

Dé Céadaoin, 20 Iúil, 2011
Wednesday, 20th July, 2011

10.30 a.m.

RIAR NA hOIBRE
Order Paper

GNÓ POIBLÍ
Public Business

Tairiscintí:
Motions:

1. “Go gceadaíonn Seanad Éireann na Rialacháin seo a leanas ina ndrúacht:

That Seanad Éireann approves the following Regulations in draft:

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

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

ar leagadh cóipeanna díobh ina ndrúacht 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.*

2. “Go gceadaíonn Seanad Éireann an Stát d’fheidhmiú an roghnaithe nó na rogha faoi Phrótaicál 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:

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:

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,

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.*

3. “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 Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle maidir le haitheantas frithpháirteach a thabhairt do bhearta cosanta in ábhair shibhialta,

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

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:

a proposal for a Regulation of the European Parliament and of the Council on mutual recognition of protection measures in civil matters,

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

—*Senator Maurice Cummins.*

4. “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 Cinnidh ón gComhairle maidir le síniú an Chomhaontaithe idir an tAontas Eorpach agus an Astráil maidir le haeriompróirí do phróiseáil agus d’aistriú sonraí Taifid Ainmneacha Paisinéirí (TAP) chuig Seirbhís Custam agus Cosanta Teorann na hAstráile,

ar leagadh cóip de faoi bhráid Sheanad Éireann an 10 Meitheamh, 2011.

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:

a proposal for a Council Decision on the signature of the Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the Australian Customs and Border Protection Service,

a copy of which was laid before Seanad Éireann on 10th June, 2011.”

—*Senator Maurice Cummins.*

5. “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:

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:

togra le haghaidh Cinnidh ón gComhairle maidir le críochnú an Chomhaontaithe idir an tAontas Eorpach agus an Astráil maidir le haeriompróirí do phróiseáil agus d'aistriú sonraí Taifid Ainmneacha Paisinéirí (TAP) chuig Seirbhís Custam agus Cosanta Teorann na hAstráile,

a proposal for a Council Decision on the conclusion of the Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the Australian Customs and Border Protection Service,

ar leagadh cóip de faoi bhráid Sheanad Éireann an 10 Meitheamh, 2011.

a copy of which was laid before Seanad Éireann on 10th June, 2011.”

—*Senator Maurice Cummins.*

6. Ráitis agus Ceisteanna agus Freagraí maidir le Talmhaíocht agus Iascach.
Statements and Questions and Answers on Agriculture and Fisheries.

7. An Bille Toghcháin (Leasú), 2011 [*Dáil*] — An Dara Céim.
Electoral (Amendment) Bill 2011 [*Dáil*] — Second Stage.

8. (l) An Bille um Chúram Leanaí (Leasú), 2009 [*Bille Seanaid arna leasú ag an Dáil*]
— An Tuarascáil.
(a) Child Care (Amendment) Bill 2009 [*Seanad Bill amended by the Dáil*] — Report Stage.

Bille (atógáil) (0.02 n. fágtha):

Bill (resumed) (0.02 m. remaining):

9. An Bille um Chlárú Uachtanna, 2011 — An Dara Céim (*atógáil*).
Registration of Wills Bill 2011 — Second Stage (*resumed*).

—*Senator Terry Leyden.*

Tíolactha:

Presented:

10. 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 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.

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

11. 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.

12. 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.*

13. An Bille um Thrédhearcacht GNBS, 2011 — Ordú don Dara Céim.
NAMA Transparency Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta fán nGníomhaireacht Náisiúnta um Bainistíocht Sócmhainní (GNBS), 2009 agus do dhéanamh socrú, ar mhaithe le trédhearcacht, chun go mbeidh na mionsonraí iomchuí uile maidir le maoinne a thairgtear lena ndíol ag GNBS nó le ceadú GNBS ar fáil don phobal trína bhfoilsíú ar shuíomh gréasáin.

Bill entitled an Act to amend the National Asset Management Agency (NAMA) Act 2009 and to provide that, in the interests of transparency, all relevant details of properties offered for sale by or with the approval of NAMA be available to the public by means of publication on a website.

—*Senators Mark Daly, Darragh O'Brien, Diarmuid Wilson.*

14. An Bille um Áras an Teaghlaigh, 2011 — Ordú don Dara Céim.
Family Home Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do thoirmeasc ordú cúirte a dheonú maidir le seilbh príomhárais teaghlaigh ach amháin in imthosca ina mbeidh anailís infhíoraithe, mhionsonraithe agus neamhspleách maidir le cumas aisíoctha úinéir an árais teaghlaigh tugtha ar aird don chúirt, agus ina mbeidh deis faighte ag an gcúirt an t-iarratas bunaidh ar mhorgáiste a athbhreithniú, agus ina ndéanfar breithniú ar réimse gníomhartha malartacha lena bhféachfar le seilbh an úinéara ar áras an teaghlaigh a chosaint.

Bill entitled to prohibit the granting of a court order for the possession of a primary family home except in circumstances where the court has been presented with a verifiable, detailed and independent analysis of the repayment capacity of the family home owner, and where the court has had an opportunity to review the original mortgage application, and consideration is given to a range of alternative actions that will seek to protect the homeowner's possession of the family home.

—*Senators Mark McSharry, Thomas Byrne.*

15. An Bille Ombudsman (Leasú), 2008 [*Dáil*] — An Dara Céim.
Ombudsman (Amendment) Bill 2008 [*Dáil*] — Second Stage.
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16. An Bille um Cheartas Coiriúil, 2011 [*Dáil*] — An Dara Céim.
Criminal Justice Bill 2011 [*Dáil*] — Second Stage.
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17. An Bille Cróinéirí, 2007 — An Coiste.
Coroners Bill 2007 — Committee.
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18. *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]

2. “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]

3. “That Seanad Éireann calls on the Minister for Health and the Government to honour its pre-election commitments and ensure the continuation of the existing twenty-four hour a day, seven day a week, Accident and Emergency services at Roscommon County Hospital.”

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

[6 July, 2011]

4. “That Seanad Éireann

notes that:

- the Social, Personal and Health Education (SPHE) Programme, incorporating Relationships and Sexuality Education (RSE) has been a mandatory part of the curriculum in all primary and junior cycle post-primary schools since 2003;
- all schools are obliged to have an agreed school policy and a suitable RSE programme in place for senior cycle students;

- a recent Forum in Áras an Uachtaráin on *Working Together to Promote Positive Mental Health*, attended by representatives of the relevant stakeholders including young people, highlighted the need for schools to play their part in this crucial aspect of growing into adulthood;
- this Forum pointed to the centrality of the RSE programme for promoting positive mental health in our young people and that the effective implementation of such a programme in all schools was critical to the development of active, fully rounded and responsible citizens;
- forum participants pointed out that in some schools the senior cycle was dominated by the examination system which often had a distorting effect on the priority afforded to the social, personal and health development of the pupils, thereby contributing to a poor and inconsistent delivery of the RSE programme;
- the quality and inconsistency of the implementation of the SPHE programme in some of our schools and, in particular, the narrow focus of the RSE programme being experienced by many senior cycle pupils has given rise to concern;

and calls on:

- the Minister for Education and Skills to give serious and sustained attention to redress this imbalance and to ensure that our education system responds to all of the developmental needs of each individual pupil.”.
- *Senators Jillian Van Turnhout, Eamonn Coghlan, Fiach MacConghail, Martin McAleese, Mary-Ann O'Brien, Marie-Louise O'Donnell, Katherine Zappone.*

[19 July, 2011]

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

BILLÍ SEANAID SA DÁIL
Seanad Bills with the Dáil

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.

An Bille um an Dlí Sibhialta (Forálacha Ilghnéitheacha), 2011.
Civil Law (Miscellaneous Provisions) Bill 2011.

An Bille Cosanta (Leasú), 2011.
Defence (Amendment) Bill 2011.

MEMORANDA

Dé Céadaoin, 20 Iúil, 2011.
Wednesday, 20th July, 2011.

Cruinniú den Chomhchoiste um Poist, Coimirce Shóisialach agus Oideachas i Seomra Coiste 3, TL2000, ar 9.30 a.m.
Meeting of the Joint Committee on Jobs, Social Protection and Education, in Committee Room 3, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Shláinte agus Leanáí i Seomra Coiste 2, TL2000, ar 11.30 a.m.
Meeting of the Joint Committee on Health and Children in Committee Room 2, LH2000, at 11.30 a.m.

Cruinniú den Chomhchoiste Imscrúduithe, Formhaoirsiú agus Achainíochas i Seomra Coiste 1, TL2000, ar 4 p.m.
Meeting of the Joint Committee on Investigations, Oversight and Petitions in Room 1, LH2000, at 4 p.m.

Déardaoin, 21 Iúil, 2011.
Thursday, 21st July, 2011.

Cruinniú den Chomhchoiste um Shláinte agus Leanáí i Seomra Coiste 2, TL2000, ar 11 a.m.
Meeting of the Joint Committee on Health and Children in Committee Room 2, LH2000, at 11 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí an Aontais Eorpaigh i Seomra Coiste 4, TL2000, ar 11 a.m.
Meeting of the Joint Committee on European Union Affairs in Committee Room 4, LH2000, at 11.30 a.m.

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

Reachtúil:

Statutory:

1) Na Rialacháin Sláinte (Táillí i leith Seirbhísí d'Othair Chónaithe) (Leasú), 2011 (I.R. Uimh. 382 de 2011).

1) Health (Charges for In-Patient Services) (Amendment) Regulations 2011 (S.I. No. 382 of 2011).

2) Na Rialacháin um Thruaillíú na Farráige (Truaillíú Aeir ó Longa a Chosc) (Leasú), 2011 (I.R. Uimh. 383 de 2011).

2) Sea Pollution (Prevention of Air Pollution from Ships) (Amendment) Regulations 2011 (S.I. No. 383 of 2011).

3) An tOmbudsman um Sheirbhísí Airgeadais. Tuarascáil Bhliantúil, 2010.

4) Ráiteas maidir leis na cáilíochtaí de chuid an Chomhairleora Speisialta, Sarah Moran, Cúntóir Pearsanta, a ghníomhaíonn nó a ghníomhaigh mar Chomhairleoir Speisialta don Teachta Éanna Ó Coinnigh, Taoiseach, ag Roinn an Taoisigh, is iomchuí maidir lena feidhmeanna mar Chomhairleoir Speisialta; de bhun alt 19(4)(d) de na hAchtanna um Eitic in Oifigí Poiblí 1995 agus 2001.

5) Ráiteas i dtaobh an gaol an Comhairleoir Speisialta, Sarah Moran, Cúntóir Pearsanta, a ghníomhaíonn nó a ghníomhaigh mar Chomhairleoir Speisialta don Teachta Éanna Ó Coinnigh, Taoiseach, ag Roinn an Taoisigh, leis an sealbhóir oifige; de bhun alt 19(4)(c) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

6) An tÚdarás Árachais Sláinte. Tuarascáil Bhliantúil agus Cuntais, 2010.

Neamhreachtúil:

1) Na Rialacháin um Thrácht ar Bhóithre (Córais Feistí Srianacha in Iompar Eagraithe Leanaí), 2011 (I.R. Uimh. 367 de 2011).

2) An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil. Tuarascáil Bhliantúil agus Ráiteas Bliantúil Aschuir, 2010.

3) Rialacháin na gComhphobal Eorpach (Táirgí Cosanta Plandaí a Údarú, a Chur ar an Margadh, a Úsáid agus a Rialú) (Leasú) (Uimh. 2), 2011 (I.R. Uimh. 358 de 2011).

4) Tuarascáil Ryan — Plean Forfheidhmithe. An Dara Tuarascáil faoi Dhul chun Cinn, 19 Iúil 2011.

3) Financial Services Ombudsman. Annual Report, 2010.

4) Statement of the qualifications of Special Adviser, Sarah Moran, Personal Assistant, who acts or acted as a Special Adviser to Deputy Enda Kenny, Taoiseach, at the Department of the Taoiseach, relevant to her functions as a Special Adviser; pursuant to section 19(4)(d) of the Ethics in Public Office Acts 1995 and 2001.

5) Statement as to whether Special Adviser, Sarah Moran, Personal Assistant, who acts or acted as a Special Adviser to Deputy Enda Kenny, Taoiseach, at the Department of the Taoiseach, is a relative of the office holder; pursuant to section 19(4)(c) of the Ethics in Public Office Acts 1995 and 2001.

6) The Health Insurance Authority. Annual Report and Accounts, 2010.

Non-Statutory:

1) Road Traffic (Restraint Systems in Organised Transport of Children) Regulations 2011 (S.I. No. 367 of 2011)

2) Department of the Environment, Community and Local Government. Annual Report and Annual Output Statement, 2010.

3) European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 2) Regulations 2011 (S.I. No. 358 of 2011)

4) Ryan Report — Implementation Plan. Second Progress Report, 19 July 2011.