of the Constitution, Seanad Éireann concurs with the Government in a request to the President to sign the Appropriation Bill 2007 on a date which is earlier than the fifth day after the date on which the Bill shall have been presented to her.”

—*Senator Donie Cassidy.*

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3. (l) An Bille Sláinte (Forálacha Ilghnéitheacha) 2007 [*Dáil*] — An Coiste.
(a) Health (Miscellaneous Provisions) Bill 2007 [*Dáil*] — Committee.
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Tairiscint:
Motion:

4. “Go gcomhthoílíonn Seanad Éireann, de bhun fho-alt 2^o d’alt 2 d’Airteagail 25 den Bhunreacht, leis an Rialtas in achainí chun an Uachtaráin go gcuirfidh sí a lámh leis an mBille Sláinte (Forálacha Ilghnéitheacha) 2007, níos luaithe ná an cúigiú lá tar éis an dáta a thairgfear an Bille di.

That, pursuant to subsection 2^o of section 2 of Article 25 of the Constitution, Seanad Éireann concurs with the Government in a request to the President to sign the Health (Miscellaneous Provisions) Bill 2007 on a date which is earlier than the fifth day after the date on which the Bill shall have been presented to her.”

—*Senator Donie Cassidy.*

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5. An Bille Cróinéirí 2007 — An Coiste.
Coroners Bill 2007 — Committee.
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6. An Bille um Chlúmhilleadh 2006 — An Tuarascáil.
Defamation Bill 2006 — Report Stage.

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7. 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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8. An Bille um Páirtíocht Shibhialta 2004 — An Dara Céim.
Civil Partnership Bill 2004 — Second Stage.
—*Senator David Norris.*

Tíolactha:

Presented:

9. 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 Donie Cassidy.*

Bille (atógáil) (0.03 n. fágtha):

Bill (resumed) (0.03 m. remaining):

10. An Bille um Chosaint Aeráide 2007 — An Dara Céim (*atógáil*).
Climate Protection Bill 2007 — Second Stage (*resumed*).
—*Senators Ivana Bacik, Joe O'Toole, Shane Ross, David Norris, Feargal Quinn.*

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

1. “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, Feargal Quinn, Joe O'Toole, Shane Ross, Ivana Bacik, Rónán Mullen.*

[13 September, 2007]

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2. “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, Feargal Quinn, Joe O'Toole, Shane Ross, Ivana Bacik.*

[13 September, 2007]

3. “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, Joe O’Toole, Ivana Bacik.*

[13 September, 2007]

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4. “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, Feargal Quinn, Joe O’Toole, Shane Ross, Ivana Bacik, Rónán Mullen.*

[13 September, 2007]

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5. “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, Joe O’Toole, Feargal Quinn, Shane Ross, Ivana Bacik, Rónán Mullen.*

[13 September, 2007]

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6. “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, Joe O’Toole, Ivana Bacik.*

[13 September, 2007]

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7. “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, Joe O’Toole, Shane Ross, Ivana Bacik.*

[13 September, 2007]

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8. “That Seanad Éireann urges the Government

- (1) to play an effective role towards securing a total prohibition on the production, stockpiling, transfer and use of cluster munitions by its active participation in international initiatives to address the issue comprehensively and effectively;
- (2) to enact a national law prohibiting the production, stockpiling, transfer and use of cluster munitions as we know them;
- (3) to support research, publication and awareness raising initiatives on this subject nationally and internationally;
- (4) to increase support for the clearance of contaminated land by landmines, cluster munitions and other unexploded ordnance;
- (5) to increase support for Mine Risk Education;

- (6) to increase support for rehabilitation of mine survivors and their socio-economic integration;

and finally, pending the outlawing of landmines internationally,

- (7) to ensure that no public funds are invested in any company involved in or associated with this inhuman practice.”

—*Senators David Norris, Joe O’Toole, Feargal Quinn, Shane Ross, Ivana Bacik, Rónán Mullen.*

[13 September, 2007]

9. “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, Feargal Quinn, Joe O’Toole, Shane Ross, Ivana Bacik.*

[13 September, 2007]

10. “That Seanad Éireann requests the Government to give serious examination to the Dargan Metro Project involving an orbital metro route as well as an airport metro line and which, fully costed, presents a more economic prospect than the existing proposal.”

—*Senators David Norris, Joe O’Toole, Feargal Quinn, Shane Ross, Ivana Bacik.*

[13 September, 2007]

11. “That Seanad Éireann expresses concern at the impact on the environment caused by aircraft emissions in an era of growing mass transport.”

—*Senators David Norris, Feargal Quinn, Shane Ross, Ivana Bacik.*

[13 September, 2007]

12. “That Seanad Éireann calls on the Government in the light of the fact that Ireland is one of the few EU countries that does not facilitate citizens living abroad but within the EU in the exercise of their voting rights in Dáil Elections, Presidential Elections and referenda to make appropriate provisions without delay.”

—*Senators David Norris, Joe O’Toole, Shane Ross, Ivana Bacik.*

[13 September, 2007]

13. “That Seanad Éireann in the light of Report from Amnesty International and other groups which suggest that Ireland is involved in the inadequately regulated export of more than 1bn. worth of war materials and the fact that Forfás has identified serious legislative gaps in this area calls on the Government to introduce the necessary legislation to remedy these defects.”

—*Senators David Norris, Joe O’Toole, Shane Ross, Ivana Bacik.*

[13 September, 2007]

14. “That Seanad Éireann calls on the Government of the People’s Republic of China and the Dalai Lama, notwithstanding their differences on Tibet’s historical relationship with China, to continue the dialogue in a forward-looking manner which will lead to pragmatic solutions that respect the Chinese constitutional framework, the territorial integrity of China and fulfil the aspirations of the Tibetan people for a unified and genuinely autonomous Tibet.”

—*Senators David Norris, Joe O’Toole, Feargal Quinn, Shane Ross, Ivana Bacik.*

[13 September, 2007]

15. “That Seanad Éireann urges the Government to implement the recommendations of the 2004 ‘Report on Seanad Reform’ by the Seanad Committee on Procedure Privileges Sub-Committee on Seanad Reform.”

—*Senators David Norris, Feargal Quinn, Ivana Bacik, Rónán Mullen.*

[13 September, 2007]

16. “In the light of the European Parliament Report on Extraordinary Rendition which calls on the Irish Government to establish a Committee of Inquiry into the role played by Shannon Airport in this illegal process, that Seanad Éireann immediately recommence moves initiated in 2006 to establish a Special Committee to look into this matter and that in the light of further disclosures about ‘CIA Rendition Flights’ to torture destinations and the involvement in these practises as victims of women and children, condemns such activities in the most unequivocal manner; and calls for the establishment of an International War Crimes Tribunal to determine the guilt or innocence of the most senior US and British personnel.”

—*Senators David Norris, Ivana Bacik, Joe O’Toole.*

[13 September, 2007]

17. “That in the light of the Government’s uncaring attitude as exemplified by the case of the repatriation of Great Agbonlahor, and their persistent ignoring of the CIA rendition flights through Shannon Airport, Seanad Éireann urges the Government to remove all references to humanity, compassion and religion in the Constitution.”

—*Senators David Norris, Ivana Bacik.*

[13 September, 2007]

18. “That Seanad Éireann takes note of the Environmental Protection Agency’s report ‘Key Meteorological Indicators of Climate Change in Ireland’.”

—*Senators David Norris, Ivana Bacik, Shane Ross, Rónán Mullen.*

[13 September, 2007]

19. “That Seanad Éireann, expresses its full confidence in the integrity of the Mahon Tribunal (Tribunal of Inquiry Into Certain Planning Matters and Payments); and rejects all attempts to undermine the work of the Tribunal.”

—*Senators Eugene Regan, Frances Fitzgerald.*

[26 September, 2007]

20. “That Seanad Éireann, noting the recent difficulties experienced by many children in obtaining places in primary schools, and the consequent establishment on an emergency basis of a school in Bracken by Educate Together, calls on the Minister for Education to take steps to explore as a matter of urgency how best the management of the primary education system may be structured to ensure equality of access to national school places for all children, irrespective of their religious denomination.”

—*Senators Ivana Bacik, Shane Ross, Feargal Quinn, Joe O’Toole, David Norris.*

[26 September, 2007]

21. “That Seanad Éireann calls upon the Government to bring forward legislation without delay criminalising the practice of trafficking in persons for the purpose of sexual exploitation, noting that Ireland is at present in breach of its international and European obligations in failing to have such legislation in place.”

—*Senators Ivana Bacik, Shane Ross, Feargal Quinn, Joe O’Toole, Rónán Mullen, David Norris.*

[26 September, 2007]

22. “That Seanad Éireann calls upon the Government to bring forward legislation without delay specifically criminalising the practice of female genital mutilation.”

—*Senators Ivana Bacik, Shane Ross, Feargal Quinn, Joe O’Toole, Rónán Mullen, David Norris.*

[26 September, 2007]

23. “That Seanad Éireann deplores the failure of the Government to ensure broadband access in every home and business in Ireland.”

—*Senators Shane Ross, David Norris, Ivana Bacik, Joe O’Toole, Rónán Mullen, Feargal Quinn.*

[18 October, 2007]

24. “That Seanad Éireann urges the Government to renew its commitment to reduce class sizes to 20 or less for all those under 9 years.”

—*Senators Shane Ross, David Norris, Ivana Bacik, Joe O’Toole, Rónán Mullen, Feargal Quinn.*

[18 October, 2007]

25. “That Seanad Éireann calls for an end to political appointments to the Judiciary.”
—*Senators Shane Ross, David Norris, Ivana Bacik, Joe O’Toole, Rónán Mullen.*
[18 October, 2007]
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26. “That Seanad Éireann calls on the Government to end the practice of making political appointments to semi-state bodies.”
—*Senators Shane Ross, David Norris, Ivana Bacik, Rónán Mullen.*
[18 October, 2007]
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27. “That Seanad Éireann calls on the Government to set up an All-Party Committee to investigate the practice of overcharging by banks.”
—*Senators Shane Ross, David Norris, Ivana Bacik, Joe O’Toole, Rónán Mullen, Feargal Quinn.*
[18 October, 2007]
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28. “That Seanad Éireann:
- acknowledges the major threat climate change poses to us all;
 - welcomes the EU target of a 20% cut in emissions by 2020;
 - condemns the failure of the Government to meet the targets it set itself in the National Climate Change Strategy;
 - urges the government to meet the targets for renewable energy contained in the Energy White Paper and the Bio-energy Action Plan;
 - encourages, in particular, investment in the development of sustainable and renewable energy technologies and
 - presses the Government to take further environmental action in the transport and housing sectors.”
- Senators Shane Ross, David Norris, Ivana Bacik, Joe O’Toole, Rónán Mullen.*
[18 October, 2007]
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29. “That Seanad Éireann calls on the Government to actively embrace human rights and international humanitarian law by putting maximum pressure on the Chinese Government to end the genocide and the massive displacement of people in Darfur.”
—*Senators Shane Ross, David Norris, Ivana Bacik.*
[18 October, 2007]
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30. “That Seanad Éireann hereby annuls the Cockle (Fisheries Management and Conservation) (Waterford Estuary) Regulations 2007 (S.I. No. 531 of 2007).”
—*Senators Ivana Bacik, David Norris.*
[24 October, 2007]
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31. “That Seanad Éireann requests the Committee on Procedures and Privileges to agree to an extension of the time allotted for discussion on the Order of Business from forty minutes to one hour.”

—*Senators David Norris, Ivana Bacik, Joe O’Toole, Feargal Quinn, Shane Ross.*

[31 October, 2007]

32. “That Seanad Éireann, concerned at the dire economic and humanitarian situation in Zimbabwe, the plight of many millions of people suffering from food shortages, the suppression of political activists and interference with freedom of the press:

- welcomes the holding of the Second EU-Africa Summit in Lisbon and the EU Presidency’s intention to ensure the current grave situation in Zimbabwe is appropriately raised and discussed at the Summit;
- calls on the Government to continue its efforts, including through the European Union, in support of the promotion of human rights and democracy in Zimbabwe;
- welcomes the mediation effort being undertaken by President Mbeki of South Africa on behalf of the Southern Africa Development Community aimed at promoting political dialogue and agreement between the Government of Zimbabwe and the opposition parties on the future democratic governance of Zimbabwe, and encourages the member countries of SADC to continue to be persuaders for change in Zimbabwe and to ensure the maximum flow of information from the current mediation process;
- emphasises the critical importance of a level playing field being established in order to guarantee the conduct of free, fair and democratic elections in Zimbabwe in 2008;
- calls for full compliance by the Zimbabwean Government and parties with the SADC Guidelines on the Conduct of Democratic Elections and encourages the broadest possible international observation of any elections held in Zimbabwe in 2008; and
- welcomes the continuing substantial direct assistance which Irish Aid is giving to the people of Zimbabwe, amounting to over €17 million in the past two years, and urges the Government to continue this support.”

—*Senators Ivor Callely, David Norris.*

[5 December, 2007]

Leasú:

Amendment:

1. After the second paragraph to insert the following new paragraph:

“— believes however that, given the deep unhappiness of the Irish people, and human rights organisations, at the human rights record of the Government of Robert Mugabe, and the failure of President Mugabe to respond positively to attempts by Ireland and others to urge a greater commitment to human rights, it would be inappropriate for the Taoiseach and any member of the cabinet to attend the EU-Africa summit should President Mugabe also attend;”

—*Senators Frances Fitzgerald, Paul Bradford, Paddy Burke, Jerry Buttimer, Paudie Coffey, Paul Coghlan, Maurice Cummins, Paschal Donohoe, Fidelma Healy-Eames, Nicky McFadden, Eugene Regan, John Paul Phelan, Liam Twomey, Joe O’Reilly, David Norris, Ivana Bacik.*

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

33. “That Seanad Éireann recognises the epidemic in our society of alcohol misuse and illegal drug use, in particular cocaine and related substances, and acknowledges the need for a coordinated cross Departmental approach to this problem.”
—*Senator Donie Cassidy, Frances Fitzgerald, Joe O’Toole, Alex White, Dan Boyle, Fiona O’Malley.*

[18 December, 2007]

34. “That Seanad Éireann:

- expressing its outrage at the kidnapping and detention for political ends of hostages, held by illegal armed groups in Colombia, including in 2002 that of Ms Ingrid Betancourt, a former member of the National Senate of Colombia and a candidate for the Presidency of Colombia;
- appalled by the written and photographic evidence recently recovered by the Government of Colombia that portray the inhuman conditions in which Ms Betancourt is being held;
- recalling further that Ms Betancourt has dual French-Colombian citizenship and is therefore also a citizen of Europe;
- regretting that in the last two years, proposals made to facilitate a humanitarian exchange resulting in a release of all hostages held by illegal armed groups, including efforts by the governments of France, Spain and Switzerland have not been successful to date;
- noting the renewed efforts made by the President of France with the full support and encouragement of all the Member States of the European Union;
- noting also efforts at intermediation made by the President of Venezuela, which were acknowledged in the Council Conclusions on Colombia of 19 November 2007, and further recent offers of intermediation made by the Presidents of Argentina and Brazil;
- welcomes the recent offer of the Colombian Government to create a ‘zone of encounter’ for a humanitarian agreement and the offer of the Episcopal Conference of Colombia to act as mediators in securing the release of the hostages;
- calls upon the illegal armed groups in Colombia to release all hostages without delay and on all involved parties to demonstrate the necessary political will to bring an end to this brutal affront to human rights and dignity; and
- continues to support the Government of Colombia in its search for a negotiated solution to the internal armed conflict, including through direct engagement with those illegal armed groups which may be prepared to negotiate, and to bring lasting peace to Colombia.”

—*Senator Donie Cassidy, Frances Fitzgerald, Joe O’Toole, Alex White, Dan Boyle, Fiona O’Malley.*

[20 December, 2007]

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

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

An Bille chun Onnmhairí a Rialú 2007.
Control of Exports Bill 2007.

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

An Bille um Athchóiriú an Dlí Talún agus Tíolactha 2006.
Land and Conveyancing Law Reform Bill 2006.

An Bille um Eitic in Oifigí Poiblí (Leasú) 2007.
Ethics in Public Office (Amendment) Bill 2007.

An Bille Árachais Sláinte Shaorálaigh (Leasú) 2007.
Voluntary Health Insurance (Amendment) Bill 2007.

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

Reachtúil:

Statutory:

1) An tOrdú Tobhaigh fán Acht um Rialáil Leictreachais 1999 agus fán Acht Gáis (Eatramhach) (Rialáil) 2002 (Gás) 2007 (I.R. Uimh. 822 de 2007).

1) Electricity Regulation Act 1999 and Gas (Interim) (Regulation) Act 2002 (Gas) Levy Order 2007 (S.I. No. 822 of 2007).

2) An tOrdú um Dhíscaoileadh na Comhairle Sábháilteachta Náisiúnta 2007 (I.R. Uimh. 813. de 2007).

2) National Safety Council Dissolution Order 2007 (S.I. No. 813 of 2007).

3) An tOrdú Tobhaigh fán Acht um Rialáil Leictreachais 1999 (Leictreachas) 2007 (I.R. Uimh. 823 de 2007).

3) Electricity Regulation Act 1999 (Electricity) Levy Order 2007 (S.I. No. 823 of 2007).

4) An Bord Seirbhísí Cónaithe Speisialta. Tuarascáil Bhiantúil, 2006.

4) The Special Residential Services Board. Annual Report, 2006.

5) Na Rialacháin um Thrácht ar Bhóithre (Meáchan Ualaithe Feithiclí Altacha 5 Acastóra) 2007 (I.R. Uimh. 829 de 2007).

5) Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2007 (S.I. No. 829 of 2007).

6) An tOrdú um Theorainn Bhuirg Loch Garman a Athrú 2007 (I.R. Uimh. 818 de 2007).

6) Wexford Borough Boundary Alteration Order 2007 (S.I. No. 818 of 2007).

7) An tOrdú um Theorainn Bhuirg Loch Garman a Athrú (Forlíontach) 2007 (I.R. Uimh. 819 de 2007).

7) Wexford Borough Boundary Alteration (Supplementary) Order 2007 (S.I. No. 819 of 2007).

8) Uiscebhealaí Éireann. Tuarascáil Bhliantúil agus Cuntais, 2005.

8) Waterways Ireland. Annual Report and Accounts, 2005.

Neamhreachtúil:

Non Statutory:

1) Tuarascáil ón gCoimisiún um Athchóiriú an Dlí: An Tríú Clár Athchóirithe Dlí, 2008-20014 (LCR 86-2007).

1) Law Reform Commission Report: Third Programme of Law Reform, 2008-2014 (LCR 86-2007).

2) Tuarascáil ón Rapporteur Speisialta um Chosaint Leanaí, an tUasal Séafra Ó Seanáin (Samhain, 2007).

2) Report of the Special Rapporteur on Child Protection, Mr. Geoffrey Shannon. (November, 2007).

3) Tuarascáil ón Rapporteur Dlí Choiriúil do Chosaint Dlí Leanaí, an tUasal Fionnbharr Mac Amhalaí (14 Nollaig, 2007).

3) Report of the Criminal Law Rapporteur for the Legal Protection of Children, Mr. Finbarr McAuley. (14 December, 2007).

4) Comhairle na nDámhachtainí Ardoideachais agus Oiliúna. Tuarascáil, 2003-2006.

4) The Higher Education and Training Awards Council. Report, 2003-2006.

5) Faisnéis Staidrimh ar Sheirbhísí Leasa Shóisialaigh, 2006.

5) Statistical Information on Social Welfare Services, 2006.

6) An Chomhairle Eorpach, An Bhruiséil, 14 Nollaig, 2007. Tátail na hUachtaránachta.

6) European Council, Brussels, 14 December, 2007. Presidency Conclusions.

7) Rialacháin na gComhphobal Eorpach (Leasú ón Aer) (Foraoiseacht) (Leasú) 2007 (I.R. Uimh. 790 de 2007).

7) European Communities (Aerial Fertilisation) (Forestry) (Amendment) Regulations 2007 (S.I. No. 790 of 2007).