

Dé Céadaoin, 12 Deireadh Fómhair, 2011
Wednesday, 12th October, 2011

10.30 a.m.

RIAR NA hOIBRE
Order Paper

GNÓ POIBLÍ
Public Business

Tíolactha:
Presented:

1. 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 Díomhaoine agus le díscáileadh 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.*

2. An Bille um Leas Cúnna, 2011 [*Dáil*] — An Dara Céim.
 Welfare of Greyhounds Bill 2011 [*Dáil*] — Second Stage.

3. Ráitis maidir le “Tábhacht Staidrimh i ndáil le Beartas Poiblí a Fhorbairt agus le Pleanáil don Todhchaí”.
 Statements on “The Importance of Statistics in Developing Public Policy and Planning for the Future”.

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

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

—*Senator Terry Leyden.*

5. 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:

- 6. 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.

—*Senator Maurice Cummins.*

- 7. 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.*

- 8. 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.*

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

- 10. An Bille Cróinéirí, 2007 — An Coiste.**
Coroners Bill 2007 — Committee.

- 11.** An Bille um Cháilíochtaí agus Dearbhú Cáilíochta (Oideachas agus Oiliúint), 2011 — An Coiste.
Qualifications and Quality Assurance (Education and Training) Bill 2011 — Committee.

Tairiscintí:

Motions:

12. “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 gcomh-aontú 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]

13. “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 lena gcruthaítear Ordú Caomhnaithe Cuntais Eorpaigh chun gnóthú fiach trasteorann a éascú in ábhair shibhialta agus tráchtála,

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 creating a European Account Preservation Order to facilitate cross border debt recovery in civil and commercial matters,

ar leagadh cóip de faoi bhráid Sheanad Éireann an 15 Lúnasa, 2011.

a copy of which was laid before Seanad Éireann on 15th August, 2011.”

—*Senator Maurice Cummins.*

14. 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 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. This House 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 Maurice Cummins, Ivana Bacik, Darragh O'Brien, Jillian van Turnhout, Ronan Mullen and David Cullinane.*

[4 October, 2011]

7. “That Seanad Éireann

- recognises that the trafficking of women and girls for sexual exploitation is a modern form of slavery and a form of human rights abuse;
 - notes that the Irish sex industry, which is worth €250 million a year (CAB, January 2011), is very damaging for the girls and women involved in prostitution;
 - notes that internet audits consistently show that more than 1,000 women are made available for paid sex on a daily basis all over Ireland and up to 97% of them are migrant women (Kelleher 2009),
 - there is clear evidence of children who have been trafficked in Ireland specifically for the purpose of prostitution, (Kelleher 2009; AHTU annual report 2010);
 - notes evidence from Sweden and Norway which shows that criminal sanctions for the purchase of sex are a proven deterrent to prostitution and consequently to trafficking (McLeod et al. 2008) (Claude 2010);
 - further notes that International Conventions repeatedly call for efficient measures to deter demand for prostitution, which is recognised as an efficient approach to reduce sex trafficking (Article 6, Council of Europe's Convention on Action against Trafficking in Human Beings 2005; Article 9(5), UN Protocol to Prevent, Suppress and Punish the Trafficking in Persons, especially Women and Children 2000), and
 - proposes that the Government develops effective and appropriate responses to deal with prostitution and trafficking for sexual exploitation and calls on the Government to introduce legislation criminalising the purchase of sex in Ireland in order to curb prostitution and trafficking for sexual exploitation.”
- Senators Jillian Van Turnhout, Eamonn Coghlan, Martin McAleese, Fiach Mac Conghail, Mary-Ann O'Brien, Marie-Louise O'Donnell and Katherine Zappone.*

[6 October, 2011]

Leasú:

Amendment:

1. To delete all words after “human rights abuse;” and substitute the following:

- “— deplores the sexual exploitation of any person, whether by financial means or otherwise, as an infringement of that person's human dignity;
- abhors especially the trafficking of children for the purposes of prostitution;
- while recognising the difficulties inherent in reliably estimating the extent of sexual exploitation and trafficking, notes the various estimates that have been made in that regard;

- notes the extensive package of legislative, administrative and other measures undertaken over the past three years to prevent trafficking in human beings, protect the victims and prosecute the offenders;
- notes that the Criminal Law (Sexual Offences) Act 1993 makes it an offence for a person to solicit or importune in a street or public place another person or persons for the purposes of prostitution and that under that provision those who seek sexual services for payment from another person commit a criminal offence;
- recognises the provision in the Criminal Law (Human Trafficking) Act 2008 that makes it an offence to solicit or importune a trafficked person, in any place, for the purposes of prostitution;
- notes that Ireland’s legislation on human trafficking for sexual exploitation complies with EU, Council of Europe and other international instruments and that the penalties in this jurisdiction for human trafficking, including trafficking of men, women and children for the purposes of sexual exploitation, are severe;
- notes the legislative provisions regarding prostitution introduced in Sweden and Norway and considers that the operation of these provisions, and other measures taken in other jurisdictions, should inform policy in this area;
- in supporting all reasonable and effective measures to curb prostitution, recognises that criminalising the purchase of sex of itself within our legal framework raises complex issues which would have to be addressed, including the possible prosecution of individuals in circumstances in which a gift is given to a person with whom they had a sexual encounter;
- recognises that legislation alone is not effective in preventing prostitution;
- agrees that prior to Government making a definitive decision on whether legislation should be enacted reflecting legislation in Sweden and Norway there should be a considered public debate; and
- proposes that the Government, in co-operation with the non-governmental organisations which carry out such valuable work in this area, continues to develop effective responses to deal with prostitution and trafficking for sexual exploitation.”.

—*Senator Maurice Cummins.*

15. 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.

MEMORANDA

Dé Céadaoin, 12 Deireadh Fómhair, 2011.
Wednesday, 12th October, 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 Chumarsáid, Acmhainní Nádúrtha agus Talmhaíocht i Seomra Coiste 4, TL2000, ar 10 a.m.
 Meeting of the Joint Committee on Communications, Natural Resources and Agriculture in Committee Room 4, LH2000, at 10 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha agus Trádáil i Seomra Coiste 1, TL2000, ar 2.30 p.m.
 Meeting of the Joint Committee on Foreign Affairs and Trade in Committee Room 1, LH2000, at 2.30 p.m.

Déardaoin, 13 Deireadh Fómhair, 2011.
Thursday, 13th October, 2011.

Cruinniú den Chomhchoiste um Chumarsáid, Acmhainní Nádúrtha agus Talmhaíocht i Seomra Coiste 3, TL2000, ar 9.30 a.m. (*Príobháideach*)
 Meeting of the Joint Committee on Communications, Natural Resources and Agriculture in Committee Room 3, LH2000, at 9.30 a.m. (*Private*)

Cruinniú den Chomhchoiste um Fhorfheidhmiú Chomhaontú Aoine an Chéasta i Seomra Coiste 4, TL2000, ar 11.30 a.m.
 Meeting of the Joint Committee on the Implementation of the Good Friday Agreement in Committee Room 4, LH2000, at 11.30 a.m.

Cruinniú den Chomhchoiste um Shláinte agus Leanaí 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 um Ghnóthaí an Aontais Eorpaigh i Seomra Coiste 3, TL2000, ar 11.30 a.m.
 Meeting of the Joint Committee on European Union Affairs in Committee Room 3, LH2000, at 11.30 a.m.

Cruinniú den Chomhchoiste um Airgeadas, Caiteachas Poiblí agus Athchóiriú i Seomra Coiste 3, TL2000, ar 2.30 p.m.

Meeting of the Joint Committee on Finance, Public Expenditure and Reform in Committee Room 3, LH2000, at 2.30 p.m.

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

Reachtúil:

Statutory:

1) Comhfhreagras a fuair Cléireach na Dála ón mBreitheamh Peter Smithwick ina n-iarrtar an sprioc-am chun Tuarascáil Deiridh an Bhinse a chur faoina bráid a shíneadh go dtí deireadh mí na Bealtaine, 2012.

1) Correspondence received by the Clerk of the Dáil from Judge Peter Smithwick requesting an extension of the deadline for submission of the Tribunal's Final Report until the end of May, 2012.

2) An Roinn Dlí agus Cirt agus Comhionannais. Tuarascáil Leathbhliantúil faoi Alt 2(5) d'Acht an Aontais Eorpaigh (Grinnscrúdú), 2002 ar Ghrinnscrúdú ag an Oireachtas. 1 Eanáir-30 Meitheamh, 2011.

2) Department of Justice and Equality. Oireachtas Scrutiny Six-Monthly Report under Section 2(5) of the European Union (Scrutiny) Act 2002. 1 January-30 June, 2011.

3) Coimisiún Craolacháin na hÉireann. Tuarascáil Bhliantúil agus Ráitis Airgeadais, 2009.

3) Broadcasting Commission of Ireland. Annual Report and Financial Statements, 2009.

4) Údarás Craolacháin na hÉireann. Tuarascáil Bhliantúil agus Ráitis Airgeadais, 2009.

4) Broadcasting Authority of Ireland. Annual Report and Financial Statements, 2009.

5) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Treoir 97/68/CE maidir leis na forálacha i leith innill a chuirtear ar an margadh faoin scéim sholúbthachta mar aon le nóta faisnéise míniúcháin. COM (2010) 362.

5) Proposal for a Directive of the European Parliament and of the Council amending Directive 97/68/EC as regards the provisions for engines placed on the market under the flexibility scheme together with explanatory information note. COM (2010) 362.

6) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Treoir 1999/32/CE i dtaca leis an gcion sulfair i mbreoslaí muirí mar aon le nóta faisnéise míniúcháin. COM (2011) 439.

6) Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels together with explanatory information note. COM (2011) 439.

7) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear Rialacháin (AE) Uimh. 57/2011 agus (CE) 754/2009 ón gComhairle maidir leis an speiceas "craosaire" a chosaint, maidir le Gabhálacha Incheadaithe Iomlána áirithe agus teorainneacha le hiarrachtaí iascaireachta áirithe atá leagtha amach don Ríocht Aontaithe, don Ghearmáin agus d'Éirinn mar aon le nóta faisnéise míniúcháin. COM (2011) 496.

7) Proposal for a Council Regulation amending Council Regulations (EU) No. 57/2011 and (EC) 754/2009 as regards the protection of the species "porbeagle", certain TACs and certain fishing effort limits set for the United Kingdom, Germany and Ireland together with explanatory information note. COM (2011) 496.

Neamhreachtúil:

Non-Statutory:

An tOrdú um an gCúirt Uachtarach agus
an Ard-Chúirt (Táillí) (Leasú), 2011 (I.R.
Uimh. 515 de 2011).

Supreme Court and High Court (Fees)
(Amendment) Order 2011 (S.I. No. 515 of
2011).
