



SEANAD ÉIREANN

**AN BILLE UM CHÚRAM LEANAÍ (LEASÚ) 2006
CHILD CARE (AMENDMENT) BILL 2006**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM CHÚRAM LEANAÍ (LEASÚ) 2006 —AN TUARASCÁIL

CHILD CARE (AMENDMENT) BILL 2006 —REPORT

*Leasuithe
Amendments*

**Government Amendments are distinguished by an asterisk.*

- *1.** In page 3, lines 29 and 30, to delete “continuous”.
—*Senators Mary Henry, Joe O’Toole.*
- 2.** In page 3, line 30, to delete “five” and substitute “three”.
—*Senators Fergal Browne, Brian Hayes.*
- 3.** In page 3, line 33, after “application,” to insert the following:

“and which has been interrupted for not more than one month on more than three occasions.”
—*Senators Mary Henry, Joe O’Toole.*
- 4.** In page 4, lines 8 to 10, to delete all words from and including “a” in line 8 down to and including “time” in line 10 and substitute “the parents of the child”.
—*Senators Brendan Ryan, Kathleen O’Meara, Derek McDowell, Joanna Tuffy, Michael McCarthy.*
- 5.** In page 4, lines 16 to 18, to delete all words from and including “a” in line 16 down to and including “time” in line 18 and substitute “the parents of the child”.
—*Senators Brendan Ryan, Kathleen O’Meara, Derek McDowell, Joanna Tuffy, Michael McCarthy.*
- *6.** In page 4, between lines 24 and 25, to insert the following:

“(3) In determining whether a foster parent or relative has been taking care of a child for the period required by subsection (2)(a), any interruption of the placement during that period shall be disregarded unless the total number of days of interruption, whether consecutive or not, exceeds 30.”
- *7.** In page 4, to delete line 25 and substitute the following:

“(4) The requirement of subsection (2)(d) as to”.
- *8.** In page 4, to delete line 33 and substitute the following:

“(5) Subject to any conditions or restrictions”.
- *9.** In page 4, line 34, to delete “subsection (5)” and substitute “subsection (6)#”.

[#This is the appropriate reference if earlier amendments are accepted.]

***10.** In page 5, to delete line 7 and substitute the following:

“(6) In granting the order, the court may impose”.

***11.** In page 5, to delete line 11 and substitute the following:

“(7) Any consent given by a foster parent or”.

12. In page 5, between lines 18 and 19, to insert the following:

“(7) Where a consent is given under subsection (6), the foster parent or relative of the child shall inform the Health Service Executive as soon as may be reasonable.”.

—*Senators Fergal Browne, Brian Hayes.*

***13.** In page 5, to delete line 19 and substitute the following:

“(8) In the absence of a consent referred to in”.

***14.** In page 5, line 20, to delete “subsection (4)” and substitute “subsection (5)#”.

[#*This is the appropriate reference if earlier amendments are accepted.*]

***15.** In page 5, to delete line 25 and substitute the following:

“(9) Nothing in this section or section 18 shall”.

***16.** In page 5, to delete line 30 and substitute the following:

“(10) Any arrangement that is in place or order”.

17. In page 5, line 30, to delete “Any” and substitute the following:

“Section 37 applies to any child who is the subject of an order under this section and in particular any”.

—*Senators Brendan Ryan, Kathleen O'Meara, Derek McDowell, Joanna Tuffy, Michael McCarthy.*

***18.** In page 5, between lines 41 and 42, to insert the following:

“(11) Subsection (10)# is without prejudice to the jurisdiction of the court to make, at any time, an order under section 37 with respect to access to the child or to vary or discharge such an order, including an order continued or varied pursuant to that subsection.”.

[#*This is the appropriate reference if earlier amendments are accepted.*]

***19.** In page 5, to delete line 42 and substitute the following:

“(12) This section and section 43B are without”.

***20.** In page 5, to delete line 48 and substitute the following:

“(13) For the purpose of this section and section”.

21. In page 6, between lines 5 and 6, to insert the following:

“(12) In this section, “missing”, in respect of a parent, means a parent who has had no contact whatsoever with either the child or the Health Service Executive for a continuous period of at least 1 year.”.

—*Senators Fergal Browne, Brian Hayes.*

22. In page 6, lines 13 and 14, to delete “having custody of the child concerned at the relevant time” and substitute “of the child”.

—*Senators Brendan Ryan, Kathleen O'Meara, Derek McDowell, Joanna Tuffy, Michael McCarthy.*

23. In page 6, between lines 18 and 19, to insert the following:

“(e) a person who, in the opinion of the court, has a *bona fide* interest in the child.”.

—*Senators Brendan Ryan, Kathleen O'Meara, Derek McDowell, Joanna Tuffy, Michael McCarthy.*