

*Dé Céadaoin, 11 Deireadh Fómhair, 2006*  
*Wednesday, 11th October, 2006*

10.30 a.m.

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**ORD GNÓ**  
**ORDER OF BUSINESS**

- 10a.** An Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003 [*Seanad*] — Treoir do Choiste.  
Sea Pollution (Miscellaneous Provisions) Bill 2003 [*Seanad*] — Instruction to Committee.
- 10b.** Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil leis an gComhaontú idir an tAontas Eorpach agus Stáit Aontaithe Mheiriceá maidir le haeriompróirí do phróiseáil agus d'aistriú sonraí taifid ainmneacha paisinéirí (TAP) chuig Roinn Slándála Dúiche na Stát Aontaithe.  
Motion *re* Proposed approval by Dáil Éireann of the Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security.
- 11.** Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le díorma de na Buan-Óglaigh a chur chun bealaigh le bheith ar fianas le Fórsa Eatramhach na Náisiún Aontaithe sa Liobáin (UNIFIL).  
Motion *re* Proposed approval by Dáil Éireann of the despatch of a contingent of the Permanent Defence Force for service with the United Nations Interim Force in Lebanon (UNIFIL).
- 18.** (l) An Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003 [*Seanad*] — Ordú don Tuarascáil.  
(a) Sea Pollution (Miscellaneous Provisions) Bill 2003 [*Seanad*] — Order for Report.

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA**  
**PRIVATE MEMBERS' BUSINESS**

- 52.** Tairiscint *maidir le* Géarchéim na nDrugáí (*atógáil*).  
Motion *re* Drugs Crisis (*resumed*).

**I DTOSACH GNÓ PHOIBLÍ**  
**AT THE COMMENCEMENT OF PUBLIC BUSINESS**

*Fógraí Tairisceana : Notices of Motions*

**10a.** An Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003 [*Seanad*] — Treoir do Choiste.

Sea Pollution (Miscellaneous Provisions) Bill 2003 [*Seanad*] — Instruction to Committee.

“Go mbeidh sé, de bhun Bhuan-Ordú 125, ina Threoir don Choiste chun a bhféadfar an Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003 a chur faoi athchúrsa maidir le leasuithe áirithe, go bhfuil cumhacht aige socrú a dhéanamh sa Bhille chun an tAcht Cuanta 1996 a leasú chun foráil a dhéanamh go dtabharfar díolúine ó agra do chuideachtaí calafoirt le haghaidh a bhfreagrachtaí ceadúnúcháin faoin Acht um Shubstaintí Contúirteacha 1972 arna cheadú ag an Rialtas agus chun teideal an Bhille a athrú d fhone na forálacha sin a chur i gcuntas.

That, pursuant to Standing Order 125, it be an instruction to the Committee to which the Sea Pollution (Miscellaneous Provisions) Bill 2003 may be recommitted in respect of certain amendments, that it has power to make provision in the Bill to amend the Harbours Act 1996 to provide for port companies to be given immunity from suit for their licensing responsibilities under the Dangerous Substances Act 1972 as approved by Government and to change the title of the Bill to take account of these provisions.”

— *An tAire Iompair.*

**10b.** “Go gceadaíonn Dáil Éireann an Stát d’fheidhmiú an roghnaithe nó na rogha, arna gcur ar fáil le hAirteagal 1.1 de Chonradh Amstardam, fógra a thabhairt d’Uachtarán na Comhairle gur mian leis a bheith páirteach i nglacadh an bhirt bheartaithe seo a leanas:

That Dáil Éireann approves the exercise by the State of the option or discretion, provided by Article 1.11 of the Treaty of Amsterdam, to notify the President of the Council that it wishes to take part in the adoption of the following proposed measure:

Comhaontú idir an tAontas Eorpach agus Stáit Aontaithe Mheiriceá maidir le haer-iompróirí do phróiseáil agus d’aistriú sonraí taifid ainmneacha paisinéirí (TAP) chuig Roinn Slándála Dúiche na Stát Aontaithe,

Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security,

ar beart beartaithe é ar leagadh cóip de faoi bhráid Dháil Éireann an 10 Deireadh Fómhair, 2006.

a copy of which proposed measure was laid before Dáil Éireann on 10th October, 2006.”

— *An tAire Iompair.*

**11.** “Go gceadaíonn Dáil Éireann, de bhun alt 2 den Acht Cosanta (Leasú) (Uimh. 2) 1960, arna chur chun feidhme leis an Acht Cosanta (Leasú), 2006, díorma de na Buan-Óglaigh a chur chun bealaigh le bheith ar fianas le Fórsa Eatramhach na Náisiún Aontaithe sa Liobáin (UNIFIL), arna bhunú an 19 Márta, 1978 faoi Rúin 425 (1978) agus 426 (1978) ó Chomhairle Slándála na Náisiún Aontaithe agus de réir an tsainordaithe feabhsaithe breise atá aige

That Dáil Éireann approves the despatch, pursuant to section 2 of the Defence (Amendment) (No. 2) Act 1960, as applied by the Defence (Amendment) Act 2006, of a contingent of the Permanent Defence Force for service with the United Nations Interim Force in Lebanon (UNIFIL), established on 19th March, 1978 under UN Security Council Resolutions 425 (1978) and 426 (1978) and in accordance with its additional enhanced mandate as set out in

mar atá leagtha amach i Rún 1701 (2006) UN Security Council Resolution 1701 an 11 Lúnasa, 2006 ó Chomhairle Slándála (2006) of 11th August, 2006.”  
na Náisiún Aontaithe.

— *An tAire Cosanta.*

**ORDUITHE AN LAE  
ORDERS OF THE DAY**

- 18.** (l) An Bille um Thruailliú na Farraiige (Forálacha Ilghnéitheacha) 2003 [*Seanad*] — Ordú don Tuarascáil.  
(a) Sea Pollution (Miscellaneous Provisions) Bill 2003 [*Seanad*] — Order for Report.

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA  
PRIVATE MEMBERS' BUSINESS**

*Tairiscint (atógáil) (1 ur. 30 n fágtha):*

*Motion (resumed) (1 hr. 30 m remaining):*

- 52.** “That Dáil Éireann:

notes:

- the heroin drugs crisis that continues to cause appalling human misery in Ireland today;
- the spiralling drug related crime and feuding drug gangs that are a cause of great fear and concern in many communities;
- the huge wealth involved in the drug trade exploited by a small number of major crime gangs;
- the increasing numbers of young people in disadvantaged areas being attracted into drug crime by the lavish lifestyles enjoyed by relatively minor drug dealers from within their own communities;
- the unprecedented seizures of heroin in recent months, notably a consignment with a street value of €7,000,000 seized in Rathoath, County Meath, and a further consignment worth €10,000,000 intercepted in Belgium en route to a private Irish airfield via private jet;
- the fact that the latter consignment was almost twice the value of all drugs seized during the whole of 2005 at Dublin Airport;
- the fact that drug seizures account for on average a mere 10% of drug availability;
- the scale of the potential risk to society in this state posed by the trafficking of such vast amounts of heroin; and
- the health implications for drug users and other vulnerable young people and the collateral damage caused to families and communities;

deplores the failure of the Government and of the Tánaiste and Minister for Justice, Equality and Law Reform:

- to formulate an effective strategy to combat the worsening drugs crisis; and
- to provide the Gardaí with sufficient funding to continue running *Operation Airwaves* which, until its cancellation, monitored the movements of small aircrafts at a number of the country's private airfields and led to the seizures of quantities of drugs;

deplores the failure of the Government and of the Minister for Finance:

- to respond to the lack of customs cover in 27 private airfields in the State and particularly to the situation at Weston Aerodrome brought to his attention in Dáil Questions in December of last year, February of this year, and again in September of this year; and
- to show regard for basic security measures at Weston Aerodrome where there were only 16 customs inspections during 2005;

calls on the Government:

- to acknowledge the grave error they have made and continue to make in failing to provide adequate Customs and Garda cover at private airfields which allowed drug traffickers to import large drug consignments into this State;
- to immediately deploy a permanent Customs and Garda presence at Weston Aerodrome and other similar private airfields to prevent their use for drug trafficking and other crime;
- to immediately provide sufficient funding to the Gardaí in order that they can re-establish *Operation Airwaves* to specifically monitor and prevent the importation into the State of drugs via small aircraft and airfields;
- to initiate immediate reform of the Customs & Excise function of the Revenue Commissioners supported by any necessary budgetary increase to fill this serious gap in customs cover;
- to request the Criminal Assets Bureau to investigate all those connected with the major heroin seizure referred to;
- to expand the Criminal Assets Bureau to include regionalised structures to ensure that middle ranking drug traffickers are targeted at local level throughout the State;
- to radically increase the numbers of Community Gardaí participating in disadvantaged urban areas; and
- to review the manpower needs of Garda Drug Units in drug black spot areas and the resources available to them in order to extend the strategy used in Operation Marigold to all areas where heroin drug crime poses a serious risk to the community and so develop a new impetus in the ‘supply-control’ aspect of the overall response to the drugs crisis.” — *Tony Gregory, Catherine Murphy, Paddy McHugh, Seamus Healy, Finian McGrath, James Breen, Jerry Cowley, Marian Harkin, Paudge Connolly, Joe Higgins.*

[10 October, 2006]

*Leasú (atógáil):*

*Amendment (resumed):*

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

- “— recognises that the global problem of drug misuse which is experienced in Ireland must continue to be tackled in an integrated manner across the different pillar headings of the National Drugs Strategy through a co-operative partnership approach involving the statutory, community and voluntary treatment sectors;
- wholeheartedly supports the Government on their on-going implementation of the Strategy;
- acknowledges the significant on-going work being done under the four pillars of the National Strategy, supply reduction, prevention, treatment and research and the decision to include a fifth pillar of rehabilitation to further focus initiatives in that area;

- notes that the key finding of the mid-term review of the National Drugs Strategy in 2005 was that the current aims and objectives of the strategy are fundamentally sound and that progress was being made across the four pillars of the strategy;
- welcomes the significant increase in funding provided this year to the Department of Community, Rural and Gaeltacht Affairs for drugs initiatives;
- supports the Government's top policing priority for 2006 to continue to target organised crime, including drug trafficking, and the gun culture with which it is associated;
- acknowledges the continued operational successes of An Garda Síochána and the Customs Authorities in meeting and exceeding the drug supply reduction targets set in the National Drugs Strategy;
- welcomes the record high level of finances being provided to An Garda Síochána in this year's budget which enables the Garda Authorities to implement targeted, intelligence driven and high intensity operations against organised crime, with a special focus on drug crime;
- commends the success of An Garda Síochána's anti-crime measures such as Operation Anvil, Operation Clean Street, Operation Encounter, Operation Nightcap and Operation Marigold and supports the implementation of such on-going measures targeted towards the prevention and detection of crime such as gangland murders, organised crime, drug trafficking and other criminal activity which gives rise to serious community concern;
- commends the record levels of Garda personnel strength now available to Garda management which will permit the deployment of extra resources to be targeted at areas of concern;
- applauds the work of the Criminal Assets Bureau in continuing to achieve considerable success in depriving persons engaged in criminal activity from retaining the proceeds of their crime through its highly effective co-ordinated multi-agency, multi-disciplinary and partnership approach;
- supports the comprehensive strategy of An Garda Síochána in place to deal with the threat of organised crime including drug trafficking;
- acknowledges that the Government's legislative package for tackling serious and organised crime, including drug trafficking is already viewed as being one of the toughest in Europe and welcomes the introduction of the Criminal Justice Act 2006 which provides a package of further anti-crime measures which will help enhance the powers of the Gardaí in the investigation and prosecution of offences;
- notes that the Customs and Excise Service is continuously engaged in the analysis and evaluation of drug seizure trends, routes and smuggling risks, international trends and best practice;
- notes that the monitoring of licensed aerodromes in the State by the Revenue Commissioners is currently in line with international standards and that, in light of the recent seizure in Belgium of 50kgs of heroin which is believed to have been destined for Weston Aerodrome, the Revenue Commissioners are reviewing the risks attached to the operation of all 27 licensed aerodromes in the State; and
- notes that the Revenue Commissioners have commenced a review of the approval conditions of licensed aerodromes". — *An Tánaiste agus Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.*

**MEMORANDA**

*Dé Céadaoin, 11 Deireadh Fómhair, 2006*  
*Wednesday, 11th October, 2006*

Cruinniú den Chomhchoiste um Fhiontraíocht agus Mionghnáthaí i Seomra Coiste 3, TL2000, ar 9.30 a.m.

Meeting of the Joint Committee on Enterprise and Small Business in Committee Room 3, LH2000, at 9.30 a.m.

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**An Bille um Rialú Foirgníochta 2005:****Building Control Bill 2005:**

Cruinniú den Roghchoiste um Chomhshaol agus Rialtas Áitiúil i Seomra Coiste 2, TL2000, ar 10 a.m.

Meeting of the Select Committee on the Environment and Local Government in Committee Room 2, LH2000, at 10 a.m.

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Cruinniú den Chomhchoiste um Sheirbhísí an Tí i Seomra Coiste 4, TL2000, ar 11 a.m. (*príobháideach*).

Meeting of the Joint House Services Committee in Committee Room 4, LH2000, at 11 a.m. (*private*).

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Cruinniú den Chomhchoiste um Ghnóthaí Eorpacha i Seomra Coiste 1, TL2000, ar 2 p.m.

Meeting of the Joint Committee on European Affairs in Committee Room 1, LH2000, at 2 p.m.

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Cruinniú den Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 4, TL2000, ar 2.30 p.m.

Meeting of the Select Committee on Justice, Equality, Defence and Women's Rights in Committee Room 4, LH2000, at 2.30 p.m.

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Cruinniú den Comhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta i Seomra Coiste 3, TL2000, ar 4.15 p.m.

Meeting of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in Committee Room 3, LH2000, at 4.15 p.m.

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**SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA DÁLA**  
**DOCUMENTS LAID BEFORE THE DÁIL**

*Reachtúil:*

1) Togra le haghaidh Creat-Chinnidh ón gComhairle maidir leis an ordú maoirseachta Eorpach i nósanna imeachta réamhthrialacha idir Ballstáit an Aontais Eorpaigh mar aon le nóta faisnéise míniúcháin. COM (2006) 468.

2) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le caighdeán cháilíochta timpeallachta i réimse an bheartais uisce agus lena leasaítear Treoir 2000/60/CE mar aon le nóta faisnéise míniúcháin. COM (2006) 397.

*Statutory:*

1) Proposal for a Council Framework Decision on the European supervision order in pre-trial procedures between Member States of the European Union together with explanatory information note. COM (2006) 468.

2) Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directive 2000/60/EC together with explanatory information note. COM (2006) 397.

3) Institiúid Teicneolaíochta Bhaile Átha Luain. Ráitis Airgeadais, 2005.

4) An tOrdú um an Acht Gáis (Leasú) 1987 (Alt 2) (Dáileadh) (Leasú) 2006 (I.R. Uimh. 517 de 2006).

*Neamhreachtúil:*

1) Athbhreithniú ar Chaiteachas ar Scéim-eanna Feabhsúcháin Gaeltachta, 2006.

2) Rialacháin na gComhphobal Eorpach (Incháilitheacht le haghaidh Cosanta) (I.R. Uimh. 518 de 2006).

3) Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Eorpacha. An Fochoiste um Iniúchadh Eorpach. An Naoú Tuarascáil is Seasca, Tuarascáil ar Chruinniú an 29 Meitheamh, 2006.

4) Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Eorpacha. An Fochoiste um Iniúchadh Eorpach. An Seachtódú Tuarascáil, Tuarascáil ar Chruinniú an 19 Iúil, 2006.

5) Rialacháin na gComhphobal Eorpach (Iarmhair Lotnaidicídí) (Earraí Bia de Bhunadh Ainmhíoch) (Leasú) (Uimh. 3) 2006 (I.R. Uimh. 489 de 2006).

6) Rialacháin na gComhphobal Eorpach (Bearta cosanta i ndáil le fliú éanúil ardphataigineach den fhochineál H5NI in éanlaith chlóis) (Uimh. 2) 2006 (I.R. Uimh. 491 de 2006).

7) Doiciméid a bhaineann le Comhaontú idir an tAontas Eorpach agus Stáit Aontaithe Mheiriceá maidir le haer-iompróirí do phróiseáil agus d'aistriú sonraí taifid ainmneacha paisinéirí (TAP) chuig Roinn Slándála Dúiche na Stát Aontaithe.

8) Comhfhreagras a fuair Cléireach na Dála ó Chathaoirleach an Bhinse Fiosrúcháin maidir le Cúrsaí Áirithe Pleanála agus Íocaíochtaí, Maidir le: Nochtadh Neamh-údaraithe Ábhair ón mBinse, 10 Deireadh Fómhair 2006.

3) Athlone Institute of Technology. Financial Statements, 2005.

4) Gas (Amendment) Act 1987 (Section 2) (Distribution) (Amendment) Order 2006 (S.I. No. 517 of 2006).

*Non-Statutory:*

1) Review of Expenditure on Gaeltacht Improvement Schemes, 2006.

2) European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006).

3) Houses of the Oireachtas. Joint Committee on European Affairs. Sub-Committee on European Scrutiny. Sixty Ninth Report, Report of the Meeting of 29 June, 2006.

4) Houses of the Oireachtas. Joint Committee on European Affairs. Sub-Committee on European Scrutiny. Seventieth Report, Report of the Meeting of 19 July, 2006.

5) European Communities (Pesticide Residues) (Foodstuffs of Animal Origin) (Amendment) (No. 3) Regulations 2006 (S.I. No. 489 of 2006).

6) European Communities (Protection measures in relation to highly pathogenic avian influenza of the subtype H5NI in poultry) (No. 2) Regulations 2006 (S.I. No. 491 of 2006).

7) Documents regarding an Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security.

8) Correspondence received by the Clerk of the Dáil from the Chairperson of the Tribunal of Inquiry into Certain Planning Matters and Payments, Re: Unauthorised Disclosure of Tribunal Material, 10 October 2006.