Déardaoin, 22 Meán Fómhair, 2011
Thursday, 22nd September, 2011

10.30 a.m.

RIAR NA hOIBRE
Order Paper

GNÓ POIBLÍ
Public Business

Tairiscint:
Motion:

1. ''Go n-aontaíonn Seanad Éireann leis an moladh ón gCoiste um Nós Imeachta agus Pribhléidí go ndéanfar, de réir Bhuan-Ordú 57(2) de na Buan-Orduithe i dTaobh Gnó Phoiblí, cuireadh a thabhairt don Dr. Muiris Ó Mainnín, Uachtarán an Choimisiúin um Chearta an Duine in Éirinn agus Cathaoirleach Ghrúpa Eorpach an Fhorais Náisiúnta um Chearta an Duine, Seanad Éireann a aitheasc an 28 Meán Fómhair, 2011 agus beidh feidhm ag na socruithe seo a leanas. Is éard a bheidh sna himeachtaí, nach rachaidh thar dhá uair an chloig, óráid ón gCathaoirleach ag fáiltiú roimh an Dr. Ó Mainnín, aitheasc an Dr. Uí Mhainnín, óráid nach rachaidh thar chúig nóiméad ó Urlabhraí gach Grúpa, agus ina dhiaidh sin beidh freagra ón Dr. Ó Mainnín ar cheisteanna ó Chomhaltaí nach rachaidh thar nóiméad amháin i ngach cás, óráid bhuíochais ón Leas-Chathaoirleach ar son an aithisc agus óráid deiridh ó Threoraí an Tí.

That Seanad Éireann agrees with the recommendation of the Committee on Procedure and Privileges that, in accordance with Standing Order 57(2) of the Standing Orders relative to Public Business, Dr. Maurice Manning, President of the Irish Human Rights Commission and Chair of the European Group of the National Human Rights Institution be invited to address Seanad Éireann on 28 September, 2011 and the following arrangements shall apply. The proceedings which shall not exceed two hours shall consist of a speech by the Cathaoirleach welcoming Dr. Manning, an address by Dr. Manning, a contribution not exceeding five minutes by the Spokesperson of each Group at the conclusion of which Dr. Manning will reply to questions which shall not exceed one minute in each case from Members, a speech of thanks by the Leas-Chathaoirleach for the address and a concluding contribution by the Leader of the House.''.

—*Senator Maurice Cummins.*

2. An Bille um Shaoráid Chobhsaíochta Airgeadais Eorpach agus um Shaoráid Iasachta an Limistéir Euro (Leasú), 2011 [*Dáil*] — An Dara Céim.

European Financial Stability Facility and Euro Area Loan Facility (Amendment) Bill 2011 [*Dáil*] — Second Stage.

Tairiscint:
Motion:

3. ''Go gcomhthoilíonn Seanad Éireann, de bhun fho-alt 2° d'alt 2 d'Airteagal 25 den

That, pursuant to subsection 2° of section 2 of Article 25 of the Constitution, Seanad

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Bhunreacht, leis an Rialtas in achainí chun an Uachtaráin go gcuirfidh sí a lámh leis an mBille um Shaoráid Chobhsaíochta Airgeadais Eorpach agus um Shaoráid Iasachta an Limistéir Euro (Leasú), 2011, ar dháta is luaithe ná an cúigiú lá tar éis an dáta a thairgfear an Bille di.

Éireann concurs with the Government in a request to the President to sign the European Financial Stability Facility and Euro Area Loan Facility (Amendment) Bill 2011 on a date which is earlier than the fifth day after the date on which the Bill shall have been presented to her.''.

—*Senator Maurice Cummins.*

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4. (*l*) An Bille um an Tríochadú Leasú ar an mBunreacht (Fiosruithe Thithe an Oireachtais), 2011 [*Dáil*] — An Dara Céim.

(*a*) Thirtieth Amendment of the Constitution (Houses of the Oireachtas Inquiries) Bill 2011 [*Dáil*] — Second Stage.

Tairiscint:
Motion:

5. ''GO ndéanfar an ráiteas a leagtar amach sa Sceideal a ghabhann leis an Rún seo a fhorordú mar fhaisnéis do vótálaithe de bhun alt 23 d'Acht an Reifrinn, 1994 (Uimh. 12 de 1994), i ndáil leis an togra chun Airteagal 15.10 den Bhunreacht a leasú, ar togra é atá sa Bhille um an Tríochadú Leasú ar an mBunreacht (Fiosruithe Thithe an Oireachtais), 2011 agus atá ina ábhar do reifreann bunreachta.

THAT the statement set out in the Schedule to this Resolution be prescribed for the information of voters pursuant to section 23 of the Referendum Act 1994 (No. 12 of 1994), in relation to the proposal to amend Article 15.10 of the Constitution which is contained in the Thirtieth Amendment of the Constitution (Houses of the Oireachtas Inquiries) Bill 2011 and is the subject of a constitutional referendum.

An Sceideal

Reifreann a bhaineann le Fiosruithe ag Tithe an Oireachtais

Is é atá beartaithe leis an mBille um an Tríochadú Leasú ar an mBunreacht (Fiosruithe Thithe an Oireachtais), 2011 leasú a dhéanamh ar na forálacha den Bhunreacht a bhaineann le cumhachtaí Thithe an Oireachtais fiosrú a stiúradh faoi aon ní a luafaidh an Teach nó na Tithe lena mbaineann ina thaobh go bhfuil tábhacht phoiblí ghinearálta ann. Leis an leasú beartaithe, chuirfí na fo-ailt seo a leanas le hAirteagal 15.10:

'2° Beidh an chumhacht ag gach Teach fiosrú a stiúradh, nó fiosrú a stiúradh i dteannta an Tí eile, ar mhodh a ndéantar socrú ina chomhair le dlí, faoi aon ní a luafaidh an Teach sin nó na Tithe sin ina thaobh go bhfuil tábhacht phoiblí ghinearálta ann.

3° I gcúrsa aon fhiosraithe den sórt sin, féadfar imscrúdú a dhéanamh faoi iompraíocht aon duine (cibé acu is comhalta de cheachtar Teach an

Schedule

Referendum relating to Inquiries by the Houses of the Oireachtas

The Thirtieth Amendment of the Constitution (Houses of the Oireachtas Inquiries) Bill 2011 proposes to amend the provisions of the Constitution relating to the powers of the Houses of the Oireachtas to conduct an inquiry into any matter stated by the House or Houses concerned to be of general public importance. The proposed amendment would add the following subsections to Article 15.10:

'2° Each House shall have the power to conduct an inquiry, or an inquiry with the other House, in a manner provided for by law, into any matter stated by the House or Houses concerned to be of general public importance.

3° In the course of any such inquiry the conduct of any person (whether or not a member of either House) may be investigated and the House or

duine nó nach ea) agus féadfaidh an Teach sin nó na Tithe sin fionnachtana a dhéanamh maidir le hiompraíocht an duine sin i dtaca leis an ní lena mbaineann an fiosrú.

Houses concerned may make findings in respect of the conduct of that person concerning the matter to which the inquiry relates.

4° Is faoin Teach sin nó faoi na Tithe sin a bheidh sé an chóimheá chuí idir cearta daoine agus an leas poiblí a chinneadh, ag féachaint go cuí do na prionsabail a ghabhann le nósanna imeachta córa, chun a chur in áirithe go ndéanfar fiosrú éifeachtach faoi aon ní lena mbaineann fo-alt 2.'.

4° It shall be for the House or Houses concerned to determine, with due regard to the principles of fair procedures, the appropriate balance between the rights of persons and the public interest for the purposes of ensuring an effective inquiry into any matter to which subsection 2 applies.'.

MÁ THOILÍONN TÚ leis an togra, cuir X os coinne an fhocail TÁ ar an bpáipéar ballóide.

IF YOU APPROVE of the proposal, mark X opposite the word YES on the ballot paper.

MURA dTOILÍONN TÚ leis an togra, cuir X os coinne an fhocail NÍL ar an bpáipéar ballóide.

IF YOU DO NOT APPROVE of the proposal, mark X opposite the word NO on the ballot paper.

Is féidir cóip den Bhille a iniúchadh nó a fháil saor in aisce in aon Phost-Oifig.

A copy of the Bill can be inspected or obtained free of charge at any Post Office.''

—*Senator Maurice Cummins*.

Bille (atógáil) (0.02 n. fágtha):
Bill (resumed) (0.02 m. remaining):

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

—*Senator Terry Leyden*.

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7. An Bille um Thrédhearcacht GNBS, 2011 — An Dara Céim.
NAMA Transparency Bill 2011 — Second Stage.

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

Tíolactha:
Presented:

8. 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 tráchtála 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

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

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leasú an Achta um Dhlínse Cúirteanna agus Forghníomhú Breithiúnas, 1998 agus an Achta Cothabhála, 1994 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Enforcement of Judgments Act 1998 and the Maintenance Act 1994 and to provide for related matters.

—*Senator Maurice Cummins.*

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9. An Bille um Príobháideacht, 2006 — Ordú don Dara Céim.
Privacy Bill 2006 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le Tort arb éard é Príobháideacht a Shárú; agus do dhéanamh socrú i dtaobh nithe a bhaineann leis an méid sin.

Bill entitled an Act to provide for a Tort of Violation of Privacy; and to provide for matters connected therewith.

—*Senator Maurice Cummins.*

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10. An Bille um Chuntais Dhíomhaoine (Leasú), 2011 — Ordú don Dara Céim.
Dormant Accounts (Amendment) Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do leasú na nAchtanna um Chuntais Dhíomhaoine, 2001 go 2005, do dhéanamh socrú maidir leis an Aire Comhshaoil, Pobail agus Rialtais Áitiúil d'fheidhmiú feidhmeanna áirithe a bhaineann le Ciste na gCuntas Díomhaoin agus le díscaoileadh an Bhoird um Chuntais Dhíomhaoine agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Dormant Accounts Acts 2001 to 2005, to provide for the exercise by the Minister for the Environment, Community and Local Government of certain functions relating to the Dormant Accounts Fund and the dissolution of the Dormant Accounts Board and to provide for related matters.

—*Senator Maurice Cummins.*

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11. An Bille um Thrácht ar Bhóithre (Uimh. 2), 2011 — Ordú don Dara Céim.
Road Traffic (No. 2) Bill 2011 — Order for Second Stage.

Bille dá ngairtear Acht do leasú agus do leathnú na nAchtanna um Thrácht ar Bhóithre, 1961 go 2011 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend and extend the Road Traffic Acts 1961 to 2011 and to provide for related matters.

—*Senator Maurice Cummins.*

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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.*

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

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

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15. An Bille um Cháilíochtaí agus Dearbhú Cáilíochta (Oideachas agus Oiliúint), 2011 — An Coiste.

Qualifications and Quality Assurance (Education and Training) Bill 2011 — Committee.

Tairiscint:
Motion:

16. ''Go ndéanann Seanad Éireann athdhearbhú ar thacaíocht Rialtas na hÉireann agus an phobail, atá ann le fada, le Stát Palaistíneach a bhunú de réir na dteorainneacha a bhí ar Iosrael roimh 1967 maille le hiomlaoidí talún arna gcomhaontú go frithpháirteach, agus tacaíonn sé le hiarrachtaí leanúnacha an Rialtais, i dteannta comhpháirtithe AE agus comhpháirtithe idirnáisiúnta, chun a réadú a luaithe is féidir a chur chun cinn, trí athchromadh ar phléití síochána díreacha idir taobh na nIosraelach agus taobh na bPalaistíneach a bheidh dírithe ar réiteach caibidlithe cuimsitheach dhá Stát ar an gcoinbhleacht ar bhonn na bparaiméadar atá leagtha amach i dTátail Chomhairle Gnóthaí Eachtracha AE, Nollaig 2009, Nollaig 2010 agus Bealtaine 2011 agus go hiomlán de réir rúin iomchuí na Comhairle Slándála, Phrionsabail Mhaidrid, Threochlár 2004, comhaontuithe a rinne an dá pháirtí roimhe seo agus an Tionscnaimh Síochána Arabaigh.

That Seanad Éireann reaffirms the long-standing support of the Irish Government and people for the establishment of a Palestinian State, based upon Israel's pre-1967 borders with mutually agreed land swaps, and backs the continuing efforts of the Government, in conjunction with EU and international partners, to advance its earliest possible realisation, through the resumption of direct peace talks between the Israeli and Palestinian sides aimed at achieving a comprehensive negotiated two-State resolution of the conflict on the basis of the parameters set out in the EU Foreign Affairs Council Conclusions of December 2009, December 2010 and May 2011 and in full accordance with relevant Security Council resolutions, the Madrid Principles, the 2004 Roadmap, previous agreements entered into by both parties and the Arab Peace Initiative.''.

—*Senator Maurice Cummins*.
[27 July, 2011]

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17. *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

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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 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]

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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]

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4. ''That Seanad Éireann calls on the Irish Government to formally recognise a Palestinian State at the UN General Assembly meeting in September 2011 and that such a state would be based upon Israel's pre-1967 borders with mutually agreed land swaps.''

—*Senators Darragh O'Brien, Diarmuid Wilson, Ned O'Sullivan, Denis O'Donovan, Marc MacSharry, Labhrás Ó Murchú, Brian Ó Domhnaill, Paschal Mooney, Terry Leyden, Thomas Byrne, Jim Walsh, Averil Power, Mark Daly, Mary White, Jillian van Turnhout, Marie Louise O'Donnell, Fiach Mac Conghail, Katherine Zappone, David Norris, Trevor Ó Clochartaigh, Kathryn Reilly, David Cullinane.*

[26 July, 2011]

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5. ''That Seanad Éireann discuss and reject outright the Government's proposals to introduce a septic tank charge or registration fee on rural households.''

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

[14 September, 2011]

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6. ''That Seanad Éireann is keenly aware that Ireland was required, under the 2007 EU Universal Services Directive, to make 'every effort' to ensure that the 116 000 Missing Children Hotline, already operational in 16 EU Member States, was reserved and operational by 25th May 2011 and that while COMREG has made the 116 000 number available the service is not yet operational due to a lack of adequate funding. This House contends that the fundamental basis on which the Missing Children Hotline must operate is that of best practice for service users and that the ISPCC, with its unique capacity and expertise in this area, is the most suitable candidate to run this vital service and calls on the Minister for Children and Youth Affairs and the Minister

for Justice, Equality and Defence to inform the House of a definitive plan for putting the Missing Children's Hotline into operation with adequate and proper funding.''.

—*Senators Jillian van Turnhout, Mark Daly, Feargal Quinn, Ivana Bacik, Sean D. Barrett, Eamonn Coghlan, Martin Conway, John Crown, David Cullinane, Jim D'Arcy, Fidelma Healy Eames, Cait Keane, Terry Leyden, Marie Moloney, Paschal Mooney, Mary Moran, Rónán Mullen, Fiach MacConghail, Martin McAleese, Catherine Noone, David Norris, Darragh O'Brien, Mary-Ann O'Brien, Marie-Louise O'Donnell, Averil Power, Kathryn Reilly, Jim Walsh, Diarmuid Wilson, Katherine Zappone.*

[20 September, 2011]

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18. 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 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 Árachais (Leasú), 2011.
Insurance (Amendment) Bill 2011.

MEMORANDA

Déardaoin, 22 *Meán Fómhair,* 2011.
Thursday, 22*nd September*, 2011.

Cruinniú den Chomhchoiste um Ghnóthaí an Aontais Eorpaigh i Seomra Coiste 3, TL 2000, ar 11.30 a.m.
Meeting of the Joint Committee on European Union Affairs in Committee Room 3, LH 2000, at 11.30 a.m.

Cruinniú den An Comhchoiste um Shláinte agus Leanaí i Seomra Coiste 2, TL 2000, ar 11.30 a.m.
Meeting of the Joint Committee on Health and Children in Committee Room 2, LH 2000, at 11.30 a.m.

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

Reachtúil:

1) Tuarascáil Achomair ón Aire Comhshaoil, Pobail agus Rialtais Áitiúil don tréimhse sé mhí ó Eanáir go Iúil, 2011 faoi Alt 2(5) d'Acht an Aontais Eorpaigh (Grinnscrúdú), 2002.

2) Ráiteas i dtaobh an gaol an Comhairleoir Speisialta, Edward Brophy, a ghníomhaíonn nó a ghníomhaigh mar Chomhairleoir Speisialta don Teachta Siobhán de Bhurtúin, Aire den Rialtas ag an Roinn Coimirce Sóisialaí, leis an sealbhóir oifige, de bhun alt 19(4)(*c*) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

3) Ráiteas i scríbhinn maidir leis na téarmaí agus na coinníollacha faoina ngníomhaíonn nó faoinar ghníomhaigh an Comhairleoir Speisialta, Edward Brophy, mar Chomhairleoir Speisialta don Teachta Siobhán de Bhurtúin, Aire den Rialtas ag an Roinn Coimirce Sóisialaí, le héifeacht ón 29 Iúil, 2011, de bhun alt 19(4)(*a*) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Statutory:

1) Summary Report from the Minister for the Environment, Community and Local Government for the six-month period from January to June, 2011 under Section 2(5) of the European Union (Scrutiny) Act 2002.

2) Statement as to whether Special Adviser, Edward Brophy, who acts or acted as a Special Adviser to Deputy Joan Burton, Minister of the Government at the Department of Social Protection, is a relative of the office holder, pursuant to section 19(4)(*c*) of the Ethics in Public Office Acts 1995 and 2001.

3) Statement in writing of the terms and conditions under which Special Adviser, Edward Brophy, acts or acted as a Special Adviser to Deputy Joan Burton, Minister of the Government at the Department Social Protection, with effect from 29 July, 2011, pursuant to section 19(4)(*a*) of the Ethics in Public Office Acts 1995 and 2001.

Wt. 53713. 278. 9/11. Clondalkin Pharma & Healthcare (Clonshaugh) Ltd. (X58242). Gr. 30-15.