



SEANAD ÉIREANN

AN BILLE UM PÁIRTNÉIREACHT SHIBHIALTA AGUS UM CHEARTA AGUS OIBLEAGÁIDÍ ÁIRITHE DE CHUID COMHCHÓNAITHEOIRÍ 2009

CIVIL PARTNERSHIP AND CERTAIN RIGHTS AND OBLIGATIONS OF COHABITANTS BILL 2009

*athraithe ó
changed from*

AN BILLE UM PÁIRTNÉIREACHT SHIBHIALTA 2009 CIVIL PARTNERSHIP BILL 2009

LEASUITHE TUARASCÁLA REPORT AMENDMENTS

SEANAD ÉIREANN

AN BILLE UM PÁIRTNÉIREACHT SHIBHIALTA AGUS UM CHEARTA
AGUS OIBLEAGÁIDÍ ÁIRITHE DE CHUID COMHCHÓNAITHEOIRÍ
2009
—AN TUARASCÁIL

CIVIL PARTNERSHIP AND CERTAIN RIGHTS AND OBLIGATIONS OF
COHABITANTS BILL 2009
—REPORT

*Leasuithe
Amendments*

1. In page 49, to delete lines 21 to 26 and substitute the following:

“the estate shall be distributed in equal shares to the surviving civil partner and each of the children of the deceased civil partner”.

—*Senators John Hanafin, Labhras Ó Murchú, Jim Walsh.*

2. In page 56, between lines 19 and 20, to insert the following:

“(4) The Act of 2000 is amended by inserting:

“Nothing in this Act, or in the Acts amended by this Act, shall prohibit a religious, educational, social or community organisation, which is under the direction or control of a body established for religious purposes or whose objectives include the provision of services in an environment which promotes certain religious values, from refusing to provide property, goods or services that assist or promote the solemnisation or celebration of any civil partnership or marriage, or provide counselling or other services that directly facilitate the perpetuation of any civil partnership or marriage, where such refusal is reasonably necessary to prevent the undermining of the religious ethos of the institution.”.

—*Senators John Hanafin, Labhras Ó Murchú, Jim Walsh.*

3. In page 56, between lines 19 and 20, to insert the following subsections:

“(4) Section 16 of the Act of 2000 is amended by inserting subsection (3) as follows:

“(3) A religious institution or an educational, social or community organisation which is under the direction or control of a body established for religious purposes or whose objectives include the provision of services in an environment which promotes certain religious values shall not be taken to discriminate against a person on the marital or civil status ground or on the sexual orientation ground if—

(a) the institution or organisation does not provide goods or services—

(i) that assist or relate to the solemnisation of a marriage or the registration of a civil partnership or to matters directly related to the occasion of such a solemnisation or registration, or

[]

(ii) that involve or relate to relationship counselling or adoption services,

and,

(b) the decision not to provide such goods and services is reasonably necessary to prevent the institution or organisation from undermining its own religious ethos.”.

(5) Section 16 of the Act of 2000 is amended by inserting subsections (4) and (5) as follows:

“(4) Any private individual, sole proprietor or small business shall not be taken to discriminate against a person on the marital or civil status ground or on the sexual orientation ground if—

(a) the private individual, sole proprietor or small business does not provide goods or services that assist or relate to the solemnisation of a marriage or the registration of a civil partnership or to matters directly related to the occasion of such a solemnisation or registration, and

(b) the decision not to provide such goods and services is based on a conscientious objection on the part of the private individual, sole proprietor or owner of the small business to the said solemnisation or registration which is grounded in a sincerely held religious or ethical belief.

(5) For the purposes of subsection (4)—

(a) A ‘private individual’ does not include any person employed by the State or acting for or on behalf of the State.

(b) A ‘small business’ is a legal entity other than a natural person that —

(i) provides services which are primarily performed by an owner of the business; or

(ii) has 10 or fewer employees.”.”.

—*Senators Rónán Mullen, Feargal Quinn.*

4. In page 86, between lines 27 and 28, to insert the following:

“(2) For the purposes of this Part, a cohabitant is also one of two or more adults (whether of the same or the opposite sex) who live together in non-conjugal but caring dependant relationship and who are related to each other within the prohibited degrees of relationship for marriage and civil partnership.”.

—*Senators John Hanafin, Labhras Ó Murchú, Jim Walsh.*