

**Tithe an Oireachtais**

**An Comhchoiste um Ghnóthaí Eorpacha**

**Tuarascáil ar Thairiscint  
maidir leis na hIasachtaí d'Éirinn ón tSaoráid  
Chobhsaíochta Airgeadais Eorpach agus ón Sásra  
Cobhsaíochta Airgeadais Eorpach**

**Nollaig 2010**

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**Houses of the Oireachtas**

**Joint Committee on European Affairs**

**Report on a Motion  
regarding the Loans to Ireland from the European  
Financial Stability Facility and the European  
Financial Stability Mechanism**

**December 2010**

# Joint Committee on European Affairs

## Report

on a Motion regarding the Loans to Ireland from the European  
Financial Stability Facility and the European Financial Stability  
Mechanism

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# Joint Committee on European Affairs

## Report

### on a Motion regarding the Loans to Ireland from the European Financial Stability Facility and the European Financial Stability Mechanism

The Joint Committee on European Affairs at its meeting on 14 December 2010 considered a motion proposed by Mr. Michael Mulcahy T.D. and agreed the following Motion as amended;

“That the Joint Committee on European Affairs undertakes an examination of the terms of the recent loans made available to Ireland from:

- a) the European Financial Stability Facility and
- b) the European Financial Stability Mechanism

to ascertain whether or not Ireland has got the best possible interest rate on these loans and requests the attendance of representatives of the European Commission, the European Central Bank, the International Monetary Fund, the Eurogroup and the EFSF and in the first instance Commissioner Olli Rehn, ECB President Jean-Claude Trichet, Eurogroup Chair Prime Minister Jean-Claude Juncker and EFSF Head Klaus Regling to explain whether or not these loans are consistent with the spirit of European Solidarity.”

#### **Decision of the Joint Committee.**

The Joint Committee considered the Motion and an amendment to the Motion together. The question that the Motion, as amended, be agreed was put and agreed to.

The Joint Committee agreed that a report of the Motion be laid before both Houses of the Oireachtas.

Bernard J. Durkan, T.D.  
Chairman  
14 December 2010

## JOINT COMMITTEE ON EUROPEAN AFFAIRS

### LIST OF MEMBERS

<b>Deputies:</b>	Séan Barrett	(FG) <sup>1</sup>
	Pat Breen	(FG)
	Thomas Byrne	(FF) <sup>2</sup>
	Michael Creed	(FG) <sup>3</sup>
	Timmy Dooley	(FF) Vice-Chairman
	Bernard Durkan	(FG) Chairman
	Beverley Flynn	(FF)**
	Brendan Howlin	(Lab) <sup>4</sup>
	Michael Mulcahy	(FF)
	Mary O'Rourke	(FF)
	Seán Power	(FF) <sup>5</sup>
	Noel Treacy	(FF)
	Joanna Tuffy	(Lab)**
<b>Senators<sup>6</sup>:</b>	Maurice Cummins	(FG)*
	Mark Dearey	(GP) <sup>7</sup>
	Paschal Donohoe	(FG) <sup>8</sup>
	John Hanafin	(FF)
	Terry Leyden	(FF)
	Rónán Mullen	(Ind)*
	Phil Prendergast	(Lab)
	Feargal Quinn	(Ind)

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<sup>1</sup> Deputy Séan Barrett replaced Deputy Billy Timmins by order of Dáil Éireann 8 July 2010.

<sup>2</sup> Deputy Thomas Byrne replaced Deputy Barry Andrews (on appointment as Minister of State at the Department of Health and Children), by order of Dail Éireann 26 June 2008

<sup>3</sup> Deputy Michael Creed replaced Deputy Lucinda Creighton by order of Dáil Éireann 13 October 2010

<sup>4</sup> Deputy Brendan Howlin replaced Deputy Joe Costello by order of Dáil Éireann 8 July 2010.

<sup>5</sup> Deputy Sean Power replaced Deputy Michael McGrath by order of Dáil Éireann 10 July 2009

<sup>6</sup> Pearse Doherty signed to Roll of Members on 30th November 2010, therefore ceasing to be Senator.

<sup>7</sup> Senator Mark Dearey replaced Senator Deirdre deBurca (resigned as of 16 February 2010) by way of report laid before Seanad Éireann by the Committee on Selection on 22 June 2010

<sup>8</sup> Senator Paschal Donohoe (FG) replaced Senator Maurice Cummins (FG) by way of report laid before Seanad Éireann by the Committee on Selection on 5th December 2007

\* members appointed to the Committee by way of report laid before Seanad Éireann by the Committee on Selection on 7 October 2008

\*\* Members appointed to the Committee by Order of Dail Éireann 2 October 2008

Orders of Reference of the Joint Committee

**Dáil Éireann on 23 October 2007 ordered:**

- “(1) (a) That a Select Committee, which shall be called the Select Committee on European Affairs, consisting of 13<sup>1</sup> Members of Dáil Éireann (of whom four shall constitute a quorum), be appointed to consider—
- (i) such Bills the statute law in respect of which is dealt with by the Department of Foreign Affairs;
  - (ii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159 concerning the approval by the Dáil of international agreements involving a charge on public funds; and
  - (iii) such other matters
- as shall be referred to it by Dáil Éireann from time to time.
- (b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (ii) and (iii), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).
- (c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Foreign Affairs (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.
- (2) (a) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on European Affairs to—
- (i) consider such matters arising from Ireland’s membership of the European Union\* and its adherence to the Treaty on European Union and the Treaty on the Functioning of the European Union\*, as it may select;
  - (ii) consider such—
    - (I) programmes and guidelines prepared by the European Commission\* as a basis for possible legislative action,
    - (II) non legislative documents published by any Union Institution in relation to EU policy matters,
    - (III) acts of the institutions of the European Union\*,
    - (IV) regulations under the European Communities Acts 1972 to 2009\*,

- (V) other instruments made under statute and necessitated by the obligations of membership of the European Union\*, and
- (VI) any other document relating to European Union matters deposited in both Houses of the Oireachtas by a Member of the Government or Minister of State,
- (VII)\*\* notifications of proposals for the amendment of the Treaties received from the European Council pursuant to Article 48.2 of the Treaty on European Union,
- and
- (VIII)\*\* notifications of applications for membership of the European Union received from the European Council pursuant to Article 49 of the Treaty on European Union,

as it may select;

- (iii) consider such other matters as may be referred to it from time to time by both Houses of the Oireachtas; and
- (iv) represent both Houses of the Oireachtas at the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) jointly with the Joint Committee on European Scrutiny;

and shall report thereon to both Houses of the Oireachtas in consultation with the Joint Committee on European Scrutiny.

(b) The Joint Committee shall have:

- (i) the powers defined in Standing Order 83(1) to (9) inclusive;
- (ii)\*\* the powers defined in Standing Orders 103D(1)(a) and 103E; and
- (iii) the power to refer a proposal for EU legislation which has been considered by it (and which has been concluded to be of sufficient importance to require additional scrutiny) to a Joint Committee on which has been conferred the power defined in Standing Order 83(4) to consider such proposals;
- (iv) the power to request the attendance of Members of the Government (or Ministers of State nominated in their stead) (or, in the case of the European Council, the Taoiseach or Minister for Foreign Affairs) before the Joint Committee and provide, in private session if so desired by the Member of the Government or Minister of State, oral briefings in advance of Council meetings to enable the Joint Committee to make known its views; and
- (v) the power to make recommendations to the Minister for Foreign Affairs (or Minister of State) on European Union matters.

- (c) The following persons may attend meetings of the Joint Committee and may take part in proceedings without having a right to vote or to move motions and amendments—
    - (i) Members of the European Parliament elected from constituencies in Ireland (including Northern Ireland);
    - (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe; and
    - (iii) at the invitation of the Joint Committee, other Members of the European Parliament.
  
  - (d) The quorum of the Joint Committee shall be five, of whom at least one shall be a Member of Dáil Éireann and one a Member of Seanad Éireann.
- (3) The Chairman of the Joint Committee, who shall be a Member of Dáil Éireann, shall also be Chairman of the Select Committee.”

**Seanad Éireann on 24 October 2007 ordered:**

- “(1) (a) That a Select Committee consisting of 6<sup>ii</sup> members of Seanad Éireann shall be appointed to be joined with a Select Committee of Dáil Éireann to form the Joint Committee on European Affairs to—
- (ab)<sup>iii</sup> In accordance with Standing Order 78 the Select Committee shall, previous to the commencement of its business, elect one of its members to be Chairman, and four members shall constitute a quorum
- (i) consider such matters arising from Ireland’s membership of the European Union\* and its adherence to the Treaty on European Union and the Treaty on the Functioning of the European Union\*, as it may select;
  - (ii) consider such—
    - (I) programmes and guidelines prepared by the European Commission\* as a basis for possible legislative action,
    - (II) non legislative documents published by any Union Institution in relation to EU policy matters,
    - (III) acts of the institutions of the European Union\*,
    - (IV) regulations under the European Communities Acts 1972 to 2009\*,
    - (V) other instruments made under statute and necessitated by the obligations of membership of the European Union\*,
    - (VI) any other document relating to European Union matters deposited in both Houses of the Oireachtas by a Member of the Government or Minister of State,
    - (VII)<sup>\*\*\*</sup> notifications of proposals for the amendment of the

Treaties received from the European Council pursuant to Art 48.2 of the Treaty on European Union,

and

(VIII)<sup>\*\*\*</sup> notifications of applications for membership of the European Union received from the European Council pursuant to Art 49 of the Treaty on European Union,

as it may select;

- (iii) consider such other matters as may be referred to it from time to time by both Houses of the Oireachtas; and
- (iv) represent both Houses of the Oireachtas at the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) jointly with the Joint Committee on European Scrutiny;

and shall report thereon to both Houses of the Oireachtas in consultation with the Joint Committee on European Scrutiny.

(b) The Joint Committee shall have:

- (i) the powers defined in Standing Order 70(1) to (9) inclusive;
- (ii)<sup>\*\*\*</sup> the powers defined in Standing Orders 98D(1)(a) and 98E
- (iii) the power to refer a proposal for EU legislation which has been considered by it (and which has been concluded to be of sufficient importance to require additional scrutiny) to a Joint Committee on which has been conferred the power defined in Standing Order 70(4) to consider such proposals;
- (iv) the power to request the attendance of Members of the Government (or Ministers of State nominated in their stead) (or, in the case of the European Council, the Taoiseach or Minister for Foreign Affairs) before the Joint Committee and provide, in private session if so desired by the Member of the Government or Minister of State, oral briefings in advance of Council meetings to enable the Joint Committee to make known its views; and
- (v) the power to make recommendations to the Minister for Foreign Affairs (or Minister of State) on European Union matters.

(c) The following persons may attend meetings of the Joint Committee and may take part in proceedings without having a right to vote or to move motions and amendments—

- (i) Members of the European Parliament elected from constituencies in Ireland (including Northern Ireland);
- (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe; and
- (iii) at the invitation of the Joint Committee, other Members of the European Parliament.

- (d) The quorum of the Joint Committee shall be five, of whom at least one shall be a Member of Dáil Éireann and one a Member of Seanad Éireann.
- (2) The Chairman of the Joint Committee, shall be a Member of Dáil Éireann.”

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<sup>i</sup> Amended in paragraph (1)(a) by the deletion of ‘11 members’ and the substitution therefore of ‘13 members’, by Order of Dáil Éireann on 2 October 2008.

<sup>ii</sup> Amended in paragraph (1)(a) by the deletion of ‘6 members’ and the substitution therefore of ‘9 members’, by Order of Seanad Éireann on 7 October 2008.

<sup>iii</sup> Inserted by Order of Seanad Éireann on 2 December 2010.

\* The Orders of Reference were amended to replace “European Communities” by “European Union” in each place where it occurred; to replace “Commission of the European Communities with “European Commission”; to insert the Treaty of the Functioning of the European Union and to update the reference to European Communities Acts by Order of Dáil Éireann on 25 November 2010 and Seanad Éireann on 2 December 2010.

\*\* Paragraphs 2(a)(ii) (VII) and (VIII) and 2(b)(ii) inserted by Dáil Éireann on 25 November 2010.

\*\*\* Paragraphs 1(a)(ii) (VII) and (VIII) and 2(b)(ii) inserted by Seanad Éireann on 2 December 2010.