

Dé Céadaoin, 4 Samhain, 2009
Wednesday, 4th November, 2009

10.30 a.m.

RIAR NA hOIBRE

Order Paper

GNÓ POIBLÍ

Public Business

1. An Bille um Pleanáil agus Forbairt (Leasú) 2009 — An Dara Céim (*atógáil*).
 Planning and Development (Amendment) Bill 2009 — Second Stage (*resumed*).

2. (l) An Bille um Nós Imeachta Coiriúil 2009 — An Coiste.
 (a) Criminal Procedure Bill 2009 — Committee.

3. Ráitis maidir leis na Freagairtí Oideachais agus Oiliúna ar an Turnamh Geilleagair.
 Statements on the Education and Training Responses to the Economic Downturn.

4. Bille na gCúirteanna agus na nOifigeach Cúirte 2009 [*Dáil*] — An Dara Céim.
 Courts and Court Officers Bill 2009 [*Dáil*] — Second Stage.

5. An Bille um Fhorbairtí Ilaonad 2009 — An Coiste.
 Multi-Unit Developments Bill 2009 — Committee.

6. An Bille Cróinéirí 2007 — An Coiste.
 Coroners Bill 2007 — Committee.

7. An Bille um Sheirbhísí Maoine (Rialáil) 2009 — An Coiste.
 Property Services (Regulation) Bill 2009 — Committee.

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.*

9. An Bille um Chosaint Coigiltis Comhair Creidmheasa 2008 — An Dara Céim.
 Credit Union Savings Protection Bill 2008 — Second Stage.
 —*Senators Joe O’Toole, David Norris, Feargal Quinn, Shane Ross, Ivana Bacik, Rónán Mullen.*

- 10.** An Bille um Chumas Meabhrach agus Caomhnóireacht 2008 — An Dara Céim.
Mental Capacity and Guardianship Bill 2008 — Second Stage.
—*Senators Joe O’Toole, David Norris, Feargal Quinn, Shane Ross, Ivana Bacik.*
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- 11.** An Bille um Chosaint Tomhaltóirí (Leasú) 2008 — An Dara Céim.
Consumer Protection (Amendment) Bill 2008 — Second Stage.
—*Senators Brendan Ryan, Alex White, Dominic Hannigan, Michael McCarthy, Phil Prendergast.*
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- 12.** An Bille um Dhliteanas Sibhialta (Leasú) (Uimh. 2) 2008 — An Dara Céim.
Civil Liability (Amendment) (No. 2) Bill 2008 — Second Stage.
—*Senators Eugene Regan, Frances Fitzgerald, Maurice Cummins.*
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- 13.** An Bille um Fhorais Chreidmheasa (Tacaíocht Airgeadais) (Leasú) 2009 — An Dara Céim.
Credit Institutions (Financial Support) (Amendment) Bill 2009 — Second Stage.
—*Senators Paul Coghlan, Maurice Cummins, Frances Fitzgerald.*
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- 14.** An Bille chun Airm Úráiniam Laghdaithe a Thoirmeasc 2009 — An Dara Céim.
Prohibition of Depleted Uranium Weapons Bill 2009 — Second Stage.
—*Senators Dan Boyle, Déirdre de Búrca, Fiona O’Malley.*
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- Bille (atógáil) (0.03 n. fágtha):*
Bill (resumed) (0.03 m. remaining):
- 15.** 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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- Bille (atógáil) (0.03 n. fágtha):*
Bill (resumed) (0.03 m. remaining):
- 16.** An Bille Meabhair-Shláinte (Bearta Ainneonacha) (Leasú) 2008 — An Dara Céim (*atógáil*).
Mental Health (Involuntary Procedures) (Amendment) Bill 2008 — Second Stage (*resumed*).
—*Senators Dan Boyle, Déirdre de Búrca, David Norris.*
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- Bille (atógáil) (0.03 n. fágtha):*
Bill (resumed) (0.03 m. remaining):
- 17.** An Bille um Orgáin de chuid Chorp an Duine agus Fíocháin Dhaonna 2008 — An Dara Céim (*atógáil*).
Human Body Organs and Human Tissue Bill 2008 — Second Stage (*resumed*).
—*Senator Feargal Quinn.*
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Bille (atógáil) (0.03 n. fágtha):

Bill (resumed) (0.03 m. remaining):

- 18.** An Bille um Thaighde Gaschille (Suthanna Daonna a Chosaint) 2008 — An Dara Céim (*atógáil*).
Stem-Cell Research (Protection of Human Embryos) Bill 2008 — Second Stage.
(*resumed*).

—*Senators Rónán Mullen, Jim Walsh, John Hanafin.*

Tíolactha:

Presented:

- 19.** 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.*

- 20.** An Bille um Chúram Leanaí (Leasú) 2009 — Ordú don Dara Céim.
Child Care (Amendment) Bill 2009 — Order for Second Stage.

Bille dá ngairtear Acht do leasú agus do leathnú an Achta um Chúram Leanaí 1991, do dhéanamh socrú breise i ndáil le cúram agus cosaint leanaí; do leasú Acht na Leanaí 2001 agus an Achta Sláinte 2007; do dhéanamh socrú chun Bord Comhairleach Achtanna na Leanaí a dhíscaoileadh agus chun a shócmhainní, a dhliteanais agus a fhostaithe a aistriú chuig an Aire Sláinte agus Leanaí; d'aisghairm Chuid 11 d'Acht na Leanaí 2001; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend and extend the Child Care Act 1991; to make further provision in relation to the care and protection of children; to amend the Children Act 2001 and the Health Act 2007; to provide for the dissolution of the children acts advisory board and the transfer of its assets, liabilities and employees to the Minister for Health and Children; to repeal Part 11 of the Children Act 2001; and to provide for related matters.

—*Senator Donie Cassidy.*

- 21.** Bille Toghcháin an tSeanaid (Rolla-Chomhaltaí) (Leasú) 2008 — Ordú don Dara Céim.
Seanad Electoral (Panel Members) (Amendment) Bill 2008 — Order for Second Stage.

Bille dá ngairtear Acht do leasú Acht Toghcháin an tSeanaid (Rolla-Chomhaltaí) 1947 i ndáil le clárú maidir leis an rolla riaracháin.

Bill entitled an Act to amend the Seanad Electoral (Panel Members) Act 1947 in relation to registration in respect of the administrative panel.

—*Senators Maurice Cummins, Frances Fitzgerald, Paul Coghlan.*

- 22.** An Bille um Fhorais Chultúir Náisiúnta (Leasú) 2008 — Ordú don Dara Céim.
National Cultural Institutions (Amendment) Bill 2008 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Fhorais Chultúir Náisiúnta 1997.

Bill entitled an Act to amend the National Cultural Institutions Act 1997.

—*Senator Alex White.*

Ráitis (atógáil):

Statements (resumed):

23. *Ráitis maidir le Conradh Liospóin um Athchóiriú (atógáil).*
Statements on the Lisbon Reform Treaty (resumed).

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24. *Ráitis faoin Tuarascáil maidir le Grinnscrúdú AE (Uimh. 21) dar teideal Faisnéis faoi Bhia a Sholáthar do Thomhaltóirí (atógáil).*
Statements on the Report on EU Scrutiny (No. 21) entitled Provision of Food Information to Consumers (resumed).

Tairiscintí:

Motions:

25. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghrinnscrúdú Eorpach dar teideal ‘Tuarascáil Iniúchta AE Uimh. 25: COM (2008)650 críochnaitheach — Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Treoir 2002/15/CE maidir le heagrú ama oibre daoine i mbun gníomhaíochtaí soghluaiste iompair ar bhóithre’ a leagadh faoi bhráid Sheanad Éireann an 29 Iúil, 2009.

That Seanad Éireann notes the Report of the Joint Committee on European Scrutiny entitled ‘EU Scrutiny Report No. 25: COM (2008)650 final — Proposal for a Directive of the European Parliament and of the Council amending Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities’ which was laid before Seanad Éireann on 29th July, 2009”.

—*Senator Donie Cassidy.*

[23 September, 2009]

26. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghrinnscrúdú Eorpach dar teideal ‘Tuarascáil Bhliantúil 25 Deireadh Fómhair, 2007-31 Nollaig, 2008 agus Clár Oibre 2009’ a leagadh faoi bhráid Sheanad Éireann an 6 Lúnasa, 2009.

That Seanad Éireann notes the Report of the Joint Committee on European Scrutiny entitled ‘*Annual Report 25 October, 2007-31 December, 2008 and Work Programme 2009*’ which was laid before Seanad Éireann on 6th August, 2009”.

—*Senator Donie Cassidy.*

[23 September, 2009]

27. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghrinnscrúdú Eorpach dar teideal ‘Tuarascáil Iniúchta AE Uimh. 26: COM (2008) 414 — Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le Cearta Othar a chur chun feidhme i gCúram Sláinte Trasteorann’ a leagadh faoi bhráid Sheanad Éireann an 25 Meán Fómhair, 2009.

That Seanad Éireann notes the Report of the Joint Committee on European Scrutiny entitled ‘*EU Scrutiny Report No. 26: COM (2008) 414 — Proposal for a Directive of the European Parliament and of the Council on the application of Patients’ Rights in Cross-border Healthcare*’ which was laid before Seanad Éireann on 25th September, 2009”.

—*Senator Donie Cassidy.*

[6 October, 2009]

28. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghrinnscrúdú Eorpach dar teideal ‘*Tuarascáil Speisialta ar Reachtaíocht nua AE — 1 Eanáir go 30 Meitheamh, 2009*’ a leagadh faoi bhráid Sheanad Éireann an 16 Deireadh Fómhair, 2009.

That Seanad Éireann notes the Report of the Joint Committee on European Scrutiny entitled ‘*Special Report on new EU Legislation — 1 January to 30 June, 2009*’ which was laid before Seanad Éireann on 16 October, 2009.”

—*Senator Donie Cassidy.*
[21 October, 2009]

29. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghnóthaí Sóisialacha agus Teaghlaigh dar teideal ‘*Calaois Leasa Shóisialaigh*’ a leagadh faoi bhráid Sheanad Éireann an 21 Deireadh Fómhair, 2009.

That Seanad Éireann notes the Report of the Joint Committee on Social and Family Affairs entitled ‘*Social Welfare Fraud*’ which was laid before Seanad Éireann on 21 October, 2009.”

—*Senator Donie Cassidy.*
[21 October, 2009]

30. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan dar teideal ‘*An Dara Tuarascáil — Rannpháirtíocht na mBan i gCúrsaí Polaitíochta*’, a leagadh faoi bhráid Sheanad Éireann an 28 Deireadh Fómhair, 2009.

That Seanad Éireann notes the Report of the Joint Committee on Justice, Equality, Defence and Women’s Rights entitled ‘*Second Report — Women’s Participation in Politics*’, which was laid before Seanad Éireann on 28 October, 2009.”

—*Senator Donie Cassidy.*
[29 October, 2009]

31. “Go dtugann Seanad Éireann dá aire an Dara Tuarascáil ón gComhchoiste um Athrú Aeráide agus Áirithiú Fuinnimh dar teideal ‘*An Chúis ar son Dlí Athraithe Aeráide, mar aon le Príomhranna an Bhille*’ a leagadh faoi bhráid Sheanad Éireann an 28 Deireadh Fómhair, 2009.

That Seanad Éireann notes the Second Report of the Joint Committee on Climate Change and Energy Security entitled ‘*the Case for Climate Change Law, together with Heads of Bill*’ which was laid before Seanad Éireann on 28 October, 2009.”

—*Senator Donie Cassidy,*
[3 November, 2009]

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

1. “That Seanad Éireann noting:

- the findings of the Health Information and Quality Authority whereby the introduction of the HPV cervical cancer vaccination programme could see a 34 per cent reduction in pre-cancers, a 56 per cent reduction in cervical cancer and a 56 per cent reduction in deaths from cervical cancer;
- that the total cost of introducing the vaccine is estimated to be €9.7 million according to the Health Information and Quality Authority;
- that the direct savings in treatment costs due to the disease being avoided is more than €2.7 million per annum according to the Health Information and Quality Authority, excluding broader savings;

- the breakthrough nature of this medical advance; and
- that the total health budget is more than €16,000 million this year;

condemns the decision of the Minister for Health and Children to abandon this programme as short-sighted and unjustifiable, and calls on the Minister for Health and Children to immediately reverse her decision.”

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

[13 November, 2008]

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2. “That Seanad Éireann deplores the murder of an innocent victim in Limerick by gangland criminals last week, making him the 17th gangland murder victim this year; and calls on the Government to take definitive action steps to quell the activities of criminal gangs.”

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

[18 November, 2008]

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3. “That Seanad Éireann calls on the Minister for Justice, Equality and Law Reform to cut off the source of gangland criminals’ wealth and weapons, namely drugs, by providing adequate resources to An Garda Síochána and the Customs and Excise Service with the necessary manpower and modern equipment.”

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

[18 November, 2008]

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4. “That Seanad Éireann calls on the Minister for Justice, Equality and Law Reform, as a matter of urgency, to outline immediately the government’s plans regarding the construction of the proposed new prison, Thornton Hall, dealing with all aspects of the project.”

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

[18 November, 2008]

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5. “That Seanad Éireann calls on the Minister for Justice, Equality and Law Reform to implement measures to reduce the high numbers of repeat offenders in Ireland as revealed in a 2006 UCD study.”

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

[18 November, 2008]

6. “That Seanad Éireann hereby states and resolves that the proposed deportation of Pamela Izevbekhai and her daughters was not the sort of action envisaged by this House when the original legislation was passed.”

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

[25 November, 2008]

7. “That Seanad Éireann condemns utterly the disgraceful action of the Government in destroying the Combat Poverty Agency and the Equality Agency and the gutting of the Irish Human Rights Commission and calls on the Government to rescind these decisions.”

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

[15 December, 2008]

8. “That Seanad Éireann condemns the Government for the abolition of the Combat Poverty Agency which successfully:

- represented the vulnerable and forgotten in Irish society;
- provided vital data on poverty and health inequalities;
- highlighted social welfare reform proposals;

for imposing excessive cutbacks of 43% of the annual budget of the Equality Authority and decentralising its offices resulting in a loss of expertise, thus

- purposely diminishing its ability to provide its services;
- effectively forcing its Chief Executive to resign his post;

for the cuts of 24% to the budget of the Irish Human Rights Commission, thus

- weakening its role within the context of the Good Friday agreement;
- “substantially hampering” its ability to execute its core activities; and

for severely impairing the ability of the Equality Authority and Irish Human Rights Commission to carry out their functions and thereby damaging Ireland’s reputation as a vigilant democracy in respect of human rights.”

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

[30 January, 2009]

9. “That Seanad Éireann urges the Irish Government to continue its support for moves to establish an International War Crimes Inquiry into certain aspects of the Israeli attack on Gaza including the use of white phosphorus in densely inhabited civilian areas, the use of dime munitions and the apparently deliberate shelling of the U.N. facilities, including schools which were being used as places of sanctuary by Palestinian civilians as well as the question of illegal collective punishment and to maintain discussions with the representatives of countries such as Cyprus, Sweden and Portugal who have also supported this move.”

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

[10 February, 2009]

10. “That Seanad Éireann urges the Irish Government to continue its support for moves to establish an independent international investigation into alleged violations of international humanitarian law during Israel’s military action in Gaza including the use of white phosphorus in densely inhabited civilian areas, the use of dime munitions and the shelling of the U.N. facilities, including schools which were being used as places of sanctuary by Palestinian civilians as well as the question of collective punishment and to maintain discussions with the representatives of countries such as Belgium, Cyprus, Sweden and Portugal who have also supported this move and that the independent international investigation also investigate the indiscriminate rocket attacks on civilians perpetrated by Hamas and others, the alleged storage of munitions in civilian locations and the allegations of the shooting of innocent Palestinians by Hamas, the alleged use of civilians as human shields by any actor and the alleged firing of rockets from positions adjacent to UN facilities, to schools and hospitals, furthermore, that the Joint Committee on Foreign Affairs supports a two state solution to the Israeli Palestinian conflict with the objective of the State of Israel and an independent Palestinian State living side by side in peace and security and urges the Government to continue to fully support such resolution of the conflict and to take all appropriate steps in the UN, at EU level and in its bilateral international relations to promote and achieve such resolution; supports the International Quartet (EU, USA, Russia and the UN) in its work, and other initiatives to resolve the conflict; welcomes the appointment by President Obama of George Mitchell as his Middle East peace envoy; calls on Iran to end its opposition to a 2 state solution; commends the initiative taken by Egypt to mediate a durable ceasefire between Israel and Hamas; and urges all sides to fully co-operate with UNRWA to facilitate the provision by it in Gaza of humanitarian relief.”

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

[17 February, 2009]

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11. “That Seanad Éireann make special provision for a 90 minute rolling debate on the economy to be taken on a weekly basis following the Order of Business.”

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

[23 February, 2009]

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12. “That Seanad Éireann urges the Government to accept the recommendations of Transparency International including:

- the introduction of laws, similar to those in the UK, to protect whistleblowers in the public and private sector who report concerns of public importance;
- the introduction of a Register of Lobbyists that would bring more transparency to the relationship between government, regulators, business and interest groups.
- the ratification of international conventions against corruption, including the UN Convention described as the “Kyoto Protocol” on global corruption.
- the establishment of a Garda Anti-Corruption Unit and more resources for law enforcement agencies including the Director of Corporate Enforcement, the Competition Authority, the Criminal Assets Bureau, and the Garda Fraud Squad;
- the reform of the Freedom Information fee system as the Irish FOI fees and costs of appeals are the highest in the developed world;
- the publication of local Councillors’ declarations of interest on the internet;

- the scrapping of Government plans to treble the amount of gifts and loans politicians can receive and keep secret;
- the publication of an annual report by the Comptroller and Auditor General on some of the most costly public contracts each year;
- the opening of all appointments to the Boards of State bodies to public competition; and
- the publication of clear no-bribe and conflict of interest policies by newspaper organisations and journalist unions.”

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

[3 March, 2009]

13. “Ag cuimhneamh:

- go ndearnadh gnó na Chéad Dála 90 bliain ó shin go hiomlán trí Ghaeilge; agus
- gurb í an Ghaeilge an teanga náisiúnta agus an phríomhtheanga oifigiúil faoi Airteagal 8 den Bhunreacht;

beartaíonn an Seanad:

- úsáid na Gaeilge a mhéadú i ngnó an tSeanaid i 2009 go céatadán a bheidh aontaithe idir na páirtithe; agus
- tús a chur leis seo le linn ‘Seachtain na Gaeilge’ sa Dáil an 10, 11, 12 Márta nuair a dhéanfar 50% de ghnó an tSeanaid trí mheán na Gaeilge.”

—*Senators Pearse Doherty, Joe O’Toole.*

[10 March, 2009]

14. “Seanad Éireann calls on the Minister for Transport to ensure:

- an immediate Moratorium on the issuing of taxi plates;
- the initiation of a comprehensive and coherent reform of the Taxi Service Industry under the aegis of the Framework for Progress;
- the absorption of the Taxi Regulator’s office into the Department of Transport;
- the granting of legal power to Local Authorities to establish and regulate appropriate numbers of taxi licences in their areas; and
- the reclassification of taxi drivers for PRSI purposes to enable protection in adverse financial or health circumstances under the social welfare code.”

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

[10 March, 2009]

15. “That Seanad Éireann,

- while acknowledging that recent budgetary provisions have led to serious inequities and that these inequities will require to be addressed in the near future;
- recognising the crucial role that the trade union movement continues to play in Irish life; and

- having regard to the urgency of the economic situation and the need for unity among all sectors of the community in dealing with this situation;

views with concern the proposal by ICTU to organise a one-day strike on Monday 30th March, 2009 and calls on the leadership of ICTU to cancel the proposed day of action in order to facilitate the best national effort in dealing with the current economic crisis.”

—*Senators Rónán Mullen, Shane Ross.*
[25 March, 2009]

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16. “That Seanad Éireann requests the Government to establish as a matter of urgency an expert committee to examine in an impartial fashion the feasibility, benefits and potential hazards of nuclear energy generation.”

—*Senators David Norris, Feargal Quinn.*
[7 April, 2009]

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17. “That Seanad Éireann noting:

- that Ireland has one of the highest levels of alcohol consumption in the world;
- that the level of alcohol consumption in Ireland and the economic and social problems which it creates is now such as to amount to a crisis for this country, tarnishing its image both at home and abroad;
- the persistent and serious problem of alcohol related violence, anti-social behaviour and other offences throughout the country;
- that 97% of all public order offences are alcohol related (National Crime Council 2003);
- that alcohol is a significant contributing factor in physical and sexual assaults, domestic violence, fatal road accidents, criminal damage and that almost half of homicides were perpetrated by intoxicated persons (HSE Report on Alcohol Related Harm 2008);
- that alcohol was found to be responsible for 6,584 deaths in the 5 year period 2000-2004 and in the same period 3 million hospitalisations at a cost of €930m, according to research presented at the 2009 Summer Scientific Meeting of the Faculty of Public Health Medicine of the Royal College of Physicians of Ireland;
- the fact that alcohol is a gateway drug for many young people amounting to an illegal industry of €145m annually;

and considering:

- the widespread and extensive exposure of alcoholic products through media outlets such as television, radio, cinema, and billboard advertising;
- the strong links that alcohol advertising has to sponsorship of sport and other cultural activities;
- that advertising of alcohol portrays a simple social activity and one to be encouraged;

- that alcohol advertisements hold a strong appeal for young people and are considered by young people to be stylish and humorous, showing alcohol as promoting a desirable lifestyle, and helping to improve confidence in social skills (the *Impact of Alcohol Advertising on Teenagers in Ireland 2001*);
- that measures are needed to curtail the demand for alcohol, to complement the measures introduced in the *Intoxicating Liquor Act 2008*, which restricts the supply of alcohol;
- that voluntary codes of practice on the promotion and advertising of alcoholic drinks is entirely ineffective;
- advice from the Irish Medical Organisation’s former President, and public health specialist, Dr. Joe Barry that all alcohol advertising should be banned;
- a call from the Irish College of Psychiatrists (September, 2008) for a complete ban on all alcohol advertising in Ireland;
- the positive impact of France’s ban on all televised advertising of alcohol and sponsorship of sport by the alcohol industry introduced in its 1991 Law, *Loi Evin*;

calls on the Government to:

- introduce without delay a total ban on all advertising of alcohol in Ireland.”
- Senators Eugene Regan, Frances Fitzgerald, Paddy Burke, Paul Bradford, Jerry Buttimer, Paudie Coffey, Paul Coghlan, Maurice Cummins, Paschal Donohoe, Fidelma Healy-Eames, Nicky McFadden, Joe O’Reilly, John Paul Phelan, Liam Twomey.*

[28 May, 2009]

18. “That Seanad Éireann acknowledging the results of the local and European elections condemns the Government for its failure:

- to protect the most vulnerable in society;
- to acknowledge the anger and frustration of the people of Ireland caused by the outcome of Government policy over the last decade; and
- to outline the actions it proposes to protect the future of our economy and social policy.”
- Senators Liam Twomey, Frances Fitzgerald, Paddy Burke, Paul Bradford, Jerry Buttimer, Paudie Coffey, Paul Coghlan, Maurice Cummins, Paschal Donohoe, Fidelma Healy-Eames, Nicky McFadden, Joe O’Reilly, John Paul Phelan, Eugene Regan, Joe O’Toole.*

[10 June, 2009]

19. “That Seanad Éireann requests the Government to include membership of any secretive religious organisations with campaigning or political briefs among items to be declared to the Standards in Public Office Commission.”

- Senators David Norris, Joe O’Toole, Ivana Bacik, Feargal Quinn, Alex White, Michael McCarthy, Dominic Hannigan.*

[16 June, 2009]

20. “That Seanad Éireann calls on the Minister for Arts, Sport and Tourism and the Minister for Education and Science to ensure that in the restructuring of the Dublin Institute of Technology the positive impact undertaken by D.I.T. Cathal Brugha Street should be neither obstructed nor minimised”.

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

[30 June, 2009]

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21. “That Seanad Éireann, in light of the exorbitant fees being charged by Senior and Junior Counsel, calls on the Government to introduce a Maximum Fees Order, of not more than €969 per diem for Senior Counsel, and, €646 per diem for Junior Counsel (as decided by the Government in July 2004 in respect of Counsels fees for Tribunals of Inquiry)”.

—*Senators Jim Walsh, Mary White, Terry Leyden, Deirdre De Búrca, Mark Daly, Feargal Quinn, Lisa McDonald, Ivor Callely, Cecilia Keaveney, Eoghan Harris, Marc MacSharry.*

[30 June, 2009]

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22. “That Seanad Éireann requests the Government to review as a matter of urgency the changes to state funding for Protestant, voluntary and Jewish schools in Budget 2009 as well as certain recommendations of the McCarthy Report in so far as they affect the Protestant voluntary and Jewish schools in order to avoid unintentional but serious discriminatory effects.”

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

[23 September, 2009]

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23. “That Seanad Éireann takes note of the Report of the UN Inquiry into War Crimes committed during the Israeli Invasion of Gaza in September, 2008.”

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

[23 September, 2009]

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24. “That Seanad Éireann requests the Government to give serious and detailed consideration to the proposal to move the Abbey Theatre to the GPO.”

—*Senators David Norris, Donie Cassidy, Frances Fitzgerald, Paul Coghlan, Alex White, Pearse Doherty, Joe O’Toole, Eoghan Harris.*

[13 October, 2009]

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25. “That Seanad Éireann deplores the delay in implementing the recommendations of the Report on Seanad Reform and demands of Government that it do so immediately.”

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

[21 October, 2009]

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26. “That Seanad Éireann:

notes with concern:

— the huge increase in the number of people unemployed, or working shorter weeks, has put enormous financial strain on families in meeting their mortgage repayments, and paying other debts, with 14,000 households currently in mortgage arrears according to most recent figures (June 2008) which is now estimated to have doubled;

- that 244% increase in the number of households dependent on mortgage interest supplement since the end of 2007, totalling some 14,100 as at October 2009, and the absence of data on the number of applications and refusals for this support;
- that debt collectors and commercial debt advisors operate in an unregulated environment;
- the 100% increase in the number of applications for repossession in the High Court between 2007 and 2008, with the High Court hearing about 100 cases every week;
- the ESRI estimate that 35,000 households will not be able to repay their mortgages next year and that 200,000 households will face negative equity;
- that the new Code on Mortgage Arrears and the IBF / MABS Protocol fails to sufficiently protect homeowners;
- that the Government has taken no steps to update or reform the current system of debt enforcement which is ineffective, extremely costly to the taxpayer and wasteful of Court, Judge and Garda time;
- that 276 people were jailed last year for failing to repay their debt, received an average sentence of 27 days and served an average of 20 days;

recognise:

- the recent High Court judgement which found that a person must not be imprisoned if they do not have the money to repay their debt;
- the recent publication of the Law Reform Commission Consultation Report on Personal Debt Management and Debt Enforcement which recommends radical and fundamental reform of debt enforcement procedures;

calls on the Government to:

- establish an alternative dispute resolution system to deal with cases where people are unable to repay debt, which will free up valuable court time and support families struggling with debt;
 - regulate debt collection agencies as proposed by the Fine Gael Credit Financial Institutions (Protection of Debtors) (Amendment) Bill 2008 and draw up legislation to regulate commercial money advisors;
 - incorporate into NAMA a Home-Owner-Support-Scheme to protect the families facing repossession of their home; and
 - expand MABS in a meaningful way to support individuals and families experiencing problems repaying debt, but also to support individuals and families in dealing with debt and managing their finances at an early stage before it spirals into a serious problem.”
- *Senators Frances Fitzgerald, Paul Bradford, Paddy Burke, Jerry Buttimer, Ciaran Cannon, Paudie Coffey, Paul Coghlan, Maurice Cummins, Paschal Donohoe, Fidelma Healy-Eames, Nicky McFadden, Joe O’Reilly, John Paul Phelan, Eugene Regan, Liam Twomey.*

[3 November, 2009]

P.T.O.

Leasú:

Amendment:

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

“notes that legal repossessions of home owners reported by the institutions covered by the Guarantee amount to 20 in the first nine months of this year;

notes that the Mortgage Interest Subsidy scheme provides an important safety net for mortgage borrowers who get into difficulties and that more than 14,000 families are now benefiting from this support;

notes that the Renewed Programme for Government envisages an examination of ways of expanding mortgage support measures and new measures to protect families having difficulties;

notes that the number of home owners in arrears (90 days) with institutions covered by the State Guarantee is currently of the order 15,000-16,000 and that the rate of increase in arrears has moderated notably since the early months of this year;

notes that activity in the property market has remained low, making it very difficult to assess realistic price levels, so that any estimate of how many are in negative equity, or how long the position is likely to last is largely speculative;

notes that the introduction of a statutory Code of Conduct on Mortgage Arrears earlier this year reinforces existing practices at mainstream mortgage lenders and extends legally obligatory protection to all mortgage borrowers;

notes that the Renewed Programme for Government envisages an examination of ways of expanding mortgage support measures and new measures to protect families having difficulties including the introduction of new measures to protect families having difficulties with their home mortgage payments;

notes that the Renewed Programme for Government also provides for the existing statutory Code of Conduct on Mortgage Arrears and the recently agreed protocol between the Irish Bankers Federation (IBF) and the Money Advice and Budgeting Service (MABS) on debt default to be further reviewed with a view to expanding the options available for dealing with debt situations, including for example, the use by banks and lenders of more flexible mechanisms to avoid foreclosure in appropriate circumstances and that these could include:

- reduced rates;
- longer maturity dates;
- rolling-up of outstanding interest;
- bank taking equity in the house;
- bank taking ownership and leasing back the property to the resident with rent payments coming off the loan;

notes that the Renewed Programme for Government envisages that ways of expanding mortgage-support measures will be examined with reference to the measures adopted in other jurisdictions;

notes that the Renewed Programme for Government envisages reform of debt enforcement in light of the deliberation of the Law Reform Commission, which has recently published a consultation paper on the matter., the regulation of debt

collection agencies, a new system of personal insolvency regulations allowing for a statutory non-court-based debt settlement system, and the establishment of a central Debt Enforcement Office to remove as many debt enforcement proceeds from the courts as possible;

notes that NAMA is not a bailout for developers and that extending it to homeowners would not provide them with relief;

notes that the proposal for a Home Owner Support Scheme would involve the State in buying further problem loans from the banks at a discount, would be complex to administer, would cut across the existing Mortgage Subsidy Scheme and could turn the State into both a mortgage lender and a landlord on a large scale;

notes that despite what certain media and other commentators might claim, a person cannot be imprisoned on the grounds of inability to pay a debt. Committal orders are granted where someone fails to comply with a court order, and can only be made where the debtor shows that the failure to pay was due to wilful refusal or culpable neglect;

notes that the Law Reform Commission is giving priority to its work on a Final Report on Personal Debt Management and Debt Enforcement, having already published a Consultation Paper in September 2009;

notes that Section 11 of the Non-Fatal Offences Against the Person Act 1997 provides an adequate system to protect debtors from unacceptable debt collection measures. Under this Section it is an offence to demand payment of a debt in a way designed to alarm, distress or humiliate;

notes that the Money Advice and Budgeting Service (MABS) provides a free confidential and independent debt advice and budgeting service for people in particular those on low incomes who are over-indebted or at risk of getting into debt and need help and advice in coping with debt problems;

welcomes the introduction of the Enforcement of Court Orders (Amendment) Act 2009 as a means of safeguarding the position of debtors who face proceedings in court and to clarify the position of inability to pay, ability to pay or refusal to pay a debt;

welcomes the fact that the operation of the Enforcement of Court Orders (Amendment) Act 2009 will ensure that it will only be in very exceptional cases that a person may be imprisoned for failure to pay a debt;

commends the Government for its actions to stabilise the financial system and to restore the public finances thereby protecting jobs and home ownership;

commends the Government for its increased support for the Mortgage Interest Subsidy scheme;

commends the introduction of the statutory Code of Conduct on Mortgage Arrears; and

commends the provision of additional resources to MABS for 2009 and the appointment of additional money Advisors to 19 MABS offices in August 2009, bringing to 271 the number of money advice staff working in 65 locations around the country.”

—*Senator Donie Cassidy.*

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

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

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

An Bille Uchtála 2009.
Adoption Bill 2009.

An Bille um Rialáil Iompair Phoiblí 2009.
Public Transport Regulation Bill 2009.

An Bille Caidrimh Thionscail (Leasú) 2009.
Industrial Relations (Amendment) Bill 2009.

MEMORANDA

Dé Céadaoin, 4 Samhain, 2009.
Wednesday, 4th November, 2009.

Cruinniú den Chomhchoiste ar an mBunreacht i Seomra Coiste 4, TL2000, ar 9.30 a.m.
Meeting of the Joint Committee on the Constitution in Committee Room 4, LH2000,
at 9.30 a.m.

Cruinniú den Chomhchoiste um Shláinte agus Leanaí i Seomra Coiste 2, TL2000,
ar 10.30 a.m.
Meeting of the Joint Committee on Health and Children in Committee Room 2, LH2000,
at 10.30 a.m.

Cruinniú den Chomhchoiste um Shláinte agus Leanaí i Seomra Coiste 4, TL2000,
ar 10.30 a.m. (*Príobháideach*)
Meeting of the Joint Committee on Health and Children in Committee Room 4, LH2000,
at 10.30 a.m. (*Private*)

Cruinniú den Chomhchoiste um Ghnóthaí Rialála Geilleagair i Seomra Coiste 3, TL2000,
ar 11 a.m.
Meeting of the Joint Committee on Economic Regulatory Affairs in Committee Room 3,
LH2000, at 11 a.m.

Cruinniú den Chomhchoiste um Thalmhaíocht, Iascach agus Bia i Seomra Coiste 4,
TL2000, ar 2.30 p.m.
Meeting of the Joint Committee on Agriculture, Fisheries and Food in Committee
Room 4, LH2000, at 2.30 p.m.

Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 1, TL2000, ar 3.45 p.m.
Meeting of the Joint Committee on Transport in Committee Room 1, LH2000, at 3.45 p.m.

Cruinniú den Chomhchoiste um an Leasú Bunreachta maidir le Leanaí i Seomra Coiste 2, TL2000, ar 5 p.m.
Meeting of the Joint Committee on the Constitutional Amendment on Children in Committee Room 2, LH2000, at 5 p.m.

Déardaoin, 5 Samhain, 2009.
Thursday, 5th November, 2009.

Cruinniú den Chomhchoiste um Oideachas agus Eolaíocht i Seomra Coiste 2, TL2000, ar 10 a.m.
Meeting of the Joint Committee on Education and Science in Committee Room 2, LH2000, at 10 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eorpacha i Seomra Coiste 3, TL2000, ar 11.30 a.m.
Meeting of the Joint Committee on European Affairs in Committee Room 3, LH2000, at 11.30 a.m.

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

*Reachtúil:**Statutory:*

1) Na Rialacháin fán Scéim um Thacaíocht Tithe Banaltrais (Orduithe a Mharcáil agus a Urscaoileadh) 2009 (I.R. Uimh. 437 de 2009).

1) Nursing Homes Support Scheme (Marking and Discharge of Orders) Regulations 2009 (S.I. No. 437 of 2009).

2) Togra le haghaidh Cinnidh ón gComhairle maidir le hiarraidh a dhéanamh ar chomparáidí le sonraí de chuid EURODAC ag údaráis forfheidhmithe dlí Ballstát agus Europol chun críocha forfheidhmithe dlí mar aon le nóta faisnéise míniúcháin. COM (2009) 344.

2) Proposal for a Council Decision on requesting comparisons with EURODAC data by Member States' law enforcement authorities and Europol for law enforcement purposes together with explanatory information note. COM (2009) 344.

3) Togra le haghaidh Cinnidh ón gComhairle ar shíniú an Chreat-Chomhaontaithe maidir le Comhpháirtíocht chuimsitheach agus Comhar cuimsitheach idir an Comhphobal Eorpach agus a Bhallstáit, de pháirt, agus Poblacht na hIndinése, den pháirt eile, mar aon le nóta faisnéise míniúcháin. COM (2009) 492.

3) Proposal for a Council Decision on the signing of the Framework Agreement on comprehensive Partnership and Co-operation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part together with explanatory information note. COM (2009) 492.

4) Na Rialacháin Láimhneach (Cur i dTír a Rialú) 2009 (I.R. Uimh. 417 de 2009).

4) Monkfish (Control of Landings) Regulations 2009 (S.I. No. 417 of 2009)

Neamhreachtúil:

1) Rialacháin na gComhphobal Eorpach (Sláinteachas Bia agus Beatha) 2009 (I.R. Uimh. 432 de 2009).

Non-Statutory:

1) European Communities (Food and Feed Hygiene) Regulations 2009 (S.I. No. 432 of 2009).
