



# IRIS OIFISIÚIL

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**Tuesday, 6th JULY, 2004**

## DEPARTMENT OF EDUCATION AND SCIENCE

The Minister for Education and Science has made the following Statutory Instrument:

S.I. No. 382 of 2004.

### VOCATIONAL EDUCATION COMMITTEES (ALLOWANCES TO MEMBERS) (AMENDMENT) RULES 2004.

Copies of this Statutory Instrument are on sale at the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2.

Price €0.76.

[3]

S.I. No. 392 of 2004.

### EUROPEAN COMMUNITIES (RESTRICTIVE MEASURES) (BURMA/MYANMAR) REGULATIONS 2004.

The Tánaiste and Minister for Enterprise, Trade and Employment, Ms Mary Harney, in exercise of the powers conferred on her by section 3 of the European Communities Act 1972 (No. 27 of 1972), has made Regulations introducing certain restrictive measures in respect of Burma/Myanmar. These regulations give effect to Council Regulation (EC) No. 798/2004 of 26 April 2004.

Copies of the Regulations are available from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2, or by mail order from Government Publications, Postal Trade Section, 51 St. Stephen's Green, Dublin 2. Fax: (01)6476843 (Price €0.76).

PAUL HARAN,  
 Secretary General,  
 Department of Enterprise, Trade and Employment.

June 2004.

[2]

## HOUSES OF THE OIREACHTAS COMMISSION

The Houses of the Oireachtas Commission has made the following Statutory Instrument:

S.I. No. 396 of 2004.

OIREACHTAS (MINISTERIAL AND PARLIAMENTARY OFFICES) (SECRETARIAL FACILITIES) (No. 2) REGULATIONS 2004.

Copies of the Regulations may be obtained from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 or by mail order from Government Publications, Postal Trade Section, 51. Stephen's Green, Dublin 2.

Prn No. 3025.  
Price €0.76.

June, 2004.

[1]

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S.I. No. 405 of 2004.

THE SOLICITORS ACTS 1954 TO 2002 (APPRENTICES' FEES) REGULATIONS, 2004.

Notice is hereby given that the Law Society of Ireland, in exercise of the powers conferred on it by Sections 5 and 82 of the Solicitors Act 1954 (No. 36 of 1954), and with the concurrence of the President of the High Court, have made Regulations entitled as above. The Regulations determine the fees to be paid to the Society in respect of the Society's examinations, including for the rechecking of examination papers, attendance on the Professional Practice Courses, application for the consent of the Society to entry into Indentures, application for entry on the Register of Apprentices and for entry of a name on the Roll of Solicitors. The Solicitors Acts 1954 to 2002 (Apprentices' Fees) Regulations, 2003 (S.I. No. 262 of 2003) are revoked by these regulations.

Copies of the Regulations may be purchased from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 or by mail order from Government Publications, Postal Trade Section, 51 St. Stephen's Green, Dublin 2, or through any bookseller.

Prn 3057.  
Price €1.27.

Signed: KEN MURPHY,  
Director General,  
Law Society of Ireland,  
Blackhall Place,  
Dublin 7.

Dated: 5th July 2004.

[6]

## COURTS (SUPPLEMENTAL PROVISIONS) ACT 1961

The Minister for Justice, Equality and Law Reform, in exercise of the power conferred on him by section 32(3) of, and paragraph 2(3) of the Sixth Schedule to, the Courts (Supplemental Provisions) Act 1961, has transferred Geoffrey Browne, Judge of the District Court, with his consent, from the Dublin Metropolitan District to District No. 4 with effect from 2 July, 2004.

DEPARTMENT OF JUSTICE, EQUALITY AND LAW REFORM.

1 July, 2004.

[5]

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NOTICE

An Post, in exercise of the powers conferred on it by Section 70 of the Postal and Telecommunications Services Act 1983, (No. 24 of 1983) as amended by Regulation 8(4) of the European Communities (Postal Services) Regulations 2002 (S.I. No. 616 of 2002), has made the following Schemes.

S.I. No. 376 of 2004.

THE INLAND POST AMENDMENT (No. 73) SCHEME, 2004.

S.I. No. 377 of 2004.

THE FOREIGN POST AMENDMENT (No. 39) SCHEME, 2004.

MICHAEL TYNDALL,  
Company Secretary.

1st July 2004.

[4]

GREEN GARDENS SHANDON STREET CORK BYE —  
LAWS, 2004

**WHEREAS CORK CITY COUNCIL**, being the Local Authority for the City of Cork has, by virtue of Part VII of the Local Government Act, 1994 and in exercise of every other power in that behalf it enabling, power to make bye-laws for or in relation to the use, operation, protection, regulation or management of any land, services or any other thing whatsoever, provided by or under the control or management of Cork City Council, or in relation to any matter connected therewith.

**BE IT KNOWN** that **CORK CITY COUNCIL**, the Local Authority for the City of Cork, in exercise of the said powers hereby make the following bye-laws for or in relation to the use, operation, protection, regulation or management of the former Churchyard situate at and formerly known as the Churchyard of St. Mary's Shandon, Shandon Street in the City of Cork and now known as Green Gardens, Shandon Street, Cork which is under the control and management of Cork City Council and is wholly situate in the City of Cork.

1. **These Bye-Laws shall be cited as follows:**

Green Gardens Shandon Street Cork Bye-Laws 2004.

2. **Commencement of Bye-Laws:**

These Bye-Laws shall come into force on the 25<sup>th</sup> day of June 2004.

3. **Area of Application:**

These bye-laws shall apply to the former Churchyard situate at and formerly known as the Churchyard of St. Mary's Shandon, Shandon Street in the City of Cork which is under the control and management of Cork City Council and is wholly situate in the City of Cork.

4. **Interpretation:**

Throughout these Bye-Laws, the following words and expressions shall have the meaning hereinafter respectively assigned to them, unless the context otherwise requires, that is to say—

“*authorised person*” means an “authorised person” within the meaning of Section 40 (10) of the Local Government Act, 1994 as amended by Section 35 of the Litter Pollution Act, 1997 and comprises an authorised person for the purposes of the Local Government Act 1994 (Bye-Laws) Regulations, 1995 (S.I. No. 360 of 1995) or any act or regulation, extending or amending the same, **PROVIDED ALWAYS** that an “authorised person” shall not include a member of the Garda Síochána for the purposes of Bye-Law (37) of these bye-laws.

“*Intoxicating liquor*” includes any alcoholic drink, spirits, wine, beer, porter, cider, perry, sweets and other distilled or spirituous liquid or liquor which cannot according to any law for the time being enforce, be legally sold without a licence from the Revenue Commissioners or any drink or other liquid containing alcohol.

“*The Churchyard*” means the burial grounds situate at and formerly known as the Churchyard of St. Mary's Shandon, Shandon Street, in the City of Cork.

5. **Open to Public:**

The Churchyard shall be opened during such hours as may be prescribed from time to time by Cork City Council which hours shall be printed on a notice which shall be erected at the entrance to the Churchyard.

6. Any person, other than an Officer of Cork City Council or a person employed by Cork City Council or an agent or servant of an agent of Cork City Council in or about any work in connection with the laying out, planting, improvement or maintenance of the Churchyard shall not on any day on which the Churchyard may be opened to the public enter the Churchyard before the time hereinbefore appointed for the opening thereof, or enter the Churchyard or remain therein after the time hereinbefore appointed for the closing thereof **PROVIDED ALWAYS** that any person claiming a right to enter the Churchyard and/or the right to park a motor vehicle on the area thereof allocated for that purpose pursuant to a Licence given by Cork City Council in that regard and dated the 30<sup>th</sup> day of July 2003 may, notwithstanding this Bye-Law, enter and park in accordance with the terms of the aforesaid licence.

7. **Entrance and Exit:**

A person shall not enter or quit the Churchyard otherwise than through some one of the gates, wickets, passages or openings appointed by Cork City Council as the authorised means of entrance (s) to or exit from the Churchyard.

8. **Trespass:**

A person shall not enter into any part of the Churchyard during the time between the hours, (if any) appointed for closing and opening of the Churchyard, nor shall any person remain in any part of the Churchyard after the hour (if any) appointed for closing of the Churchyard.

9. **Interference with Notices, etc:**

A person shall not wilfully or improperly remove or displace any board, plate or tablet, or any support, fastening, or fitting of any board, plate or tablet used or constructed or adapted to be used for the exhibition of any Bye-Law or Notice, and fixed or set up by Cork City Council in any part of the Churchyard, or in or on any building or structure therein, or at or near to any one of the appointed means of entrance to or exit from the Churchyard or in or on any wall or fence enclosing the Churchyard.

10. **Injury to Fences, etc.**

A person shall not wilfully, carelessly, or negligently deface, injure or destroy any part of any wall or fence in or enclosing any part of the Churchyard, or any part of any building, barrier or railing or of any fixed or moveable seat, or of any other structure or erection in the Churchyard.

11. **Removal of Property:**

A person shall not wilfully, carelessly, or negligently remove or displace any barrier, railing or post, or any fixed or removable seat, or any part of any building, structure or erection, or any monument or any tombstone, grave, vault or commemorative stone, work of art, ornament, or decoration or any implement, apparatus, appliance or articles provided for use or used or adapted to be used in the laying out, planting, improvement or maintenance of the Churchyard or in the care, cultivation or protection of any tree, sapling, shrub, underwood, furze, fern, herb, flower or plant in the Churchyard.

12. **Animals and Dogs:**

A person shall not at any time bring, cause or allow to be brought into the Churchyard more than two dogs or dogs which are required to be muzzled under the Control of Dogs Act 1986 or any regulations made pursuant thereto or any act or regulations extending or amending the same. A person who brings into the Churchyard a dog or dogs pursuant to this Bye-Law shall at all times accompany the said dog or dogs and keep the said dog or dogs on a leash and under effective control

13. **Vehicles:**

A person shall not, at any time, bring into the Churchyard, or cause or willingly permit to enter on to the Churchyard any horse, ass or other equine animal, cattle or bovine animal, sheep, goat or pig.

14. **Barrow/Truck/Machines, etc.**

A person, other than an officer of Cork City Council or a person employed by Cork City Council or an agent or servant of an agent of Cork City Council in or about any work in connection with the laying out, planting or improvement or maintenance of the Churchyard shall not at any time drive or wheel or cause or suffer to be driven or wheeled into the Churchyard any barrow, truck or machine or any vehicle other than a wheelchair being used by a handicapped person or a pram or buggy drawn or propelled by hand and used solely for the convenience of a child or children, invalids or disabled persons **PROVIDED ALWAYS** that any person claiming a right to park a motorcar on the area of the Churchyard allocated for that purpose pursuant to the Licence given by Cork City Council in that regard and dated the 30<sup>th</sup> day of July 2003, may notwithstanding this Bye-Law, enter and park a motor vehicle or motor vehicles in accordance with the terms of the aforesaid Licence.

15. **Cycling/Skateboarding, etc.**

A person shall not cycle any bicycle, tricycle, or similar vehicle in the Churchyard, whether motorised or otherwise, nor shall any person engage in the activity of skateboarding or any similar activity **PROVIDED** that this bye-law shall not apply to a person moving, drawing or propelling mechanically or by hand, chairs on wheels, perambulators, or other similar vehicles which are used solely for the conveyance of children, invalids or disabled persons.

16. **Use of Wheelchair/Buggy etc.**

A person who shall wheel or bring or cause to be wheeled or brought into the cemetery a wheelchair or a perambulator or a buggy or a bicycle, tricycle or similar vehicle whether motorised or otherwise, as permitted aforesaid, shall not at any time wheel or station such vehicle or cause or suffer such vehicle to be wheeled or stationed over or upon any part of a flowerbed or over or upon any shrub, underwood, furze, fern, flower or plant or any ground in course of preparation or cultivation as a flowerbed or for the reception or growth of any shrub, underwood, furze, fern, flower or plant.

17. **Prohibition on Placement of Notices, etc.**

A person other than an officer of Cork City Council or a person acting in pursuance of its directions in that behalf, shall not affix or post any bill, placard or notice to or upon any wall or fence in or enclosing the Churchyard, or to or

upon any tree or upon any part of any building or railing or of any fixed or moveable seat or of any other structure or erection in the Churchyard.

18. **No Interference with Soil/Surface**

A person, other than an Employee of Cork City Council, or an agent or a servant of an agent of Cork City Council in or about any work in connection with the laying, planting, improvement or maintenance of the Churchyard, shall not at any time, in any part of the Churchyard dig, execute, bore, drive or cause to be driven any article into the soil or surface of any part of the Churchyard.

19. **Walking on Flowerbeds, etc.**

A person, other than an employee of Cork City Council, or an agent or servant of an agent of Cork City Council in or about any work in connection with the laying out, planting, improvement or maintenance of the Churchyard, shall not at any time, in any part of the Churchyard, walk or run over, or stand, sit or lie upon any part of any flowerbed, or any shrub, underwood, furze, fern, flower or plant or any ground in course of preparation or cultivation as a flowerbed, or for the reception or growth of any shrub, underwood, furze, fern, flower or plant.

20. **Cutting/Uprooting of Trees, etc.**

A person other than an employee of Cork City Council or an agent or servant or an agent of Cork City Council in our about any work in connection with the laying out, planting, improvement or maintenance of the Churchyard, shall not at any time, in any part of the Churchyard, cut or displace any turf or uproot or displace any tree, shrub, furze, plant or flower.

21. **Removal of Flowers, etc.**

A person shall not at any time in any part of the Churchyard pluck any bud, blossom, flower or leaf off any tree, sapling, shrub, underwood, furze, fern or plant.

22. **Injury to Fences, etc.**

A person shall not wilfully, carelessly or negligently soil or defile any part of any wall or fence in or enclosing the Churchyard, or any part of any building, barrier or railing, or of any fixed or moveable seat or any monument or any tombstone, grave, vault or memorial stone or work of art, ornament or decoration or of any other structure or erection in the Churchyard.

23. **Deposit of Litter/Waste**

A person shall not wilfully, carelessly or negligently throw, discard or deposit any filth, waste, litter or refuse or cause or suffer any filth, waste, litter or refuse to fall or to be thrown, discarded or deposited upon any part of the Churchyard.

24. **Possession of Unauthorised Articles**

A person shall not bring into the Churchyard or possess while in the Churchyard any tin, canister, can or other container of paint, enamel, dye or other colorant.

25. **Throwing Stones**

A person shall not wilfully, carelessly or negligently throw or discharge in any part of the Churchyard any stone or other missile to the damage or danger of any person or of any property.

26. **Climbing Walls, etc.**

A person shall not climb any wall or fence in or enclosing the Churchyard or any tree or any barrier, gate, wicket, railing or post in the Churchyard.

27. **Birds and Birds' Nests**

A person shall not, in any part of the Churchyard, wilfully displace or disturb, injure or destroy any bird's nest or wilfully take, injure or destroy any bird's egg nor take, injure, capture or destroy any bird or snare or use any net or set or use any snare or other engine, instrument or means for the injury, capture or destruction of any bird.

28. **Football/Rugby Rules, etc.**

A person shall not play or take part in any game of football or any other game which by reason of the rules or manner of playing, or for the prevention of damage, danger or discomfort to any person in the Churchyard, may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in the Churchyard.

29. **Stand/Tent/Booth**

A person, other than an employee of Cork City Council, or an agent or a servant of an agent of Cork City Council in or about any work in connection with the laying out, planting, improvement or maintenance of the Churchyard shall not, except as is hereinafter provided, erect any post, rail, fence, pole, tent, booth stand, building or any other structure in any part of the Churchyard PROVIDED that the foregoing prohibition shall not apply in any case where, upon an application to Cork City Council for permission to erect any post, rail, fence, pole, tent, booth stand, building or other structure in any part of the Churchyard, upon such occasion and for such purpose that shall be specified in such application, Cork City Council may grant, subject to compliance with such conditions as they may prescribe, permission to any person to erect such post, rail, fence, pole, tent, booth stand, building or other structure.

30. **Prohibition on Deposit of Fabric for certain purposes, etc.**

A person shall not, in any part of the Churchyard, hang, spread or deposit any linen, rug or other fabric for the purpose of drying or bleaching or cleaning.

31. **Public Address**

A person shall not deliver any public address in any part of the Churchyard PROVIDED that the foregoing prohibition shall not apply in any case where, upon an application to Cork City Council for permission to hold any religious service, or hold or take part in any public discussion or deliver any public address in the churchyard upon such occasion, or on such days and at such hours as shall be specified in such application, the City Council may grant subject to compliance with such conditions as they may prescribe, permission to any person to hold any such service, or hold or take part in any discussion or deliver any such address in such part of the Churchyard as they may appoint set apart for the purpose.

32. **Selling and Hawking**

A person shall not, in any part of the Churchyard, sell or offer or expose for sale, or let to hire, or offer or expose for letting to hire any commodity or article, unless in pursuance

of an Agreement with Cork City Council, or otherwise in the exercise of any lawful right or privilege, such person may be duly authorised to sell or let to hire in the Churchyard such commodity or article.

33. **Indecency, etc.**

A person shall not in the churchyard be guilty of any act or gesture of indecency, or of causing any indecent obscene, offensive or insulting language.

34. **Intimidation**

A person shall not in the churchyard be guilty of any act or gesture of intimidation, or of using any threatening or abusive language.

35. **Gambling and Betting**

A person shall not in the churchyard, gamble or bet in any form nor take any part in gambling or betting of any kind.

36. **Interference**

A person shall not in the churchyard, wilfully obstruct or interfere with the use or enjoyment by any other person of the churchyard.

37. **Consumption of Intoxicating Liquor, Drunk or Disorderly Behaviour**

(i) A person shall not in the churchyard consume or attempt to consume intoxicating liquor, and a person under the influence of intoxicating liquor, or is drunk, shall not enter or remain in the churchyard, and a person visibly under the influence of intoxicating liquor, or who is drunk and incapable of taking care of himself, shall not be allowed to entered or remain in the churchyard.

(ii) Where an authorised person or a member of An Garda Síochána suspects, with reasonable cause, that a person is committing or has committed a contravention of a provision of this bye-law, the authorised person or a member of An Garda Síochána may cease, obtain or remove, without warrant, any bottle or container, together with its contents, which:—

(a) is in the possession of a person by whom such authorised person or member of An Garda Síochána suspects contravention is being or has been committed, and

(b) such authorised person or member of An Garda Síochána suspects, with reasonable cause, contains intoxicating liquor.

38. **Itinerant Musicians, etc.**

Except with the express permission of Cork City Council, first had and obtained in writing, a person shall not sound a musical instrument in the churchyard and an acrobat, ballad-singer, itinerant musician or entertainer shall not practice his or her calling within the churchyard. This bye-law shall be deemed to prohibit the playing of any gramophone, video or the operation of any loud-speaker or audible radio apparatus except with the express permission of Cork City Council first had and obtained in writing.

39. **Lighting Fires**

A person shall not light any fire in any part of the churchyard, or, throw or set fire to any squib or firework,

or bring into the churchyard any squib or firework, unless with the express permission of Cork City Council, nor shall a person set fire to any tree, shrub, underwood, gorse, furze, fern, herb, plant or vegetation, or to any woodwork or structures in the churchyard.

40. **Careless Smoking**

A person shall not either willingly or negligently throw away any lighting, or blowing match or cigarette or other similar article, likely to be capable of setting fire to any tree, shrub, underwood, gorse, furze, fern, herb, plant or vegetation, or to any woodwork or structures in the churchyard.

41. **Firearms and Metal Detectors or any Weapon**

A person shall not have in his or her possession in the churchyard or bring into or discharge into the churchyard any firearm, as defined in the Firearms Acts, 1925 -1990 or any act extending or amending the same. A person shall not have in his or her possession in the churchyard or bring into the churchyard any weapon capable of causing injury. A person shall not have in his or her possession in the churchyard or bring into the churchyard or use in the churchyard any metal detector. A person shall not in the churchyard wilfully obstruct, disturb, interrupt or annoy any employee of Cork City Council in the execution of his or her duty, or any person or assistant of any person employed by Cork City Council in the execution of any work in connection with the laying out, planting, improvement or maintenance of any part of the churchyard.

42. A person shall not in the Churchyard restrict, obstruct or aid or incite any person to resist or obstruct, any employee of Cork City Council or other person in the execution of his or her duty or lawful exercise of his or her authority.

43. **Powers of an Authorised Person:**

(1) An authorised person or a member of An Garda Síochána may request any person who appears to be committing to have committed in the churchyard a contravention of any of the provisions of these bye-laws, or who appears to be committing or to have committed in the churchyard any offence under any public general act or statute (including the Misuse of Drugs Act, 1977, the Criminal Justice (Public Order), Act 1994 or any act amending or extending the same) or under the common law to leave the churchyard or to refrain from any activity and may remove any person failing to comply with such request from the churchyard.

(2) Where an authorised person or a member of An Garda Síochána has reasonable grounds for believing that a person is committing or has committed in the churchyard a contravention of any of the provisions of these bye-laws, or is committing or has committed an offence under any public general act or statute (including the Misuse of Drugs Act, 1977, the Criminal Justice (Public Order) Act, 1994 or any act amending or extending the same) or under the common law, such authorised person or member of the Garda Síochána may:—

(a) arrest such person without warrant,

(b) request such person to give his or her name and address and may request that the information given be verified and;

(c) if dissatisfied with the verification provided pursuant to request made under paragraph (b), may request that the person accompany the authorised person or member of the Garda Síochána to an office of Cork City Council or Garda Station for the purpose of the verification.

(3) A person shall not:—

(a) fail to give his or her name and address when requested to do so under bye-law 49 (2) (b) or give a name or address that is false or misleading, or

(b) fail to comply with a request by an authorised person or a member of An Garda Síochána under bye-law 49 (2) (c)

(4) A person shall not resist, wilfully obstruct, impede or refuse to comply with a request of an authorised person, and/or a member of An Garda Síochána acting in the exercise of the functions conferred on an authorised person or a member of the Garda Síochána by these bye -laws or pursuant to any public general act or statute

44. **Saver:**

Nothing in these bye-laws shall take away, abridge or limit any remedy existing for the time being by way of indictment or summarily, or shall interfere with the powers of the Garda Síochána or any authority legally existing for preventing or punishing offences.

45. **Penalties**

A person who contravenes a provision of these bye-laws shall be guilty of an offence under and by virtue of Section 40 of the Local Government Act, 1994 and shall be liable on summary conviction to a fine not exceeding €634.87.

46. **Fixed Payment Notice:**

(1) If an authorised person other than a member of the Garda Síochána has reasonable grounds for believing that a person is committing a contravention or has committed a contravention of a provision of these bye-laws, the authorised person may serve on the person a fixed payment notice as prescribed by the Local Government Act, 1994 (Bye-Laws) Regulations, 1995 (S.I. No. 360 of 1995) or any Regulation amending or extending the same stating that

(a) the person is alleged to have committed the contravention;

(b) that the person may during the period of 21 days beginning on the date of the notice make to Cork City Council a payment of €50.79 accompanied by the notice, and;

(c) a prosecution in respect of the alleged contravention will not be instituted during the period specified in the notice and, if the payment specified in the notice is made during that period, no prosecution in respect of the alleged contravention will be instituted.

(2) Where a notice is served under sub-section (1):—

- (a) a person to whom the notice applies, may, during the period specified in the notice, make to Cork City Council the payment specified in the notice, accompanied by the notice.
- (b) Cork City Council shall receive the payment and issue a receipt for it and may retain the monies so paid, and no payments so received shall in any circumstances be recoverable by the person who made it and;
- (c) a prosecution in respect of the alleged contravention will not be instituted in the period specified in the notice and, if the payment specified in the notice is made during that period, no prosecution in respect of the alleged contravention shall be instituted.

3. In a prosecution for a contravention referred to in Sub-Section (1) the onus of showing that a payment pursuant to a notice under this section has been made, shall lie on the accused.

**47. Service of Notices:**

Any notice required to be served by or under bye-law 52 of these bye-laws shall be served in one of the following ways:—

- (a) By delivery to the person,
- (b) By leaving it at the address at which the person ordinarily resides,
- (c) By sending it by post in a pre-paid registered letter addressed to the person at the address at which the person ordinarily resides;
- (d) If an address for the service of notice has been furnished by the person, by leaving it at, or sending it by pre-paid registered post addressed to the person at that address.

Made and adopted under the Common Seal of Cork City Council, this 25th day of June, 2004.

**PRESENT** when the Common Seal of **CORK CITY COUNCIL** was affixed hereto; **THE LORD MAYOR** also being present:—

\_\_\_\_\_  
LORD MAYOR

\_\_\_\_\_  
CITY MANAGER

\_\_\_\_\_  
LAW AGENT

COMHAIRLE BHAILE NA h-INSE

ENNIS TOWN COUNCIL

DISC PARKING PLACES (AMENDMENT) BYE-LAWS  
2004

Notice is hereby given pursuant to Section 4(2) and 36(6) of the Road Traffic Act 1994 that Ennis Town Council in exercise of the powers vested in it by this Act made Bye-Laws in respect of parking vehicles on public roads within the functional area of Ennis and same will come into operation on 12th July, 2004.

A copy of the Bye-Laws made by Ennis Town Council may be purchased or inspected at the offices of the Council, Waterpark House, Drumbiggle, Ennis between the hours of 10.00 a.m. to 1.00 p.m. and 2.00 p.m. to 4.00 p.m. each weekday.

Signed: E. POWER,  
Town Clerk.

Dated 5th July, 2004.

[7]

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IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003  
AND IN THE MATTER OF  
STEELCAP LIMITED  
(In Voluntary Liquidation)

Notice is hereby given pursuant to Section 252 of the Companies Act 1963 that at an Extraordinary General Meeting of the above-named Company, duly held on 22nd day of June, 2004, the following Special Resolutions were duly passed:

1. "That the Company be wound up voluntarily."
2. "That for the purpose of the winding-up, Mr. James Clancy, ACIS, of James Clancy & Associates, 13 Clarinda Park North, Dun Laoghaire, Co. Dublin, be and he is hereby appointed Liquidator."
3. "That the Liquidator be and he is hereby authorised to divide among the Members of the Company in specie the whole or any part of the Assets of the Company."

MR. JAMES CLANCY ACIS,  
Liquidator.

Dated the 30th June, 2004.

Note: This is a Members' Voluntary Winding-Up. All admitted Creditors have been, or will be paid in full.

[8]

JAMES CLANCY & ASSOCIATES,  
13 Clarinda Park North,  
Dun Laoghaire,  
Co. Dublin.

[9]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003  
AND IN THE MATTER OF  
CLODAREN DEVELOPMENTS LIMITED  
(In Voluntary Liquidation)

Notice is hereby given pursuant to Section 252 of the Companies Act 1963 that at an Extraordinary General Meeting of the above-named Company, duly held on 22nd day of June, 2004, the following Special Resolutions were duly passed:

1. "That the Company be wound up voluntarily."
2. "That for the purpose of the Winding-Up, Mr. James Clancy, ACIS, of James Clancy & Associates, 13 Clarinda Park North, Dun Laoghaire, Co. Dublin, be and he is hereby appointed Liquidator."
3. "That the Liquidator be and he is hereby authorised to divide among the Members of the Company in specie the whole or any part of the Assets of the Company."

MR. JAMES CLANCY ACIS,  
Liquidator.

Dated the 30th June, 2004.

Note: This is a Members' Voluntary Winding-Up. All admitted Creditors have been, or will be paid in full.

JAMES CLANCY & ASSOCIATES,  
13 Clarinda Park North,  
Dun Laoghaire,  
Co. Dublin.

[10]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003  
AND IN THE MATTER OF  
ARABELLA PROPERTIES LIMITED  
(In Voluntary Liquidation)

Notice is hereby given pursuant to Section 252 of the Companies Act 1963 that at an Extraordinary General Meeting of the above-named Company, duly held on 22nd day of June, 2004, the following Special Resolutions were duly passed:

1. "That the Company be wound up voluntarily."
2. "That for the purpose of the winding-up, Mr. James Clancy, ACIS, of James Clancy & Associates, 13 Clarinda Park North, Dun Laoghaire, Co. Dublin, be and he is hereby appointed Liquidator."
3. "That the Liquidator be and he is hereby authorised to divide among the Members of the Company in specie the whole or any part of the Assets of the Company."

MR. JAMES CLANCY ACIS,  
Liquidator.

Dated the 30th June, 2004.

Note: This is a Members' Voluntary Winding-Up. All admitted Creditors have been, or will be paid in full.

JAMES CLANCY & ASSOCIATES,  
13 Clarinda Park North,  
Dun Laoghaire,  
Co. Dublin.

[11]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003  
AND IN THE MATTER OF  
BRETON PROPERTIES LIMITED  
(In Voluntary Liquidation)

Notice is hereby given pursuant to Section 252 of the Companies Act 1963 that at an Extraordinary General Meeting of the above-named Company, duly held on 22nd day of June, 2004, the following Special Resolutions were duly passed:

1. "That the Company be wound up voluntarily."
2. "That for the purpose of the winding-up, Mr. James Clancy, ACIS, of James Clancy & Associates, 13 Clarinda Park North, Dun Laoghaire, Co. Dublin, be and he is hereby appointed Liquidator."
3. "That the Liquidator be and he is hereby authorised to divide among the Members of the Company in specie the whole or any part of the Assets of the Company."

MR. JAMES CLANCY ACIS,  
Liquidator.

Dated the 30th June, 2004.

Note: This is a Members' Voluntary Winding-Up. All admitted Creditors have been, or will be paid in full.

JAMES CLANCY & ASSOCIATES,  
13 Clarinda Park North,  
Dun Laoghaire,  
Co. Dublin.

[12]

IN THE MATTER OF  
PARETO ASSET MANAGEMENT (IRELAND) LIMITED  
(In Voluntary Liquidation)  
AND IN THE MATTER OF  
THE COMPANIES ACTS 1963-2001

At an Extraordinary General Meeting of the above-named Company duly convened and held at Grand Canal House, 1 Upper Grand Canal Street, Dublin 4 on 30th day of June, 2004, the following Resolution was duly passed as a Special Resolution:

"That the Company be wound up voluntarily as a Members' Voluntary Winding-Up and that Mr. Billy O'Riordan of PricewaterhouseCoopers be appointed Liquidator for the purposes of such winding-up".

Dated this 30th day of June, 2004.

VIVIENNE FEAHENY,  
Chairman.

[13]

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

COMPANIES COURT

No. 1904 of 2004

IN THE MATTER OF

AVIATION & GENERAL INSURANCE COMPANY  
LIMITED

AND IN THE MATTER OF

PEARL ASSURANCE plc

AND IN THE MATTER OF

PRUDENTIAL ASSURANCE COMPANY LIMITED

AND IN THE MATTER OF

THE FINANCIAL SERVICES AND MARKETS ACT 2000

Notice is hereby given that by an Order dated 14 May, 2004, on the application of Aviation & General Insurance Company Limited (“AGICo”) an Order was made by the High Court of Justice of England and Wales inter alia sanctioning under section 111(1) of the Financial Services and Markets Act 2000 a scheme (the “Scheme”) providing for the transfer to AGICo of certain insurance business written by Prudential Assurance Company Limited (“Prudential”) and Pearl Assurance plc (“Pearl”).

The business included in the transfer for which the Scheme provides is the insurance business written by Prudential and Pearl in their capacity as participants in the Aviation & General Group underwriting pool (the “AGI Group Pool”) including all and any business written or assumed by Prudential or Pearl and reinsured into the AGI Group Pool and the business written by Pearl in its capacity as a participant in the British Aviation Insurance Group Pool. The Transfer became effective on 18 May, 2004.

The holder of any policy included in the transfer for which the Scheme provides which evidences a contract of direct insurance as regards which the Republic of Ireland is the EEA State in which the risk is situated may exercise the right (if any) under the law of the Republic of Ireland to cancel the policy within 21 days of the date of publication of this notice or such other period as the law of the Republic of Ireland shall determine.

CLYDE & CO.,  
51 Eastcheap,  
London EC1M 1JP,  
United Kingdom.

Ref: GEQ/JQS/0402820.

[14]

IN THE MATTER OF

PARETO PARTNERS UMBRELLA FUND plc  
(In Voluntary Liquidation)

AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2001

At an Extraordinary General Meeting of the above-named Company duly convened and held at Grand Canal House, 1 Upper Grand Canal Street, Dublin 4 on 30th day of June, 2004, the following Resolution was duly passed as a Special Resolution:

“That the Company be wound up voluntarily as a Members’ Voluntary Winding-Up and that Mr. Billy O’Riordan of PricewaterhouseCoopers be appointed Liquidator for the purposes of such winding-up”.

Dated this 30th day of June, 2004.

VIVIENNE FEAHENY,  
Chairman.

[13A]

IN THE MATTER OF

THE COMPANIES ACTS 1963-2001

AND IN THE MATTER OF

CRESCENT FOODS LIMITED  
(In Voluntary Liquidation)

Notice is hereby give that at an Extraordinary General Meeting of the Members of the said Company, duly convened and held at Coolea, Co. Cork on 28 June, 2004, the following Special Resolutions were duly passed:

1. That the Company be voluntarily wound up as a Members’ Voluntary Winding-Up.
2. That Susan Morrissey of Canopy Street, Cashel, Co. Tipperary, be and is hereby appointed as Liquidator of the Company for the purposes of such winding-up.
3. That the Liquidator be and is hereby authorised in accordance with the Memorandum and Articles of Association of the Company, to distribute the whole or any part of the assets of the Company amongst the Members in specie.

SUSAN MORRISSEY,  
Liquidator

[15]

THE HIGH COURT — 2004

No. 266 COS

IN THE MATTER OF

FLS AEROSPACE (IRL) LIMITED  
 (“the Company”)

AND IN THE MATTER OF

SECTION 72 OF THE COMPANIES ACT 1963

Whereas by Order made by Miss Justice Carroll in this matter on 21st June, 2004, the High Court, inter alia, confirmed the reduction of the issued share capital of the Company by the amount of €0.007816078, which was resolved on and effected by Special Resolution passed by way of written Resolution of the Company on 21st June, 2004.

Notice is hereby given that the Order and the minute of said reduction was registered by the Registrar of Companies on 24th June 2004.

MASON HAYES & CURRAN,  
 Solicitors for the Company,

5th July, 2004.

[16]

IN THE MATTER OF

THE COMPANIES ACTS 1963-2001

AND IN THE MATTER OF

SEAHORSE HOMES LIMITED

At an Extraordinary General Meeting of the above mentioned Company duly convened and held at Market House, Buncrana, Co. Donegal on the 4th June, 2004, the following Resolution was duly passed as a Special Resolution:

“That the Company be wound up voluntarily as a Members’ Voluntary Winding-Up and that Mr. Donal Corrigan of Elliott Corrigan & Co., 3/4 Lower Kevin Street, Dublin 8 be appointed Liquidator for the purpose of such Winding-Up and be authorised to make a distribution of assets in specie”.

DONAL CORRIGAN,  
 Liquidator,  
 Elliott Corrigan & Co.,  
 3/4 Lower Kevin Street,  
 Dublin 8.

Dated this 30th June, 2004.

Note: This notice is inserted to comply with the provision of the Companies Act 1963. All admitted Creditors have been or will be paid in full.

[17]

IN THE MATTER OF

WICKLOW DECOR LIMITED  
 (In Liquidation)

AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2001

Resolution of the Members of the above named Company passed on 14th May, 2004:

“That the Company, by reason of its liabilities cannot continue its business and that it be wound up voluntarily as a Creditors’ Voluntary Winding-Up and that Mr. Cormac Walsh, Chartered Accountant, Templeraíne, Arklow, Co. Wicklow, be appointed Liquidator for the purposes of the Winding-Up”.

CORMAC WALSH,  
 Liquidator.

14th May 2004.

[18]

IN THE MATTER OF

ARD LORCAIN HOUSING CO. LTD.

AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2003

By an Order made in the above matter dated the 21st day of June, 2004, on the petition of Gertrude Kerrigan of 29A Fulwood Gardens, Twickenham, Middlesex, it was ordered that Ard Lorcaín Housing Company Limited be wound up by the Court.

Signed: SEAN BAGNALL,  
 Official Liquidator,  
 Ellenborough House,  
 Dublin Road,  
 Naas,  
 Co. Kildare.

[19]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2001  
AND IN THE MATTER OF  
GARDWOOD COMPANY LIMITED  
(In Liquidation)

At a General Meeting of the Members of the said Company, duly convened and held at Brenson Lawlor House, Argyle Square, Morehampton Road, Dublin 4 on 30th June, 2004, the following Ordinary Resolution was duly passed:

“That it has been proved to the satisfaction of the Meeting that the Company cannot, by reason of its liabilities, continue its business and that it be wound up voluntarily as a Creditors’ Voluntary Winding-Up and that Mr. Liam Dowdall of BDO Simpson Xavier, Chartered Accountants, Beaux Lane House, Mercer Street Lower, Dublin 2 be appointed Liquidator for the purpose of the winding-up”.

Date: 30 June, 2004.

LIAM DOWDALL,  
Liquidator,  
BDO Simpson Xavier,  
Beaux Lane House,  
Mercer Street Lower,  
Dublin 2.

[20]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003  
AND IN THE MATTER OF  
KEB (IRELAND) LIMITED  
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the above mentioned Company duly convened and held at 1st Floor, Russell House, Stokes Place, St. Stephen’s Green, Dublin 2 on the 25th day of June, 2004, the following Resolution was duly passed as a Special Resolution:

“That the Company be wound up voluntarily as a Members’ Voluntary Winding-Up and that Mr. Barry Forrest, of O’Connor, Leddy & Holmes, Century House, Harold’s Cross Road, Dublin 6W be appointed Liquidator for the purpose of such winding-up and be authorised to make a distribution of assets in specie”.

“That the Liquidator be authorised to draw remuneration by reference to the time given and the expenses properly incurred by the Liquidator and his staff in attending at all matters arising in the winding-up.

MR. BARRY FORREST,  
Liquidator,  
O’Connor, Leddy & Holmes,  
Chartered Accountants,  
Century House,  
Harold’s Cross Road,  
Dublin 6W.

Dated this 25th day of June, 2004.

Note: This notice is inserted to comply with the provision of the Companies Act 1963. All admitted Creditors have been or will be paid in full.

[21]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003  
AND IN THE MATTER OF  
KEB (IRELAND) INVESTMENT LIMITED  
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the above mentioned Company duly convened and held at 1st Floor, Russell House, Stokes Place, St. Stephen’s Green, Dublin 2 on the 25th day of June, 2004, the following Resolution was duly passed as a Special Resolution:

“That the Company be wound up voluntarily as a Members’ Voluntary Winding-Up and that Mr. Barry Forrest, of O’Connor, Leddy & Holmes, Century House, Harold’s Cross Road, Dublin 6W be appointed Liquidator for the purpose of such winding-up and be authorised to make a distribution of assets in specie”.

“That the Liquidator be authorised to draw remuneration by reference to the time given and the expenses properly incurred by the Liquidator and his staff in attending at all matters arising in the Winding-Up.

MR. BARRY FORREST,  
Liquidator,  
O’Connor, Leddy & Holmes,  
Chartered Accountants,  
Century House,  
Harold’s Cross Road,  
Dublin 6W.

Dated this 25th day of June, 2004.

Note: This notice is inserted to comply with the provision of the Companies Act 1963. All admitted creditors have been or will be paid in full.

[22]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003

AND IN THE MATTER OF

SHANNON COMMUNICATIONS GROUP LIMITED  
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the above mentioned Company duly convened and held at Century House, Harold's Cross Road, Dublin 6W on the 30th day of June, 2004, the following Resolution was duly passed as a Special Resolution:

“That the Company be wound up voluntarily as a Members' Voluntary Winding-Up and that Mr. Barry Forrest, of O'Connor, Leddy & Holmes, Century House, Harold's Cross Road, Dublin 6W be appointed Liquidator for the purpose of such winding-up and be authorised to make a distribution of assets in specie”.

“That the Liquidator be authorised to draw remuneration by reference to the time given and the expenses properly incurred by the Liquidator and his staff in attending at all matters arising in the winding-up.

MR. BARRY FORREST,  
Liquidator,  
O'Connor, Leddy & Holmes,  
Chartered Accountants,  
Century House,  
Harold's Cross Road,  
Dublin 6W.

Dated this 30th day of June, 2004.

Note: This notice is inserted to comply with the provision of the Companies Act 1963. All admitted Creditors have been or will be paid in full.

[23]

IN THE MATTER OF  
THE COMPANIES ACTS 1963-2003

AND IN THE MATTER OF

PURPLE MOON PRODUCTIONS LIMITED  
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the above mentioned Company duly convened and held at Century House, Harold's Cross Road, Dublin 6W on the 30th day of June, 2004, the following Resolution was duly passed as a Special Resolution:

“That the Company be wound up voluntarily as a Members' Voluntary Winding-Up and that Mr. Barry Forrest, of O'Connor, Leddy & Holmes, Century House, Harold's Cross Road, Dublin 6W be appointed Liquidator for the purpose of such winding-up and be authorised to make a distribution of assets in specie”.

“That the Liquidator be authorised to draw remuneration by reference to the time given and the expenses properly incurred by the Liquidator and his staff in attending at all matters arising in the winding-up”.

MR. BARRY FORREST,  
Liquidator,  
O'Connor, Leddy & Holmes,  
Chartered Accountants,  
Century House,  
Harold's Cross Road,  
Dublin 6W.

Dated this 30th day of June, 2004.

Note: This notice is inserted to comply with the provision of the Companies Act 1963. All admitted Creditors have been or will be paid in full.

[24]

## IN THE MATTER OF

E. S. HYGIENE SYSTEMS LIMITED  
(In Voluntary Liquidation)

## AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2001

Notice is hereby given to Section 252 of the Companies Acts, 1963-2001 that an Extraordinary General Meeting of the above Company was duly convened and held on 1 July, 2004, and the following Resolutions were passed:

1. "It has been proved to the satisfaction of this Meeting that the Company cannot, by reason of its liabilities, continue its business and that it is advisable to wind up same and that accordingly, the Company be, and is hereby wound up voluntarily."
2. "That Ken Fennell, of Kavanagh Fennell, 14 Pembroke Road, Ballsbridge, Dublin 4 be appointed Liquidator for the purpose of said winding-up."
3. "That the Liquidator's remuneration shall be fixed by reference to the time given by him as a responsible Insolvency Practitioner, and his staff, in attending to matters arising in the winding-up and he shall be authorised to pay such time costs and expenses on account of his remuneration and expenses pending the conclusion of the Liquidation."

Note: At a subsequent Creditors Meeting, Ken Fennell, of Kavanagh Fennell, 14 Pembroke Road, Ballsbridge, Dublin 4 was appointed Liquidator.

Dated this: Thursday, 1 July, 2004.

KEN FENNELL,  
Kavanagh Fennell,  
14 Pembroke Road,  
Ballsbridge,  
Dublin 4.

[25]

## IN THE MATTER OF

HIBERGEN GENOMICS LIMITED  
(In Voluntary Liquidation)

## AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2001

Notice is hereby given to Section 252 of the Companies Acts, 1963-2001 that an Extraordinary General Meeting of the above Company was duly convened and held on 17th June, 2004, and the following Resolutions were passed:

1. "It has been proved to the satisfaction of this Meeting that the Company cannot, by reason of its liabilities, continue its business and that it is advisable to wind up same and that accordingly, the Company be, and is hereby wound up voluntarily."
2. "Mr. Tom Kavanagh, of Kavanagh Fennell, 14 Pembroke Road, Ballsbridge, Dublin 4 be appointed Liquidator."
3. "That the Liquidator's remuneration shall be fixed by reference to the time given by him as a responsible Insolvency Practitioner, and his staff, in attending to matters arising in the winding-up and he shall be authorised to pay such time costs and expenses on account of his remuneration and expenses pending the conclusion of the Liquidation."

Dated this: Thursday, 17 June, 2004.

TOM KAVANAGH,  
Kavanagh Fennell,  
14 Pembroke Road,  
Ballsbridge,  
Dublin 4.

[26]

THE HIGH COURT

Record No. 2004 289 COS

IN THE MATTER OF

BAN ARD CASH & CARRY LIMITED  
(In Provisional Liquidation)

AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2003

Notice is hereby given that a petition for the winding-up of the above named Company was presented to the High Court on 2 July, 2004, by C&C (Ireland) Limited, a Creditor, having its registered office at Kylemore Park West, Dublin 10 and that the said petition is directed to be heard on 19 July, 2004, and that any Creditor or Contributory of the said Company who wishes to support or oppose the making of an order on the said petition may appear at the time of the hearing by himself or his counsel for that purpose and a copy of the petition will be furnished to any creditor or contributory of the said Company who requires it by the undersigned on payment of the regulated charge for the same.

Signed: McCANN FITZGERALD,  
Solicitors,  
Harbourmaster Place,  
International Financial Services Centre,  
Dublin 1.

(Ref: MOM/EMC)

NOTE: Any person who intends to appear at the hearing of the said petition must serve on or send by post to the above named petitioner or his solicitor, notice in writing of his intention to do so. The notice must state the name and address of the person, or if a firm, the name and address of the firm and must be signed by the person, or firm, or his or their solicitors (if any) and must be served, or if posted, must be sent by post in sufficient time to reach the above named solicitors or the petitioner not later than 5 p.m. on 16 July, 2004.

[27]

THE HIGH COURT

Record No. 2004 289 COS

IN THE MATTER OF

BAN ARD CASH & CARRY LIMITED  
(In Provisional Liquidation)

AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2003

By order of the High Court made in the above matter dated 2 July, 2004, on the petition of C&C (Ireland) Limited having its registered office at Kylemore Park West, Dublin 10, it was ordered that Mr. Kieran Wallace of KPMG, 1 Stokes Place, St. Stephen's Green, Dublin 2 be appointed Provisional Liquidator.

McCANN FITZGERALD,  
Solicitors,  
2 Harbourmaster Place,  
International Financial Services Centre,  
Dublin 1.

[27A]





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ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA  
CLIATH 2  
nó tríd an pbost ó  
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