



DÁIL ÉIREANN

**AN BILLE UM THITHE AN OIREACHTAIS (CEAPACHÁIN
CHUIG OIFIGÍ ÁIRITHE), 2014**

**HOUSES OF THE OIREACHTAS (APPOINTMENTS TO
CERTAIN OFFICES) BILL 2014**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

DÁIL ÉIREANN

AN BILLE UM THITHE AN OIREACHTAIS (CEAPACHÁIN CHUIG OIFIGÍ ÁIRITHE), 2014 —AN TUARASCÁIL

HOUSES OF THE OIREACHTAS (APPOINTMENTS TO CERTAIN OFFICES) BILL 2014 —REPORT

Leasuithe Amendments

1. In page 3, to delete lines 10 to 34, and in page 4, to delete lines 1 to 5 and substitute the following:

“Amendment of the Staff of the Houses of the Oireachtas Act 1959 and the Houses of the Oireachtas Commission Act 2003

1. (1) In this section—

‘ Act of 1959 ’ means the Staff of the Houses of the Oireachtas Act 1959;

‘ Act of 2003 ’ means the Houses of the Oireachtas Commission Act 2003;

‘ Act of 2009 ’ means the Houses of the Oireachtas Commission (Amendment) Act 2009.

- (2) The Act of 1959 is hereby amended by the deletion of sections 5 and 6.
- (3) The Act of 2003 is hereby amended by the deletion of section 15 (as amended by section 11 of the Act of 2009) and the substitution therefor of the following sections:

“Appointment of the Secretary General

15. (1) The Secretary General of the Service (in this Act referred to as the ‘Secretary General’) is the chief executive of the Commission.

- (2) The Secretary General shall be the principal officer of the Service and the officer accountable for the accounts of the Commission for the purposes of the Comptroller and Auditor General Acts 1866 to 1998.

- (3) Subject to subsection (4), the Secretary General shall be appointed by the Commission following consultation by the Chairman of Dáil Éireann with leaders or designated leaders of groups or parties in either House of the Oireachtas who are not represented on the membership of the Commission at that time.

- (4) The selection of a candidate for appointment as Secretary General shall be by means of an open competition, by the committee known as the Top Level Appointments Committee, who shall recommend, in

order of preference, not more than three persons for appointment to the Houses of the Oireachtas Commission, provided if the Commission fail to agree to the recommendation of any of the persons for appointment, then a new competition for the vacancy shall be held and the provisions of this section shall apply accordingly.

- (5) For the purposes of this section an open competition shall mean a competition whose terms with respect of the eligibility of persons to compete in it shall not be such as to limit such eligibility to persons who are civil servants.

Assignment of Clerk and Clerk-Assistant functions in each House

- 15A.** (1) The functions of the Clerk of Dáil Éireann may be assigned from time to time from among the staff of the Commission by the Chairman of Dáil Éireann in consultation with the leaders or designated leaders of the parties or groups in Dáil Éireann and the Commission.
- (2) The functions of Clerk of Seanad Éireann may be assigned from time to time from among the staff of the Commission by the Chairman of Seanad Éireann in consultation with the leaders of the groups in Seanad Éireann and the Commission.
- (3) The functions of Clerk-Assistant of Dáil Éireann and the Clerk-Assistant of Seanad Éireann may be assigned from time to time from among the staff of the Commission by the Secretary General following consultation with the relevant Chairman of the House of the Oireachtas.”.”.

—Shane Ross.

2. In page 3, to delete lines 15 to 28 and substitute the following:

- “5. (1) The appointment of a person to be the Clerk of Dáil Éireann shall be by the Chairman of Dáil Éireann upon resolution passed by Dáil Éireann recommending the appointment of that person subject to the following:
- (a) the selection of a candidate for appointment as Secretary General shall be by means of an open competition, by the committee known as the Top Level Appointments Committee, who shall recommend, in order of preference, not more than three persons for appointment to the Commission, provided if the Commission fail to agree to the recommendation of any of the persons for appointment, then a new competition for the vacancy shall be held and the provisions of this section shall apply accordingly; and
- (b) consultation with leaders or designated leaders of groups or parties in Dáil Éireann who are not represented on the membership of the Commission at that time, the Commission shall nominate a person for appointment to Dáil Éireann by motion recommending the appointment of that person.”.

—Shane Ross.

3. In page 3, line 15, after “Clerk” to insert “and Clerk-Assistant”.

—Aengus Ó Snodaigh.

4. In page 3, line 19, after “person” to insert “, for either of the positions,”.

—Aengus Ó Snodaigh.

5. In page 3, line 25, to delete “competition” and substitute “competitions”.

—Aengus Ó Snodaigh.

6. In page 3, to delete lines 29 to 31.

—Aengus Ó Snodaigh.

7. In page 3, line 31, after “Éireann” to insert “following a confined competition”.

—Shane Ross.

8. In page 4, line 5, after “Éireann” to insert “following a confined competition”.

—Shane Ross.

9. In page 4, between lines 29 and 30, to insert the following:

“(6) For the purposes of this section—

- (a) an open competition shall mean a competition whose terms with respect of the eligibility of persons to compete in it shall not be such as to limit such eligibility to persons who are civil servants,
- (b) a confined competition shall mean a competition whose terms with respect to the eligibility of persons to compete in it shall be such as to limit such eligibility to persons who are civil servants, and
- (c) the Commission means the Houses of the Oireachtas Commission.”.

—Shane Ross.

10. In page 4, between lines 29 and 30, to insert the following:

“Houses of the Oireachtas Commission Membership

2. The Houses of the Oireachtas Commission Act 2003 is amended in section 8—

- (a) in subsection (1)(e), by the substitution of “11” for “7”,
- (b) in subsection (3)(a), by the substitution of “7” for “4”,
- (c) in subsection (3)(b), by the substitution of “4” for “3”, and
- (d) by the insertion of the following subsection after subsection (3):

“(3A) Ordinary members of the Houses of the Oireachtas Commission shall as far as possible reflect the diversity of the Dáil and Seanad in terms of political party membership and gender.”.

—Aengus Ó Snodaigh.

11. In page 4, between lines 29 and 30, to insert the following:

“2. The Houses of the Oireachtas Commission Act 2003 is amended in section 8(1) by the insertion of the following new paragraph:

“(f) two non-voting members from among the Houses of the Oireachtas workforce as selected by ballot organised among the workforce by the House of the Oireachtas group of unions in conjunction with both the Clerk of Dáil Éireann and the Clerk of Seanad Éireann.”.”.

—Aengus Ó Snodaigh.

12. In page 5, between lines 11 and 12, to insert the following:

“(5) Assigning responsibility for the management of all accommodation functions, including office accommodation for Members elected to the Houses of the Oireachtas, will be within the power of the Secretary General and the assignee will report to the Houses of the Oireachtas Commission who will oversee and direct the management of this function as appropriate.”.”.

—Billy Timmins, Lucinda Creighton, Terence Flanagan.