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**An Bille um Ombudsman do Leanaí (Leasú), 2014**  
**Ombudsman for Children (Amendment) Bill 2014**

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*Mar a tionscnaíodh*

*As initiated*

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**AN BILLE UM OMBUDSMAN DO LEANAÍ (LEASÚ), 2014  
OMBUDSMAN FOR CHILDREN (AMENDMENT) BILL 2014**

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*Mar a tionscnaíodh*

*As initiated*

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1. Amendment of section 8 of Act of 2002
2. Amendment of section 11 of Act of 2002
3. Short title

ACT REFERRED TO

Ombudsman for Children Act 2002 (No. 22)



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**AN BILLE UM OMBUDSMAN DO LEANAÍ (LEASÚ), 2014**  
**OMBUDSMAN FOR CHILDREN (AMENDMENT) BILL 2014**

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# Bill

*entitled*

An Act to require the making of an order which will allow parents of children enrolled in public schools to seek an independent, impartial review of any administrative decision made by the relevant board of management or school patron from the Ombudsman for Children to ensure that all managerial decisions are made in compliance with directives and circulars issued by the Department of Education and to ensure the child is at the centre of all such decisions; for that purpose to amend the Ombudsman for Children Act 2002 and to provide for related matters.

**Be it enacted by the Oireachtas as follows:**

**Amendment of section 8 of Act of 2002**

1. The Ombudsman for Ombudsman for Children Act 2002 is amended by substituting the following for section 8:
  - “8. Subject to this Act, the Ombudsman for Children may investigate any action or administrative decision taken (being an action taken in the performance of administrative functions) by or on behalf of a board of management or other public body subsequent to a formal request from the legal guardian of a child. The Ombudsman for Children may investigate any matter reported where—
    - (a) a parent or guardian feels the action or decision has or may have adversely affected a child, and
    - (b) the action was or may have been—
      - (i) taken without proper authority,
      - (ii) taken on irrelevant grounds,
      - (iii) the result of negligence or carelessness,
      - (iv) based on erroneous or incomplete information,
      - (v) improperly discriminatory,
      - (vi) based on an undesirable administrative practice,

- (vii) otherwise contrary to fair or sound administration, or
- (viii) taken without considering best practice or Department of Education circulars.”.

**Amendment of section 11 of Act of 2002**

2. The Ombudsman for Children Act 2002 is amended by substituting the following for section 11(1)(c): 5

“(c) relating to recruitment or any salaried appointment of an individual to any office or employment in a Department of State or by any other public body, school or voluntary hospital, but not including voluntary positions which are available to the public body at no additional cost,”. 10

**Short title**

3. This Act may be cited as the Ombudsman for Children (Amendment) Act 2014.



An Bille um Ombudsman do Leanaí (Leasú),  
2014

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# BILLE

*(mar a tionscnaíodh)*

*dá ngairtear*

Acht dá cheangal ordú a dhéanamh lena gceadófar do thuismitheoirí leanaí atá rollaithe i scoileanna poiblí athbheithniú neamhspleách neamhchlaon a lorg ón Ombudsman do Leanaí ar aon bhreith riaracháin arna déanamh ag an mbord bainistíochta iomchuí nó ag an bpatrún scoile iomchuí chun a chinntiú gur de réir treoracha agus ciorcláin arna n-eisiúint ag an Roinn Oideachais a dhéanfar gach breith bainistíochta agus chun a chinntiú go mbeidh an leanbh i gcroílár gach breithe den sórt sin; chun na críche sin, do leasú an Achta um Ombudsman do Leanaí, 2002 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

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*An Teachta Séamus Ó Dálaigh a thug isteach,*  
8 Bealtaine, 2014

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Ombudsman for Children (Amendment) Bill  
2014

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# BILL

*(as initiated)*

*entitled*

An Act to require the making of an order which will allow parents of children enrolled in public schools to seek an independent, impartial review of any administrative decision made by the relevant board of management or school patron from the Ombudsman for Children to ensure that all managerial decisions are made in compliance with directives and circulars issued by the Department of Education and to ensure the child is at the centre of all such decisions; for that purpose to amend the Ombudsman for Children Act 2002 and to provide for related matters.

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*Introduced by Deputy Jim Daly,*  
8th May, 2014

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BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2.  
(Tel: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
no trí aon díoltóir leabhar.

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DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

€1.27

ISBN 978-1-4468-0707-1



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