

Dé Céadaoin, 29 Meitheamh, 2011
Wednesday, 29th June, 2011

10.30 a.m.

RIAR NA hOIBRE
Order Paper

GNÓ POIBLÍ
Public Business

1. (l) An Bille Airí agus Rúnaithe (Leasú), 2011 [*Dáil*] — An Dara Céim.
 (a) Ministers and Secretaries (Amendment) Bill 2011 [*Dáil*] — Second Stage.
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Tíolactha:
Presented:

2. An Bille um an Dlí Sibhialta (Forálacha Ilghnéitheacha), 2011 — Ordú don Dara Céim.
 Civil Law (Miscellaneous Provisions) Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an dlí a bhaineann le dliteanas sibhialta i leith gníomhartha samárach maith, saorálaithe agus eagraíochtaí saorálaithe; do leasú an Achta um Chúnamh Dlíthiúil Sibhialta, 1995; do leasú an Achta um Sheirbhísí Slándála Príobháidí, 2004; do leasú an dlí a bhaineann le deochanna meisciúla a dhíol; do leasú an Achta um Chomhionannas Fostaíochta, 1998; do leasú an Achta um Stádas Comhionann, 2000; do leasú an Achta Féimheachta, 1988; do leasú an Achta um an Dlí Teaghlaigh (Cothabháil Ceilí agus Leanaí), 1976; do leasú an Achta Cróinéirí, 1962; do leasú an Achta um Athchóiriú an Dlí Talún agus Tíolactha, 2009; do leasú an Achta um Chlárú Teidil, 1964; agus do leasú achtacháin áirithe eile; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to to amend the law relating to civil liability for acts of good samaritans, volunteers and volunteer organisations; to amend the Civil Legal Aid Act 1995; to amend the Private Security Services Act 2004; to amend the law relating to the sale of intoxicating liquor; to amend the Employment Equality Act 1998; to amend the Equal Status Act 2000; to amend the Bankruptcy Act 1988; to amend the Family Law (Maintenance of Spouses and Children) Act 1976; to amend the Coroners Act 1962; to amend the Land and Conveyancing Law Reform Act 2009; to amend the Registration of Title Act 1964; and to amend certain other enactments; and to provide for related matters.

3. An Bille um Dhlínse Cúirteanna agus Forghníomhú Breithiúnas (Leasú), 2011 — Ordú don Dara Céim.
 Jurisdiction of Courts and Enforcement of Judgments (Amendment) Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do thabhairt éifeacht don Choinbhinsiún maidir le dlínse agus maidir le haithint agus forghníomhú

Bill entitled an Act to give effect to the Convention on jurisdiction and the recognition and enforcement of judgments

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breithiúnas in ábhair shibhialta agus thráchtála arna shíniú in Lugano an 30ú lá de Dheireadh Fómhair, 2007 agus arna chríochnú thar ceann an Chomhphobail Eorpaigh de bhun Chinneadh 2009/430/CE1 ón gComhairle, agus chun na críche sin do leasú an Achta um Dhlínse Cúirteanna agus Forghníomhú Breithiúnas, 1998 agus an Achta Cothabhála, 1994 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

in civil and commercial matters signed at Lugano on the 30th day of October 2007 and concluded on behalf of the European Community pursuant to Council Decision 2009/430/EC1, and for that purpose to amend the Jurisdiction of Courts and Enforcement of Judgments Act 1998 and the Maintenance Act 1994 and to provide for related matters.

4. 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.

5. An Bille um Chlárú Uachtanna, 2011 — Ordú don Dara Céim.
Registration of Wills Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir leis an tSeirbhís um Chlárú Sibhialta a leathnú chuig clárú faisnéise áirithe maidir le huachtanna agus chun na gcríoch sin d'athmheas an dlí a bhaineann leis an tSeirbhís um Chlárú Sibhialta agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to provide for the extension of the Civil Registration Service to the registration of certain information regarding wills and for those purposes to revise the law relating to the Civil Registration Service and to provide for related matters.

—*Senator Terry Leyden.*

6. An Bille um Rabhadh Radaíochta le haghaidh Guthán Póca, 2011 — Ordú don Dara Céim.
Mobile Phone Radiation Warning Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú go ndéanfar lipéad rabhaidh a dhaingniú de chásáil sheachtrach guthán póca agus ar phacáistiú gaolmhar, ina ndéanfar go soiléir go n-astaíonn gutháin phóca radaíocht leictreamaighnéadach.

Bill entitled an Act to provide that a warning label shall be affixed to the exterior casing of mobile phones and on related packaging, which shall state clearly that mobile phones emit electromagnetic radiation.

—*Senator Mark Daly.*

7. An Bille Staidrimh (Leasú i leith Oidhreachta), 2011 — Ordú don Dara Céim.
Statistics (Heritage Amendment) Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta Staidrimh, 1993, i ndáil leis an gcéad daonáireamh ar Éirinn a rinneadh ó bunaíodh an Stát; do thabhairt stádas oidhreachta speisialta don daonáireamh sin agus do chur faoi deara é a chur ar fáil don phobal le haghaidh taighde ginealais, staire agus taighde eile.

Bill entitled an Act to amend the Statistics Act 1993, in relation to the first census of population of Ireland taken since the establishment of the State; to afford that census a special heritage status and to have such released to the public for genealogical, historical and other research.

—*Senator Labhrás Ó Murchú.*

8. An Bille Ombudsman (Leasú), 2008 [*Dáil*] — An Dara Céim.
Ombudsman (Amendment) Bill 2008 [*Dáil*] — Second Stage.

9. An Bille Cróinéirí, 2007 — An Coiste.
Coroners Bill 2007 — Committee.

Tairiscintí:

Motions:

10. “Go gceadaíonn Seanad Éireann an tOrdú seo a leanas ina dhréacht:

An tOrdú um na hAchtanna Cuanta, 1996 go 2009 (Feidhmeanna Chuideachta Phort Dhún Dealgan a Aistriú), 2011

That Seanad Éireann approves the following Order in draft:

Harbours Acts 1996 to 2009 (Transfer of Functions of Dundalk Port Company) Order 2011

ar leagadh cóipeanna de ina dhréacht faoi bhráid Sheanad Éireann an 1 Meitheamh, 2011.

copies of which have been laid in draft form before Seanad Éireann on 1st June, 2011.”.

—*Senator Maurice Cummins.*

11. “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 limistéar saoirse, slándála agus ceartais, 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:

Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle lena mbunaítear caighdeáin íosta maidir le cearta, tacaíocht agus cosaint le haghaidh íospartaigh na coireachta,

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:

Proposal for a Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime,

ar leagadh cóip de faoi bhráid Sheanad Éireann an 13 Meitheamh, 2011.

a copy of which was laid before Seanad Éireann on 13th June, 2011.”.

—*Senator Maurice Cummins.*

12. “Go gceadaíonn Seanad Éireann na Rialacháin seo a leanas ina ndr éacht:

Na Rialacháin um Pleanáil agus Forbairt (Leasú) (Uimh. 2), 2011,

That Seanad Éireann approves the following Regulations in draft:

The Planning and Development (Amendment) (No. 2) Regulations 2011,

ar leagadh cóipeanna díobh ina ndr éacht faoi bhráid Sheanad Éireann an 23 Meitheamh, 2011.

copies of which have been laid in draft form before Seanad Éireann on 23rd June, 2011.”.

—*Senator Maurice Cummins.*

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

1. “That Seanad Éireann is keenly aware of the suffering of the families of those who died or were injured in the Dublin and Monaghan bombings and in all the atrocities that were inquired into by Judge Henry Barron; that this suffering is exacerbated by the absence of closure in these terrible tragedies; and that we support their call for co-operation by the British Government to actively participate in a process to help provide answers to the questions that remain unanswered; and that the Irish Government will continue in its efforts to urge the British Government to give urgent consideration to this matter.”

—*Senators Mary White, Darragh O’Brien, Thomas Byrne, Mark Daly, Terry Leyden, Marc MacSharry, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Ned O’Sullivan, Averil Power, Jim Walsh, Diarmuid Wilson.*

[16 June, 2011]

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2. “That Seanad Éireann:

noting—

- that more than one in four cases of fraud and corruption worldwide are exposed by whistleblowers;
- that potential whistle-blowers are often discouraged by the fear of reprisals and the lack of follow-up given to their warnings, to the disadvantage of the public interest;
- that less than 40 per cent of Irish employers claim they promote whistleblowing in the workplace compared to almost 90 per cent in the United Kingdom where universal whistleblower safeguards are enshrined in law;
- that Ireland continues to adopt a sector-by-sector approach to whistleblower protection affording whistleblowers inconsistent, inadequate and often confusing standards of protection;
- the remarks of the Director of Public Prosecutions, the Ombudsman, the Governor of the Central Bank, the Law Society and Transparency International in calling for comprehensive legal safeguards for whistleblowers in Ireland;
- that in 2010 the Council of Europe Parliamentary Assembly unanimously adopted a resolution on whistleblowing calling on all member states to introduce comprehensive legal safeguards for whistleblowers;

considering—

- the right to share information enshrined in Article 19 of the Universal Declaration of Human Rights;
- the need for more people to speak up in preventing further wrongdoing in Government, business, banking and the charities sector;
- the need for clear, unambiguous universal whistleblower legislation — similar to that in place in the United Kingdom aimed at offering whistleblowers in any industry or sector assurance that they will be protected if they speak up;
- the long successful history of universal whistleblower legislation in the United Kingdom;

- Fine Gael and Labour party election commitments to the introduction of a universal whistleblower law affording people in both the public and private sectors legal protection;
- that a very vulnerable section of society, namely migrant workers, are especially at risk when reporting wrongdoing;
- that 16 per cent of workers in the Irish labour force are migrant workers;
- the current controversy surrounding alleged abuse of patients at Rostrevor Nursing Home and the fact that many of the staff at this nursing home were migrant workers with limited employment or residency rights;
- the need for whistleblowing training, guidance and awareness raising amongst Irish employers and the workforce;

calls on Government to:

- introduce universal whistleblower legislation that protects all workers irrespective of nationality or profession where they disclose information about perceived wrongdoing in an organisation, or the risk thereof, to individuals or entities believed to be able to effect action;
- introduce criminal sanctions against anyone who attempts to cover up a report that may be made by a whistleblower to the authorities or retaliates against a whistleblower reporting concerns about criminal wrongdoing, or danger to the health and safety of others or to the environment;
- afford the Rostrevor whistleblowers fast-tracked assistance to ensure that they are not put at any disadvantage as a result of reporting abuse, corruption or other wrongdoing; and
- allocate and actively encourage the allocation of resources to the promotion of speak up policies, guidelines and training across the public and private sector in Ireland.”.

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

[28 June, 2011]

Leasuíthe:

Amendments:

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

“Seanad Éireann noting the commitments in the Programme for Government in relation to introducing whistleblower protection

- commends the Government’s decision to introduce overarching legislation for enactment by the Oireachtas providing for good faith reporting and protected disclosure on a uniform basis for all sectors of the economy;
- endorses the Government’s decision to expedite the preparation of this legislation by the Minister for Public Expenditure and Reform in view of the urgent requirement for such legislation which has been confirmed by recent events;
- strongly supports the Minister’s objective of providing legal assurance and certainty so that any party coming forward when significant matters involving risk to the public arise will be afforded the necessary legal protection to enable them to do so in confidence;

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- welcomes the Minister’s intention to ensure that the legislation fully addresses all relevant human resource, organisational and governance issues drawing on the experience of whistleblowing provisions already in force in Ireland and abroad;
- shares the Minister’s goal, in the context of the implementation of appropriate legislation in due course, to secure the necessary change in the culture and behaviour of organisations — both in the public and private sector — to seek to ensure that serious wrongdoing is identified and brought to light.”.

—*Senator Maurice Cummins.*

2. To delete all words after “Irish employers and the workforce” and to add the following:

“further considering:

- the appalling record this State has in tackling white collar crime and the need to instil an ethos of good business practice, and corporate responsibility across all sectors of business and administration in the state;
- the need to bring an end to the culture of impunity which has contributed significantly to our current economic difficulties; and
- the necessity to provide robust protection for those who would come forward to avoid sanction under Section 19 of the Criminal Justice Bill 2011;

calls on the Government to:

- introduce universal whistleblower legislation that protects all workers irrespective of nationality or profession where they disclose information about perceived wrongdoing in an organisation, or the risk thereof, to individuals or entities believed to be able to effect action;
- introduce criminal sanctions against anyone who attempts to cover up a report that may be made by a whistleblower to the authorities or retaliates against a whistleblower reporting concerns about criminal wrongdoing, or danger to the health and safety or others or to the environment;
- afford the Rostrevor whistleblowers fast-tracked assistance to ensure that they are not put at any disadvantage as a result of reporting abuse, corruption or other wrongdoing;
- allocate and actively encourage the allocation of resources to the promotion of speak up policies, guidelines and training across the public and private sector in Ireland;
- ensure that any legislation or charter that is brought forward has application across all sectors;
- provide protection for whistleblowers who do not have Irish citizenship to ensure that their status in the State does not discourage them from coming forward;
- provide protection for persons who may be reluctant to come forward in situations where coming forward may lead to the closure of businesses and subsequent loss of employment; and
- act as a matter of urgency, and to adhere to pre-election commitments to bring forward universal whistle-blower legislation as soon as is possible.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

3. “That Seanad Éireann will appoint an Honorary Senator to represent the Global Irish Community Overseas.”.

—*Senators Mark Daly, Diarmuid Wilson, Mary White, Darragh O’Brien, Thomas Byrne, Terry Leyden, Marc MacSharry, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Ned O’Sullivan, Averil Power, Jim Walsh.*

[28 June, 2011]

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

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

An Bille um Chúram Leanaí (Leasú), 2009.
Child Care (Amendment) Bill 2009.

An Bille um Sheirbhísí Maoine (Rialáil), 2009.
Property Services (Regulation) Bill 2009.

An Bille um Rialáil Cumarsáide (Seirbhísí Poist), 2010.
Communications Regulation (Postal Services) Bill 2010.

An Bille um Chonarthaí Foirgníochta, 2010.
Construction Contracts Bill 2010.

An Bille Meabhair-Shláinte (Leasú), 2008
(*athraithe ó*) An Bille Meabhair-Shláinte (Bearta Ainneonacha) (Leasú), 2008.
Mental Health (Amendment) Bill 2008
(*changed from*) Mental Health (Involuntary Procedures) (Amendment) Bill 2008.

An Bille um Cheartas Coiriúil (Ciorrú Ball Giniúna Baineann), 2011.
Criminal Justice (Female Genital Mutilation) Bill 2011.

MEMORANDA

*Dé Céadaoin, 29 Meitheamh, 2010.
Wednesday, 29th June, 2010.*

Cruinniú den Chomhchoiste um Poist, Coimirce Shóisialach agus Oideachas i Seomra Coiste 3, TL2000, ar 10 a.m.

Meeting of the Joint Committee on Jobs, Social Protection and Education, in Committee Room 3, LH2000, at 10 a.m.

Cruinniú den Chomhchoiste um Chumarsáid, Acmhainní Nádurtha agus Talmhaíocht i Seomra Coiste 1, TL2000, ar 2 p.m. (*príobháideach*)

Meeting of the Joint Committee on Communications, Natural Resources and Agriculture in Committee Room 1, LH2000, at 2. p.m. (*private*)

Déardaoin, 30 Meitheamh, 2011.

Thursday, 30th June, 2011.

Cruinniú den Chomhchoiste um Fhorfheidhmiú Chomhaontú Aoine an Chéasta i Seomra Coiste 3, TL2000, ar 11.30 a.m.

Meeting of the Joint Committee on the Implementation of the Good Friday Agreement 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) An Ghníomhaireacht um Fháil Iarnród. Tuarascáil Bhliantúil agus Cuntais, 2011.

1) Railway Procurement Agency. Annual Report and Accounts, 2011.

2) An tÚdarás um Bóithre Náisiúnta. Tuarascáil Bhliantúil agus Cuntais, 2009.

2) National Roads Authority. Annual Report and Accounts, 2009.

3) Oifig an Choimisinéara Teanga. Tuarascáil faoi fho-alt 26(5) d'Acht na dTeangacha Oifigiúla, 2003 do Thithe an Oireachtais maidir le Feidhmeannacht na Seirbhíse Sláinte. Meitheamh, 2011.

3) Oifig an Choimisinéara Teanga. Report under subsection 26(5) of the Official Languages Act 2003 to the Houses of the Oireachtas on the Health Service Executive. June, 2011.

4) Oifig an Choimisinéara Teanga. Tuarascáil faoi fho-alt 26(5) d'Acht na dTeangacha Oifigiúla, 2003 do Thithe an Oireachtais maidir le hArd-Mhúsaem na hÉireann. Meitheamh, 2011.

4) Oifig an Choimisinéara Teanga. Report under subsection 26(5) of the Official Languages Act 2003 to the Houses of the Oireachtas on the National Museum of Ireland. June, 2011.

5) An tAcht um Chomhpháirtíochtaí Teoranta Infheistíochta, 1994. Tuarascáil ó Bhanc Ceannais na hÉireann don Aire Fiontar, Trádála agus Nuálaíochta faoi Alt 44 den Acht um Chomhpháirtíochtaí Teoranta Infheistíochta, 1994, don bhliain dar chríoch 31 Nollaig, 2010.

5) Investment Limited Partnerships Act 1994. Report by the Central Bank of Ireland to the Minister for Enterprise, Trade and Innovation under Section 44 of the Investment Limited Partnerships Act 1994 for the year ended 31 December, 2010.

6) Na Rialacháin um Thacaíocht do Mhic Léinn, 2011 (I.R. Uimh. 304 de 2011).

6) Student Support Regulations 2011 (S.I. No. 304 of 2011).

7) An Scéim Deontas do Mhic Léinn, 2011 (I.R. Uimh. 305 de 2011).

7) Student Grant Scheme 2011 (S.I. No. 305 of 2011).

Neamhrechtúil:

Non-Statutory:

1) Rialacháin na gComhphobal Eorpach (Céannú Caorach), 2011 (I.R. Uimh. 309 de 2009).

1) European Communities (Sheep Identification) Regulations 2011 (S.I. No. 309 of 2011).

2) Rialacháin na gComhphobal Eorpach (Iarmhair Lotnaidicídí) (Leasú), 2011 (I.R. Uimh. 302 de 2011).

2) European Communities (Pesticide Residues) (Amendment) Regulations 2011 (S.I. No. 302 of 2011).
