



IRIS OIFIGIÚIL

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IRIS OIFIGIÚIL

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**The Editor,
 Iris Oifigiúil,
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 Dublin 2.**

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S.I. No. 121 of 2006

EUROPEAN COMMUNITIES (AVIAN INFLUENZA) (PRECAUTIONARY MEASURES) REGULATIONS 2006

The Minister for Agriculture and Food has made Regulations which transpose the measures set down in Commission Decision 2005/734/EC as amended and provide for the establishment of an area as a high risk area and the biosecurity measures to be applied therein.

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DEPARTMENT OF AGRICULTURE AND FOOD.

March, 2006.

[1]

S.I. No. 123 of 2006

EUROPEAN COMMUNITIES (PROTECTION
MEASURES IN RELATION TO AVIAN INFLUENZA IN
POULTRY) REGULATIONS 2006

The Minister for Agriculture and Food has made Regulations which transpose the measures set down in Commission Decision 2006/135/EC and provide for the measures to be applied in the event of a suspect or confirmed outbreak of H5N1 Avian Influenza in poultry in Ireland.

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Price €2.54.

DEPARTMENT OF AGRICULTURE AND FOOD.

March, 2006.

[2]

S.I. No. 125 of 2006

EUROPEAN COMMUNITIES (PROTECTION
MEASURES IN RELATION TO AVIAN INFLUENZA IN
WILD BIRDS) REGULATIONS 2006

The Minister for Agriculture and Food has made Regulations which transpose the measures set down in Commission Decision 2006/115/EC and provide for the establishment of protection and surveillance zones and the measures to be applied therein in the event of a suspect or confirmed incidence of H5N1 Avian Influenza in wild birds in Ireland.

Copies 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 St. Stephen's Green, Dublin 2 Fax: 6476843.

Price €2.54.

DEPARTMENT OF AGRICULTURE AND FOOD.

March, 2006.

[3]

S.I. No. 126 of 2006.

EUROPEAN COMMUNITIES (AVIAN INFLUENZA)
(CONTROL ON IMPORTS OF FEATHERS FROM
CERTAIN THIRD COUNTRIES) (AMENDMENT)
REGULATIONS 2006.

The Minister for Agriculture and Food has made Regulations under the European Communities Act 1972 (No. 27 of 1972) entitled as above. 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 St. Stephen's Green, Dublin 2. Tel: 01 6476834 Fax: 01 6476 843.

Price: €0.76.

T. MORAN,
Secretary General,
Department of Agriculture and Food.

March 2006.

[4]

The Minister for Transport has made the following Statutory Instruments:

S.I. No. 134 of 2006

ROAD TRAFFIC ACT 2002 (COMMENCEMENT OF
CERTAIN PROVISIONS) ORDER 2006

This Order commences certain provisions of the Road Traffic Act 2002, with effect from 3 April 2006, including provisions to apply the penalty point system to specified road traffic offences involving the driving or use of mechanically propelled vehicles and to commence an amendment to the Local Authorities (Traffic Wardens) Act 1975 to enable local authority traffic wardens to enforce offences by means of the fixed charge system.

Prn. A6/0497.

Price €0.76.

S.I. No. 135 of 2006

ROAD TRAFFIC ACT 1961 TO 2005 (FIXED CHARGE
OFFENCES) REGULATIONS 2006

These Regulations (operative from 3 April 2006) declare which offences involving the driving or use of mechanically propelled vehicles are fixed charge offences for the purposes of section 103 of the Road Traffic Act 1961, determine the amount of fixed charge for each offence and prescribe the form of notice and document to be used in the enforcement of these fixed charge offences and, where applicable, the penalty point system, in relation to those offences.

Prn. A6/0500.

Price €3.05.

S.I. No. 136 of 2006

LOCAL AUTHORITIES (TRAFFIC WARDENS) ACT 1975
(FIXED CHARGE OFFENCES) REGULATIONS 2006

These Regulations (operative from 3 April 2006) declare which offences involving the use of mechanically propelled vehicles are fixed charge offences for the purposes of section 3 of the Local Authorities (Traffic Wardens) Act 1975, determine the amount of fixed charge for each offence and prescribe the form of notice and document to be used in the enforcement of those fixed charge offences.

Prn. A6/0502.

Price €2.54.

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

DEPARTMENT OF TRANSPORT.
March 2006.

[5]

THE NATIONAL PENSIONS RESERVE FUND

SECTION 12 GUIDELINES

1. Introduction

The National Pensions Reserve Fund Commission (the “Commission”) established under Section 5 of the National Pensions Reserve Fund Act, 2000 (the “NPRF Act”) published Guidelines on 18 January 2002 for the purposes of Section 12 of the NPRF Act and to ensure a high standard of corporate governance by the members of the Commission or any member of staff of the National Treasury Management Agency (the “Manager”) and any member of a committee which may be established by the Commission pursuant to Section 14 of the NPRF Act (a “Committee”) and to address the risk of actual or potential conflicts of interest and their disclosure.

At the time of issue of the Guidelines, the Commission and members of staff of the Manager were not subject to the Ethics in Public Office Act, 1995. The Guidelines, therefore, provided for the completion of an annual disclosure statement analogous to that required of designated directors and holders of designated positions under Sections 17 and 18 respectively of the Ethics in Public Office Act. The Ethics in Public Office Act has been extended to the Commission and the Manager with effect from 1 January 2005 and the Commission and designated members of staff of the Manager are now required to complete an annual disclosure of interest statement as provided for by that Act. Accordingly, the Commission has decided to amend the Guidelines to remove the requirement for completion of a separate and similar statement.

These amended Guidelines are set out below and supersede the Guidelines published on 18 January 2002.

2. Duty to Disclose an Interest:

Section 12 (1) of the NPRF Act, 2000 provides that

“Where a commissioner or a member of the staff of the Manager or a member of a committee has a **pecuniary interest** or **other beneficial interest**, in **and material to**, any matter which falls to be considered by the Commission, the Manager or a committee, he or she shall—

- (a) disclose to the Commission or, as the case may be, the Manager or the committee the nature of his or her interest in advance of any consideration of the matter,
- (b) neither influence nor seek to influence a decision to be made in relation to the matter,
- (c) take no part in any consideration of the matter, and where relevant—
- (d) absent himself or herself from the meeting or that part of the meeting during which the matter is discussed, and
- (e) not vote on a decision relating to the matter.”

Subsection (7) of Section 12 provides that “The Commission shall issue and publish guidelines as to that which constitutes an **interest**” for the purpose of Section 12.

GUIDELINE 1

Definition of an “interest”

The Commission has determined that each of the interests on the list of registrable interests contained in the Second Schedule to the Ethics in Public Office Act, 1995 shall constitute an “**interest**” for the purposes of Section 12 of the NPRF Act.

A copy of the Ethics in Public Office Act together with the Second Schedule list is attached to this note as Appendix A.

That list should be construed as though references therein to a “designated directorship” were references to a member of the Commission or any Committee or any member of staff of the Manager.

GUIDELINE 2

Disclosures to be made under Section 12 (1) of the National Pensions Reserve Fund Act

Guideline on pecuniary interest or beneficial interest.

The Commission has determined that for the purposes of Section 12 (1) of the NPRF Act:

- (i) a person will be regarded as having a “**pecuniary interest**” if that person stands to gain money or money’s worth or to avoid a loss of money or money’s worth and
- (ii) a “**beneficial interest**” includes—
 - (a) a right, privilege, office or dignity and any forbearance to demand money or money’s worth or a valuable thing,

- (b) any aid, vote, consent or influence or pretended aid, vote, consent or influence,
- (c) any promise or procurement of or agreement or endeavour to procure, or the holding out of any expectation of, any gift, loan, fee, reward or other thing aforesaid,

or other advantage and the avoidance of a loss, liability, penalty, forfeiture, punishment or other disadvantage;

This definition of **beneficial interest** is the same as the definition of a **“benefit”** under Section 2 of the Ethics in Public Office Act. Note that a **“gift”** means money or other property.

When is an interest “material”?

The Commission has determined that a person or a *connected person** has a **material interest** in a matter falling to be considered by it and **therefore requiring disclosure pursuant to Section 12 (1) of the NPRF Act, 2000** if the consequence or effect—

- (a) of the performance by the person of a function of his or her office, or
- (b) of any decision made in relation to or in the course or as a result of the performance of such a function by the person

concerning that matter may be to confer on or withhold from the person or the *connected person** a significant benefit without also conferring it on or withholding it from persons in general or a class of persons which is of significant size having regard to all the circumstances and of which the person or the connected person is a member.

A “connected person”:

Any question whether a person is connected with another shall be determined in accordance with the following:

- (i) a person is connected with an individual if that person is a *relative*** of the individual,
- (ii) a person, in his or her capacity as a trustee of a trust, is connected with an individual who or any of whose children or as respects whom any body corporate which he or she controls is a beneficiary of the trust,
- (iii) a person is connected with any person with whom he or she is in partnership,
- (iv) a company is connected with another person if that person has *control**** of it or if that person and persons connected with that person together have *control**** of it,
- (v) any two or more persons acting together to secure or exercise control of a company shall be treated in relation to that company as connected with one

another and with any person acting on the directions of any of them to secure or exercise control of the company.

Appendix A: Ethics in Public Office Act, 1995

Appendix B: Sections 157 and 102, Corporation Tax Act, 1976

Note: The contents of the above appendices are not reproduced here.

*See definition of a “connected person” above.

**Note that a “relative” in relation to a person, means a brother, sister, parent or spouse of the person or a child of the person or of the spouse.

***In the definition of a “connected person” above the expression “control” has the meaning assigned to it by Section 157 Corporation Tax Act 1976. Please also see Section 102 of the 1976 Act which is cross-referenced in Section 157(8) of that Act.

[12]

ÓGLAIGH NA hÉIREANN

Ag gníomhú di ar chomairle an Rialtais, tá an tUachtarán tar éis

An Leifteanant Seán Ó Laennan
(Lieutenant John Joseph Leonard)

a cheapadh mar oifigeach de na Buan-Óglaigh i gcéim choimisiúnta Leifteanaint; le héifeacht ón 29 Márta, 2006.

D. Mac CÁRTHAIGH
Ard-Rúnaí an Rialtais

BAILE ÁTHA CLIATH,
An 31ú lá seo de Mhárta, 2006.

[6]

ÓGLAIGH NA hÉIREANN

Ag gníomhú di ar chomhairle an Rialtais, tá an tUachtarán tar éis

Leifteanant Karen Ní Rynn
(Lieutenant Karen Gemma Rynn)

a cheapadh mar oifigeach de na Buan-Óglaigh i gcéim choimisiúnta Dara-Leifteanaint, ar feadh tréimhse dhá bhlian dhéag, le héifeacht i ngach cás, ón 9 Márta, 2006.

D. Mac CÁRTHAIGH
Ard-Rúnaí an Rialtais

BAILE ÁTHA CLIATH,
An 31ú lá seo de Mhárta, 2006.

[7]

ÓGLAIGH NA hÉIREANN

Ag gníomhú di ar chomairle an Rialtais, tá an tUachtarán inniu tar éis glacadh, le héifeacht ón 28 Márta, 2006, leis na tairiscint éirí as a choimisiún mar oifigeach de na hÓglaigh Cúlta a rinne

An Leifteanant Karen Ní Rynn
(Lieutenant Karen Gemma Ryan)

D. Mac CÁRTHAIGH
Ard-Rúnaí an Rialtais

BAILE ÁTHA CLIATH,
An 30ú lá seo de Mhárta, 2006.

[9]

ÓGLAIGH NA hÉIREANN

Ag gníomhú di ar chomairle an Rialtais, tá an tUachtarán tar éis glacadh, i ngach cás, ón 28 Márta, 2006, leis na tairiscintí éirí as a gcoimisiún mar oifigeach de na hÓglaigh Cúlta a rinne

An Leifteanant-Cheannasaí Micheál Mac Graith
(Lieutenant Commander Michael Francis Gerard McGrath)

An Leifteanant Pilib Ó Casáide
(Lieutenant Philip Mary Martin Cassidy)

An Leifteanant Risteárd de Núinnseann
(Lieutenant Richard David Nugent)

agus

An Dara-Leifteanant Glenn Hudson
(Second-Lieutenant Glenn Robert Hudson)

D. Mac CÁRTHAIGH
Ard-Rúnaí an Rialtais

BAILE ÁTHA CLIATH,
An 30ú lá seo de Márta, 2006.

[10]

APPOINTMENT OF MEMBERS TO THE MEDICAL
BUREAU OF ROAD SAFETY

The Minister for Transport has announced that he has appointed the following persons to be members of the Medical Bureau of Road Safety for a three year period from 1 April 2006:

Professor Cecily Kelleher (Chairperson);

Dr. Niall McNamara;

Ms Hilary Dalton.

[11]

INDUSTRIAL RELATIONS ACT 1969

In pursuance of Section 13 of the Industrial Relations Act 1969 the Minister for Labour Affairs has appointed Mr. John Tierney as a Rights Commissioner for the period 3 April 2006 to 2 April 2009.

SEAN GORMAN,
Secretary General,
Department of Enterprise, Trade and Employment.

[13]

Advertisement of Cancelling

NAME OF SOCIETY: WICKLOW IT CO-OPERATIVE
SOCIETY LIMITED

NOTICE IS HEREBY GIVEN that the Registrar of Friendly Societies has, pursuant to the Industrial and Provident Societies Acts 1893 to 1978, this day CANCELLED the Registry of, **Wicklow IT Co-Operative Society Limited** (Reg. No. 5037R), held at Saville House, Saville Cross, Rathdrum, Co. Wicklow, at it's request.

The Society (subject to the right of appeal given by the said Acts) ceases to enjoy the privileges of a registered Society, but without prejudice to any liability incurred by the Society, which may be enforced against it as if such cancelling had not taken place.

Dated the 29th day of March, 2006.

PAUL FARRELL,
Registrar of Friendly Societies.

[14]

FÓGRA
(Notice)

Do shíniú an tUachtarán an Bille i gcóir an Achta a luaitear thíos ar an 31ú lá de Mhárta, 2006 agus tá sé ina dhlí dá réir sin.

The Bill for the undermentioned Act was signed by the President on the 31st day of March, 2006 and has accordingly become law.

FINANCE ACT 2006
(No. 6 of 2006)

BRIAN McCARTHY
Rúnaí an Uachtaráin
(Secretary to the President)

An 31ú lá seo de Mhárta, 2006. | This 31st day of March, 2006.

[23]

ADVERTISEMENT FOR FINAL MEETING

IN THE MATTER OF

TEA TREE LIMITED
(In Voluntary Liquidation)

AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2005

Notice is hereby given pursuant to Section 263 of the Companies Act 1963 that a general meeting of the above mentioned Company will be held at 181 Howth Road, Killester, Dublin 3 on the 15th May, 2006 at 2.00 p.m. for the purpose of having an account laid before it showing the manner in which the Winding Up has been conducted and the property of the Company has been disposed of and of hearing any explanation which may be given by the Liquidator, and further, pursuant to Section 305 of the Companies Act 1963 for the purpose of directing by Special Resolution, the manner in which the books, accounts and papers of the Company and of the Liquidator shall be disposed of.

Dated this 5th day of April, 2006.

FRANK O'MAHONY,
Liquidator.181 Howth Road,
Killester,
Dublin 3.

ADVERTISEMENT FOR FINAL MEETING

IN THE MATTER OF

D C PRODUCTIONS LIMITED
(In Voluntary Liquidation)

AND IN THE MATTER OF

THE COMPANIES ACTS 1963-2005

Notice is hereby given pursuant to Section 263 of the Companies Act 1963 that a general meeting of the above mentioned Company will be held at 181 Howth Road, Killester, Dublin 3 on the 15th May, 2006 at 11.00 a.m. for the purpose of having an account laid before it showing the manner in which the Winding Up has been conducted and the property of the Company has been disposed of and of hearing any explanation which may be given by the Liquidator, and further, pursuant to Section 305 of the Companies Act 1963 for the purpose of directing by Special Resolution, the manner in which the books, accounts and papers of the Company and of the Liquidator shall be disposed of.

Dated this 5th day of April, 2006.

FRANK O'MAHONY,
Liquidator.181 Howth Road,
Killester,
Dublin 3.

[8]

IN THE MATTER OF
ORBO TECHNOLOGIES LIMITED
AND IN THE MATTER OF
THE COMPANIES ACTS 1963-2005

At a General Meeting of the Members of the said Company, duly convened and held at The Harcourt Hotel, 60 Harcourt Street, Dublin 2 on the 30th day of March, 2006, the following Ordinary Resolutions were duly passed:

“That it has been proved to the satisfaction of this meeting that the Company cannot by reason of its liabilities continue its business and that the Company be wound up voluntarily.”

“That Michael Pomeroy, of Barr Pomeroy, Chartered Accountants, be and is hereby appointed as Liquidator of the Company for the purpose of the voluntary Winding Up.”

“Subject to the Creditors’ meeting appointing a Committee of Inspection, that Tom Byrne be appointed a member of the Committee of Inspection.”

Dated this 30th day of March 2006.

MICHAEL J POMEROY,
Liquidator.

[15]

IN THE MATTER OF
THE COMPANIES ACTS 1963-2005
AND IN THE MATTER OF

MICHAEL WILLIAMS (CORK) LIMITED
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the above named Company duly convened and held at Drom an Oir, Rushbrooke, Cobh, Co. Cork on 24 March 2006 the following Ordinary Resolution was duly passed:—

“That it has been proven to the satisfaction of the meeting that the Company, by reason of its liabilities, cannot continue its business and that it be wound up as a voluntary Winding Up and that Finbarr Donohue of 3R Associates, Enterprise House, Marina Commercial Park, Centre Park Road, Cork be and is hereby appointed Liquidator for the purpose of such Winding Up.”

Edmond P. Cahill of O'Brien Cahill & Co., Chartered Accountants, Grattan House, 29-31 Washington Street Cork was appointed Liquidator of the Company pursuant to Resolution of the Creditors of the Company pursuant to Section 266 Companies Act 1963 passed on the same day.

EDMOND P. CAHILL,
Liquidator.

Dated 29 March 2006.

[16]

IN THE MATTER OF
 CHINSALI LIMITED
 (In Voluntary Liquidation)
 AND IN THE MATTER OF
 THE COMPANIES ACTS 1963-2005

At an Extraordinary General Meeting of the above named Company, duly convened and held at Greenogue Industrial Estate, Rathcoole, Co. Dublin at 4.30 p.m. on the 20th day of March 2006, the following Resolution was duly passed as a Special Resolution:—

“That the Company be wound up as a Members Voluntary Winding Up and that Michael P O’Toole, of 1 Stokes Place, St. Stephen’s Green, Dublin 2 be and he is hereby appointed Liquidator of the Company for the purpose of such Winding Up and that he be and is hereby authorised, in accordance with the Memorandum and Articles of Association of the Company, to distribute among the Members of the Company in specie the whole or any part of the assets of the Company.”

Dated this 29th day of March 2006.

MICHAEL P. O’TOOLE,
 Liquidator.
 1 Stokes Place,
 St. Stephen’s Green,
 Dublin 2.

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

[17]

2006/93 COS

IN THE MATTER OF
 SHOP TO SHOP LIMITED
 (In Examination)
 (Under the Company’s (Amendment) Act 1990)
 (As Amended)
 (“the Company”)

AND IN THE MATTER OF
 THE COMPANIES ACTS 1963-2005

NOTICE OF APPOINTMENT OF AN EXAMINER

TAKE NOTICE that upon the presentation of a Petition to the High Court of Thursday March 16th 2006 and upon hearing the Petition, the Schedules thereto and the Grounding Affidavit of Anna Vocella and Vincenzo Vecella by Order of the Mr. Justice Smith sitting in the High Court in Dublin on the Friday March 24th 2006 Mr. Kieran McCarthy of Hughes Blake, 72 Upper

Leeson Street, Dublin 4 was appointed as the Examiner to the Company.

Signed:
 LYONS SOLICITORS,
 Solicitors for the Examiner,
 57 Fitzwilliam Square,
 Dublin 2.

[18]

IN THE MATTER OF
 THE COMPANIES ACTS 1963-2005
 AND IN THE MATTER OF
 ASTRAL MEATS LIMITED

Notice is hereby given pursuant to S252 of the Companies Act 1963 that by Resolution in writing of all the Members of the above Company dated 23 March 2006 the following Special Resolution was passed:

“That the Company be wound up voluntarily and that Finbarr Donohue of 3R Associates, Enterprise House, Marina Commercial Park, Centre Park Rd, Co. Cork be and he is hereby appointed Liquidator of the Company for the purposes of the voluntary Winding-Up”

Notice is further given that all Creditors of the Company are required, on or before 8 May 2006 to prove their debts by sending to the Liquidator written statements of the amounts they claim to be due to them by the Company and if so requested, to provide such further details and documentation as may be requested by the Liquidator. Any creditor failing to prove the claimed debt before the date mentioned above will be excluded from any distribution to be made to Creditors.

Dated this 30 day of March 2006.

Signed:
 FINBARR DONOHUE,
 Liquidator.

Note: All admitted Creditors have been or will be paid in full.

[19]

IN THE MATTER OF
THE COMPANIES ACTS 1963-2005
AND IN THE MATTER OF
LVL (2002) LIMITED
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the Members of the above Company, duly convened and held on the 15th day of March 2006, the following Resolution was passed as a Special Resolution:

“That the Company be wound up voluntarily as a Members’ Voluntary Winding Up and that Mr. David Hughes of Ernst & Young be appointed Liquidator for the purposes of such Winding Up and that the Liquidator be authorised to distribute the whole or any part of the assets of the Company in specie or otherwise as he may think fit.”

Dated 24th March 2006.

DAVID HUGHES,
Liquidator.

[20]

IN THE MATTER OF
THE COMPANIES ACTS 1963-2005
AND IN THE MATTER OF
MELIORA LIMITED
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the Members of the said Company, duly convened and held on 16th March 2006, the following Special Resolution was duly passed:

“That the Company be wound up voluntarily as a Members’ Voluntary Winding Up and that Jim Hamilton of BDO Simpson Xavier be appointed Liquidator for the purposes of such Winding Up and that the Liquidator be authorised to distribute all or any part of the surplus assets of the Company in specie or otherwise as he may think fit”.

Dated: 31st March 2006.

JIM HAMILTON,
Liquidator,
BDO Simpson Xavier,
Beaux Lane House,
Mercer Street Lower,
Dublin 2.

IN THE MATTER OF
MELIORA LIMITED
(In Voluntary Liquidation)
AND IN THE MATTER OF
THE COMPANIES ACTS 1963-2005

Notice is hereby given that all Creditors of the above named Company should send details of any outstanding claims to the Liquidator, Mr. Jim Hamilton of BDO Simpson Xavier, Chartered Accountants, Beaux Lane House, Mercer Street Lower, Dublin 2 to be received no later than 5th May 2006 at 4.00 p.m.

Dated: 31st March 2006.

JIM HAMILTON,
Liquidator.

NOTE: “This is a Members’ Voluntary Winding Up”.

[21]

THE COMPANIES ACTS 1963-2003
SPECIAL RESOLUTION
OF
ROTHBURY SUITINGS LIMITED
(In Voluntary Liquidation)

At an Extraordinary General Meeting of the Members of the above named Company, duly convened and held at Kildress House, Pembroke Row, Lower Baggot Street, Dublin 2 on 23 March 2006, the following Resolution was duly passed:

“That the Company be wound up as a Members Voluntary Winding Up and that Mr. Pat Buckley of Riverview Business Centre, Dublin Road, Celbridge, Co. Kildare be and he is hereby appointed Liquidator for such purpose and that he be and is hereby authorized to divide among the Members of the Company in specie the whole or any part of the assets of the Company”.

Dated this 29 day of March 2006.

PAT BUCKLEY,
Liquidator,
McGrath & Co.,
Chartered Accountants,
Riverview Business Centre,
Dublin Road,
Celbridge,
Co. Kildare.

[22]



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