



**SEANAD ÉIREANN**

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**AN BILLE FÁN NGNÍOMHAIREACHT UM LEANAÍ AGUS  
AN TEAGHLACH, 2013  
CHILD AND FAMILY AGENCY BILL 2013**

**LEASUITHE COISTE  
COMMITTEE AMENDMENTS**

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# SEANAD ÉIREANN

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## AN BILLE FÁN nGNÍOMHAIREACHT UM LEANAÍ AGUS AN TEAGHLACH, 2013 —AN COISTE

### CHILD AND FAMILY AGENCY BILL 2013 —COMMITTEE STAGE

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#### *Leasuithe Amendments*

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#### SECTION 8

1. In page 12, line 16, after “the” to insert “educational welfare”.

—*Senators Terry Leyden, Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

2. In page 12, line 16, after “children” to insert “by facilitating all services to engage in prevention and early intervention practice”.

—*Senator Terry Leyden.*

3. In page 12, line 17, to delete “families” and substitute the following:

“all families and the role of parents or guardians therein as integral to the achievement of *paragraph (b)* above”.

—*Senator Terry Leyden.*

4. In page 12, between lines 26 and 27, to insert the following:

“(h) ensure the protection from harm to a child from all forms of neglect and abuse.”.

—*Senators Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

5. In page 13, line 12, to delete “and accountability” and substitute “accountability and consistency”.

—*Senator Terry Leyden.*

#### SECTION 9

6. In page 13, to delete lines 30 to 32 and substitute the following:

“9. (1) The Agency shall, when making decisions in relation to the performance of its functions under *section 8(1)(a), (b) or (c)*, in respect of an individual child or family, regard the best interests of the child as a primary consideration.”.

—*Senators Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

[SECTION 9]

7. In page 13, lines 30 to 32, to delete all words from and including “when” in line 30 down to and including “matters” in line 32 and substitute the following:

“in performing its functions under *section 8(1)(a), (b) or (c)* in respect of an individual child or family, regard the best interests of the child as the primary consideration”.

—*Senator Terry Leyden.*

8. In page 13, line 35, after “2010,” to insert “whether in proceedings before a court or otherwise,”.

—*Senator Terry Leyden.*

9. In page 13, lines 38 and 39, to delete “*section 8(1)(a), (b) or (c)*, ensure that consideration is given to the views of children” and substitute the following:

“*section 8(1)* ensure that due consideration is given to the views of children as part of any consultation processes undertaken”.

—*Senator Terry Leyden.*

10. In page 13, line 40, to delete “under” and in page 14, to delete lines 1 to 4 and substitute the following:

“under *section 8(1)(a), (b) or (c)*, whether in proceedings before a court or otherwise ensure that the views of that individual child, where that child is capable of forming and expressing his or her own views, be ascertained and given due weight in accordance to the age and maturity of the child.”.

—*Senator Terry Leyden.*

SECTION 39

11. In page 31, between lines 4 and 5, to insert the following:

“(3) The Agency must advise the Board, on an annual basis, of gifts accepted that are above the value of €500.”.

—*Senators Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

SECTION 47

12. In page 34, line 34, after “to” to insert “the Board of”.

—*Senators Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

13. In page 35, lines 8 and 9, to delete “judgment in a particular case in the performance by the Agency of its functions” and substitute the following:

“judgement in a particular case in the performance by the Agency of its functions and must be in accordance with *section 8* and *section 9*”.

—*Senators Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

[SECTION 55]

SECTION 55

14. In page 39, line 39, after “of” where it firstly occurs to insert “the Board and”.

—*Senators Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

SECTION 69

15. In page 48, line 31, after “Children” to insert “or the Health Information and Quality Authority”.

—*Senator Terry Leyden.*

16. In page 48, between lines 35 and 36, to insert the following:

“(3) The Health Information and Quality Authority shall have an oversight role in the performance of the Agency and its functions as set out in *section 8* of this Act.”.

—*Senator Terry Leyden.*

SECTION 92

17. In page 55, line 10, after “day-care” to insert “, naíonra”.

—*Senators Terry Leyden, Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

18. In page 55, line 20, after “day-care” to insert “, naíonra”.

—*Senators Terry Leyden, Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

19. In page 59, line 20, to delete “and welfare” and substitute “welfare and promote the development”.

—*Senators Terry Leyden, Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

20. In page 60, to delete lines 29 to 39.

—*Senators Jillian van Turnhout, Fiach MacConghail, Mary Ann O'Brien and Katherine Zappone.*

21. In page 60, to delete lines 34 to 39.

—*Senator Terry Leyden.*