

Dé Céadaoin, 10 Márta, 2010
Wednesday, 10th March, 2010

10.30 a.m.

RIAR NA hOIBRE
Order Paper

GNÓ POIBLÍ
Public Business

1. Ráitis maidir leis an nGaeilge.
 Statements on the Irish Language.

2. (l) An Bille um Fhorbairtí Ilaonad 2009 — An Coiste.
 (a) Multi-Unit Developments Bill 2009 — Committee.

3. (l) An Bille um Cheartas Coiriúil (Sciúradh Airgid agus Maoiniú Sceimhlitheoireachta) 2009 [Dáil] — An Coiste.
 (a) Criminal Justice (Money Laundering and Terrorist Financing) Bill 2009 [Dáil] — Committee.

4. Ráitis maidir le rialáil a dhéanamh ar dhíol substaintí contúirteacha trí *Head Shops* (*atógáil*).
 Statements regarding the regulation of the sale of dangerous substances through Head Shops (*resumed*).

5. An Bille um Chúram Leanáí (Leasú) 2009 — An Coiste.
 Child Care (Amendment) Bill 2009 — Committee.

6. (l) An Bille Meabhair-Shláinte (Bearta Ainneonacha) (Leasú) 2008 — An Coiste (*alt 1, atógáil*).
 (a) Mental Health (Involuntary Procedures) (Amendment) Bill 2008 — Committee (*section 1, resumed*).

—*Senator Dan Boyle.*

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

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

9. An Bille um an Dlí Coiriúil (Gealtacht) 2010 — An Coiste.
Criminal Law (Insanity) Bill 2010 — Committee.
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10. An Bille chun Airm Úráiniam Laghdaithe a Thoirmeasc 2009 — An Coiste.
Prohibition of Depleted Uranium Weapons Bill 2009 — Committee.
—*Senators Dan Boyle, Fiona O'Malley.*
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11. An Bille Cumarsáide (Sonraí a Choimeád) 2009 [Dáil] — An Dara Céim.
Communications (Retention of Data) Bill 2009 [Dáil] — Second Stage.
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12. An Bille Fíneálacha 2009 [Dáil] — An Dara Céim.
Fines Bill 2009 [Dáil] — Second Stage.
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13. 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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14. 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.*
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15. 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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16. 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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17. 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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18. 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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Bille (atógáil) (0.03 n. fágtha):

Bill (resumed) (0.03 m. remaining):

19. 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.*

Bille (atógáil) (0.03 n. fágtha):

Bill (resumed) (0.03 m. remaining):

20. 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.*

Tíolactha:

Presented:

21. 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.*

22. 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.*

23. 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):

24. Ráitis maidir le Conradh Liospóin um Athchóiriú (atógáil).

Statements on the Lisbon Reform Treaty (*resumed*).

25. 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*).

26. Ráitis maidir leis an mBuiséad 2010 (*atógáil*).

Statements on Budget 2010 (*resumed*).

27. Ráitis maidir le Poist a Chruthú (*atógáil*).

Statements on Job Creation (*resumed*).

Tairiscintí:

Motions:

28. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghrinnscrúdú Eorpach dar teideal ‘Tuarascáil Iniúchta AE Uimh. 29: COM (2009) 499, 500, 501, 502 agus 503 — Dréachtphacáiste reachtach maidir le hathchóiriú ar chreat maoirseachta agus rialála airgeadais AE’ a leagadh faoi bhráid Sheanad Éireann an 13 Eanáir 2010.

That Seanad Éireann notes the Report of the Joint Committee on European Scrutiny entitled ‘EU Scrutiny Report No. 29: COM (2009) 499, 500, 501, 502 and 503 — Draft legislative package on reforming the EU’s financial supervisory and regulatory framework’ which was laid before Seanad Éireann on 13th January 2010”.

—*Senator Donie Cassidy.*

[20 January, 2010]

29. “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.*

[3 February, 2010]

30. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghnóthaí Eorpacha dar teideal, “Tuarascáil maidir le Rannchuidiú an Chomhchoiste leis an gCoimisiún Eorpach maidir leis an Straitéis don toadhcháí “EU2020” a leagadh faoi bhráid Sheanad Éireann an 3 Feabhra 2010.

That Seanad Éireann notes the Report of the Joint Committee on European Affairs, entitled “Report on the Joint Committee’s Contribution to the European Commission on the future “EU2020” Strategy” which was laid before Seanad Éireann on 3 February 2010.”

—*Senator Donie Cassidy.*

[9 February, 2010]

31. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste ar an mBunreacht dar teideal ‘*Torthaí Suirbhé ar Chomhaltáí Dhá Theach an Oireachtas* —

That Seanad Éireann notes the Report of the Joint Committee on the Constitution entitled ‘*Results of Survey of Members of Both Houses of the Oireachtas — The*

An Córas Toghcháin, Ról Ionadaíochta Teachtaí Dála agus Tograí maidir le hAthrú a leagadh faoi bhráid Sheanad Éireann an 4 Feabhra 2010.

Electoral System, Representative Role of TDs and Proposals for Change which was laid before Seanad Éireann on 4 February 2010.”

—*Senator Donie Cassidy.*
[9 February, 2010]

32. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Shláinte agus Leanaí dar teideal *‘Tuarascáil maidir le Cúram Príomha Liachta i measc an Phobail’* a leagadh faoi bhráid Sheanad Éireann an 11 Feabhra 2010.

That Seanad Éireann notes the Report of the Joint Committee on Health and Children entitled *‘Report on Primary Medical Care in the Community’* which was laid before Seanad Éireann on 11 February 2010.”

—*Senator Donie Cassidy.*
[16 February, 2010]

33. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um an Leasú Bunreachtá maidir le Leanaí dar teideal *‘An Tuarascáil Deiridh ar an mBille um an Ochtú Leasú is Fíche ar an mBunreacht 2007 — Togra maidir le leasú bunreachtá chun cearta leanaí a dhaingniú’* a leagadh faoi bhráid Sheanad Éireann an 16 Feabhra 2010.

That Seanad Éireann notes the Report of the Joint Committee on the Constitutional Amendment on Children entitled *‘Final Report on the Twenty-eighth Amendment of the Constitution Bill 2007 — Proposal for a constitutional amendment to strengthen children’s rights’* which was laid before Seanad Éireann on 16 February 2010.”

—*Senator Donie Cassidy.*
[17 February, 2010]

34. “Go gceadaíonn Seanad Éireann an Stát d’fheidhmiú an roghnaithe nó na rogha faoi Phrótacal Uimh. 21 maidir le seasamh na Ríochta Aontaithe agus na hÉireann i dtaca leis an réimse saoirse, slándála agus ceartaís, atá i gceangal leis an gConradh ar an Aontas Eorpach agus leis an gConradh ar Fheidhmiú an Aontais Eorpaigh, a bheith páirteach i nglacadh agus i bhfeidhmiú an bhirt bheartaithe seo a leanas:

That Seanad Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:

tionscnamh le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir leis na cearta chun ateangaireacht agus aistriúchán a fháil in imeachtaí coiriúla,

an initiative for a Directive of the European Parliament and of the Council on the rights to interpretation and to translation in criminal proceedings,

ar leagadh cóip de faoi bhráid Sheanad Éireann an 20 Eanáir, 2010.

a copy of which was laid before Seanad Éireann on 20 January 2010.”

—*Senator Donie Cassidy.*

35. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghrinnscrúdú Eorpach dar teideal *‘Tuarascáil Ghrinnscrúdaithe AE Uimh. 30:*

That Seanad Éireann notes the Report of the Joint Committee on European Scrutiny entitled *‘EU Scrutiny Report No. 30: COM (2009)362 final — Proposal for a Directive*

COM (2009)362 críochnaitheach — Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Treoracha 2006/48/CE agus 2006/49/CE maidir le ceanglais chaipitil le haghaidh an leabhair trádála agus athurrúsuíthe, agus leis an athbhreithniú maoirseachta ar bheartais luacha saothair’ a leagadh faoi bhráid Sheanad Éireann an 23 Feabhra 2010.

of the European Parliament and of the Council amending Directives 2006/48/EC and 2006/49/EC as regards capital requirements for the trading book and for re-securitisations, and the supervisory review of remuneration policies’ which was laid before Seanad Éireann on 23rd February 2010.”

—*Senator Donie Cassidy.*

[24 February, 2010]

36. “Go dtugann Seanad Éireann dá aire an Tuarascáil ón gComhchoiste um Ghnóthaí Eorpacha dar teideal, “Tuarascáil maidir le Rannchuidiú an Chomhchoiste um Ghnóthaí Eorpacha leis an gCoimisiún Eorpach i ndáil leis an bPáipéar Uaine uaidh ar Thionscnamh Eorpach do Shaoránaigh” a leagadh faoi bhráid Sheanad Éireann an 26 Feabhra 2010.

That Seanad Éireann notes the Report of the Joint Committee on European Affairs, entitled “Report on the Joint Committee on European Affairs’ Contribution to the European Commission on its Green Paper on a European Citizens’ Initiative” which was laid before Seanad Éireann on 26 February 2010.”.

—*Senator Donie Cassidy.*

[2 March, 2010]

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

1. “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]

2. “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]

3. “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]

4. “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]

5. “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, David Norris.*

[28 May, 2009]

6. “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]

7. “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]

8. “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]

9. “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, Rónán Mullen, Shane Ross, Feargal Quinn.*

[23 September, 2009]

10. “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]

11. “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]

12. “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]

13. “That Seanad Éireann sets up a special committee to investigate the origins and causes of the banking crisis.”.

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

[20 January, 2010]

14. “That Seanad Éireann urges the Government to introduce legislation aimed at regulating the sale of dangerous, non quality controlled and indeterminately compounded substances through so called ‘Head Shops’.”.

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

[20 January, 2010]

15. “That Seanad Éireann:—

recognising

- tourism revenue dropped by €1.1bn in 2009 to €5.2bn, its lowest level since 2004;
- overseas visitor numbers fell by close to one million in 2009 compared to 2008;
- Ireland’s largest tourism market, the United Kingdom, declined by 16%;
- access to Ireland has become worryingly restricted with the ongoing removal of routes and restrictions in airline capacity at both Shannon and Dublin airports;

considering

- the introduction of a departure tax was short-sighted, counterproductive and a deterrent to the survival of the tourism industry;
- the yield from the departure tax in 2009 at €84.4m was a counterproductive measure considering the overall drop in tourism revenue;
- other European countries such as Belgium, Denmark, Holland, Spain and Greece have moved to reduce airport charges and withdraw tourist taxes in an effort to boost tourism; and

calls on Government to immediately abolish the departure tax.”.

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

[18 February, 2010]

16. “That Seanad Éireann:—

having considered the circumstances surrounding the compulsory retirement from the Irish army of Lt. Dónal de Róiste in 1969;

noting that the former Lt. Dónal de Róiste was denied the opportunity to rebut or answer the charges made against him at a trial or court-martial;

noting in particular that he was—

- (i) refused any fair opportunity to present his case;
- (ii) refused access to legal advice;
- (iii) denied access to the files on his case;
- (iv) never informed of the allegations made against him;
- (v) never given the right to be heard in his own defence;

noting also that subsequently the law was amended ensuring that such a process cannot occur again;

and while acknowledging that, under Bunreacht na hÉireann, the supreme command of the Defence Forces is vested in the President and in view of the fact that, in 1969, Lt. Dónal de Róiste’s commission was withdrawn by the President on the advice of the Government and that he was compulsorily retired from his position as a commissioned army officer;

is nonetheless, concerned at the lack of procedural fairness and the denial of the principles of natural justice to Lt. de Róiste; and

therefore, in the light of all these circumstances and in the interests of natural justice, calls on the Minister for Defence to request and advise the President to revoke and reverse the withdrawal of Lt. Dónal de Róiste’s commission.”.

—*Senators Eoghan Harris, Joe O’Toole, David Norris, Shane Ross.*

[9 March, 2010]

Leasú:

Amendment:

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

“notes that both the High Court and the Supreme Court have rejected Mr. De Róiste’s legal challenge to his compulsory retirement on the grounds of inexcusable delay on his part in bringing the challenges, accepts that it would be inappropriate for the Oireachtas to go behind these Court decisions and recognises that in these circumstances his compulsory retirement remains legally valid;

notes that at the time of his retirement, the Chief of Staff ensured Mr. De Róiste was given an opportunity to respond to the issues raised in his case; that he was interviewed by the Deputy Judge Advocate General; that he was offered the opportunity to make a statement but declined to do so; and that he informed the Deputy Judge Advocate General that he had consulted a solicitor at the time;

notes that having regard to the decision of the Minister for Defence to order a review in July 2002, the report of which was subsequently quashed by the High Court in 2005, the Government will now ask the Judge Advocate General to select

P.T.O.

a nominee to carry out a review of the documentation on Mr. De Róiste's file to determine:—

whether on the basis of the documentation and information available to the Defence Forces at the time the decision to compulsorily retire Mr. De Róiste was a reasonable one;

understands that Mr. De Róiste since the 2005 High Court decision has been provided with the Department's relevant documentation relating to the circumstances of his retirement; and

welcomes the fact that Mr. De Róiste will now be given an opportunity to make written submissions to the review based on that documentation.”.

—*Senator Donie Cassidy.*

17. “That the Broadcasting Act 2009 (Section 33) Levy Order 2010 (S.I. No. 7 of 2010) be and is hereby annulled.”.

—*Senators Joe O’Toole, Shane Ross, Frances Fitzgerald, Joe O’Reilly, Rónán Mullen, Feargal Quinn, David Norris, Alex White, Paudie Coffey.*

[10 March, 2010]

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

BILLÍ AR SIÚL AGUS GNÓ ATÁ ORDAITHE
Bills in Progress and Business Ordered

Dé Máirt, 16 Márta, 2010
Tuesday, 16th March, 2010

An Bille Fuinnimh (Oibleagáid Bhithbhreosla agus Forálacha Ilghnéitheacha) 2010 —
An Tuarascáil.
Energy (Biofuel Obligation and Miscellaneous Provisions) Bill 2010 — Report Stage.

An Bille um Bunachais Pórúcháin Madraí 2009 — An Tuarascáil.
Dog Breeding Establishments Bill 2009 — Report Stage.

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

An Bille um Pleanáil agus Forbairt (Leasú) 2009.
 Planning and Development (Amendment) Bill 2009.

An Bille um Nós Imeachta Coiriúil 2009.
 Criminal Procedure Bill 2009.

An Bille um Shábháilteacht Peitriúiliam (Taiscéaladh agus Astarraingt) 2010.
 Petroleum (Exploration and Extraction) Safety Bill 2010.

MEMORANDA

Dé Céadaoin, 10 Márta, 2010.
Wednesday, 10th March, 2010.

Cruinniú den Chomhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 1, TL 2000, ar 2 p.m.
 Meeting of the Joint Committee on Justice, Equality, Defence and Women's Rights, in Committee Room 1, LH 2000, at 2 p.m.

Cruinniú den Chomhchoiste ar an mBunreacht i Seomra Coiste 2, TL 2000, ar 2.30 p.m.
 Meeting of the Joint Committee on the Constitution in Committee Room 2, LH 2000, at 2.30 p.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha i Seomra Coiste 3, TL 2000, ar 3.30 p.m. (*Príobháideach*).
 Meeting of the Joint Committee on Foreign Affairs in Committee Room 3, LH 2000, at 3.30 p.m. (*Private*).

Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 1, TL 2000, ar 3.45 p.m.
 Meeting of the Joint Committee on Transport in Committee Room 1, LH 2000, at 3.45 p.m.

Déardaoin, 11 Márta, 2010.
Thursday, 11th March, 2010.

Cruinniú den Chomhchoiste um Oideachas agus Eolaíocht i Seomra Coiste 2, TL 2000, ar 10 a.m.
 Meeting of the Joint Committee on Education and Science in Committee Room 2, LH 2000, at 10 a.m.

Cruinniú den Chomhchoiste um Chumarsáid, Fuinneamh agus Acmhainní Nádúrtha i Seomra Coiste 2, TL 2000, ar 11 a.m.
 Meeting of the Joint Committee on Communications, Energy and Natural Resources in Committee Room 2, LH 2000, at 11 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eorpacha i Seomra Coiste 4, TL 2000, ar 3 p.m.
 Meeting of the Joint Committee on European Affairs in Committee Room 4, LH 2000, at 3 p.m.

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

Reachtúil:

1) Togra le haghaidh Cinnidh ón gComhairle maidir le seasamh an Chomhphobail a bheidh le glacadh i gComhchoiste AE — na hEilvéise arna bhunú sa Chomhaontú idir an Comhphobal Eorpach agus Cónaidhm na hEilvéise sa réimse closamhairc, lena mbunaítear na téarmaí agus na coinníollacha a bhaineann le rannpháirtíocht Chónaidhm na hEilvéise sa chlár Comhphobail MEDIA 2007, i ndáil le cinneadh Comhchoiste lena n-uasdátaítear Airteagal 1 in Iarscríbhinn I den Chomhaontú mar aon le nóta faisnéise míniúcháin. COM (2009) 657.

2) Na Rialacháin um an Oireachtas (Liúntais agus Saoráidí) 2010 (I.R. Uimh. 84 de 2010).

Neamhrechtúil:

1) An Conradh ar an Aontas Eorpach: Doiciméid a fuarthas de bhun Prótacail maidir le Ról Parlaimintí Náisiúnta san Aontas Eorpach, 1 Nollaig, 2009 go 5 Márta, 2010.

2) Na Rialacha Cúirte Cuarda (An tAcht um Cheartas Coiriúil (Cúnamh Frithpháirteach) 2008) 2010 (I.R. Uimh. 82 de 2010).

3) Seanad Éireann. An tAonú Tuarascáil Déag ón gCoiste Roghnóireachta. 9 Márta, 2010.

Statutory:

1) Proposal for a Council Decision on the Community position to be taken in the EU — Switzerland Joint Committee established in the Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community program MEDIA 2007, as regards a Joint Committee decision updating Article 1 in Annex I of the Agreement together with explanatory information note. COM (2009) 657.

2) Oireachtas (Allowances and Facilities) Regulations 2010 (S.I. No. 84 of 2010).

Non-Statutory:

1) Treaty on European Union: Documents received pursuant to Protocol on the Role of National Parliaments in the European Union, 1 December, 2009 to 5 March, 2010.

2) Circuit Court Rules (Criminal Justice (Mutual Assistance) Act 2008) 2010 (S.I. No. 82 of 2010).

3) Seanad Éireann. Eleventh Report of the Committee of Selection. 9 March, 2010.