



SEANAD ÉIREANN

**AN BILLE UM LEANAÍ AGUS CÓNGAIS TEAGHLAIGH, 2015
CHILDREN AND FAMILY RELATIONSHIPS BILL 2015**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM LEANAÍ AGUS CÓNGAIS TEAGHLAIGH, 2015 —AN TUARASCÁIL

CHILDREN AND FAMILY RELATIONSHIPS BILL 2015 —REPORT STAGE

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

1. In page 11, to delete lines 1 to 36, and in page 12, to delete lines 1 to 35.

—Senators Rónán Mullen, Feargal Quinn, Jim Walsh.

2. In page 11, to delete lines 10 to 18 and substitute the following:

“ “DAHR procedure” means a donor-assisted human reproduction procedure, being any procedure performed in a Member State of the European Union including the State, with the objective of it resulting in the implantation of an embryo in the womb of the woman on whose request the procedure is performed, where—

- (a) one of the gametes from which the embryo has been or will be formed has been provided by a donor,
- (b) each gamete from which the embryo has been or will be formed has been provided by a donor, or
- (c) the embryo has been provided by a donor,

provided that, where the procedure is performed in a Member State of the European Union other than the State—

- (i) the person who performed the procedure was authorised to do so under the law of the place where the procedure was performed,
- (ii) the person who performed the procedure and the facility in which the procedure was performed was, at the time of the procedure, fully compliant with the requirements of Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells, and
- (iii) the person who performed the procedure and the facility in which the procedure was performed has fully complied with all relevant requirements of this Part and of *Part 3*, as if the procedure was performed in the State;”.

—*Senators Averil Power, Diarmuid Wilson.*

3. In page 13, to delete lines 1 to 36.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

4. In page 13, line 5, to delete “, civil partner or cohabitant, as the case may be,”.

—*Senators Rónán Mullen, Feargal Quinn.*

5. In page 13, to delete lines 6 to 8 and substitute the following:

“(2) A child born as a result of a DAHR procedure shall have two parents.”.

—*Senators Rónán Mullen, Feargal Quinn.*

6. In page 13, after line 36, to insert the following:

“(9) The intending parents of a donor-conceived child must undergo counselling prior to their initiation of DAHR.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

7. In page 14, to delete lines 1 to 35.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

8. In page 14, line 4, to delete “18 years” and substitute “21 years”.

—*Senators Rónán Mullen, Feargal Quinn.*

9. In page 14, between lines 6 and 7, to insert the following:

“(d) provides appropriate documentation certifying that they have received independent counselling on the implications of donating his or her gamete(s).”.

—*Senators Rónán Mullen, Feargal Quinn.*

10. In page 14, to delete lines 36 to 38, and in page 15, to delete lines 1 to 23.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

11. In page 15, line 17, to delete “desirable” and substitute “mandatory”.

—*Senators Rónán Mullen, Feargal Quinn.*

12. In page 15, to delete lines 24 to 31.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

13. In page 15, to delete lines 32 to 38, and in page 16, to delete lines 1 to 27.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

14. In page 16, to delete lines 28 to 35.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

15. In page 16, to delete lines 36 to 38, and in page 17, to delete lines 1 to 35.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

16. In page 18, to delete lines 1 to 8.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
17. In page 18, to delete lines 9 to 30.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
18. In page 18, to delete lines 31 to 38, to delete page 19, and in page 20, to delete lines 1 to 9.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
19. In page 20, to delete lines 10 to 35.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
20. In page 20, to delete lines 36 to 38, to delete page 21, and in page 22, to delete lines 1 to 15.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
21. In page 22, to delete lines 16 to 38, and in page 23, to delete lines 1 to 9.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
22. In page 23, to delete lines 10 to 18.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
23. In page 23, to delete lines 19 to 32.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
24. In page 23, line 30, to delete “any”.
—*Senators Rónán Mullen, Feargal Quinn.*
25. In page 23, to delete lines 33 to 38, and in page 24, to delete lines 1 to 27.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
26. In page 23, to delete all words from and including “that—” in line 37 down to and including line 38, and in page 24, to delete lines 1 to 3 and substitute the following:
“whether the procedure was performed inside or outside the State.”
—*Senators Averil Power, Diarmuid Wilson.*
27. In page 24, lines 8 to 11, to delete all words from and including “procedure—” in line 8 down to and including line 11 and substitute the following:
“procedure was not an intending parent of the child.”
—*Senators Averil Power, Diarmuid Wilson.*
28. In page 24, to delete lines 12 to 14.
—*Senators Averil Power, Diarmuid Wilson.*
29. In page 24, to delete lines 18 and 19 and substitute the following:
“(2) In this section—

“DAHR procedure” includes any act, step or procedure whereby a child is conceived otherwise than as a result of an act of sexual intercourse;”.

—*Senators Averil Power, Diarmuid Wilson.*

30. In page 24, to delete lines 28 to 39, and in page 25, to delete lines 1 to 34.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

31. In page 25, to delete lines 35 to 40, and in page 26, to delete lines 1 to 27.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

32. In page 26, to delete lines 28 to 36, and in page 27, to delete lines 1 to 3.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

33. In page 27, to delete lines 4 to 23.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

34. In page 27, between lines 23 and 24, to insert the following:

“(f) any inheritable diseases and/or conditions which are part of his or her medical history.”.

—*Senators Rónán Mullen, Feargal Quinn.*

35. In page 27, to delete lines 24 to 35, and in page 28, to delete lines 1 to 16.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

36. In page 27, lines 25 to 27, to delete all words from and including “(1) A” in line 25 down to and including line 27.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

37. In page 27, to delete lines 28 to 35, and in page 28, to delete lines 1 to 16 and substitute the following:

“(2) A person shall not perform a DAHR procedure other than on the request of intending parents who are legally married to one another.

(3) A person shall not perform a DAHR procedure on the request of the intending parents unless—

(a) he or she has first obtained the following information in respect of the intending parents—

(i) his and her name,

(ii) his and her date of birth, and

(iii) his and her address and contact details,

and

(b) (i) the intending mother has consented under *section 9* to the parentage under *section 5* of a child born as a result of the procedure, and her declaration

under *section 9(1)(c)* includes a statement referred to in *section 9(3)(d)* in respect of the husband, and

- (ii) the husband has consented under *section 11* to being the parent, under *section 5*, of a child born as a result of the procedure.”.

—*Senators Rónán Mullen, Feargal Quinn.*

38. In page 27, to delete lines 28 to 35, and in page 28, to delete lines 1 to 16 and substitute the following:

“(2) A person shall not perform a DAHR procedure other than on the request of intending parents who are legally married to one another or in a civil partnership with one another or in a cohabiting relationship with one another.

(3) A person shall not perform a DAHR procedure on the request of the intending parents unless—

(a) he or she has first obtained the following information in respect of the intending parents—

- (i) their names,
- (ii) their dates of birth, and
- (iii) their address and contact details,

and

(b) (i) the intending mother has consented under *section 9* to the parentage under *section 5* of a child born as a result of the procedure, and her declaration under *section 9(1)(c)* includes a statement referred to in *section 9(3)(d)* in respect of the husband, civil partner, or cohabitant, as the case may be, and

(ii) the husband, civil partner, or cohabitant, as the case may be, has consented under *section 11* to being the parent, under *section 5*, of a child born as a result of the procedure.”.

—*Senators Rónán Mullen, Feargal Quinn.*

39. In page 28, between lines 16 and 17, to insert the following:

“(4) A person shall not perform a DAHR procedure unless account has been taken of the welfare and best interests of any child who may be born as a result of the treatment.”.

—*Senators Rónán Mullen, Feargal Quinn.*

40. In page 28, to delete lines 17 to 39, and in page 29, to delete lines 1 to 38.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

41. In page 28, between lines 26 and 27, to insert the following:

“(c) the operator of a DAHR facility is certain that the use of the gamete would not exceed the limit on the number of children who may be born as a result of donor gametes from one individual donor. That limit should be a maximum of three births per individual donor.”.

—*Senators Jim Walsh, Rónán Mullen.*

42. In page 29, after line 38, to insert the following:

- “(9) A transition period of 12 months, from the date of enactment, will be allowed for cases where patients have already selected or paid for anonymous sperm donors or have the donation currently in storage in Irish clinics awaiting use in treatment, to complete their treatment cycles.
- (10) A transition period of 12 months, from the date of enactment, will be allowed for cases where individuals have already initiated the process of anonymous egg donation, to complete their treatment cycles.
- (11) A transition period will be allowed for cases of treatment resulting in a sibling child from an anonymous donor for a period of 3 years from the birth of the first child or 3 years from the date of enactment, whichever of the two is longer.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

43. In page 29, after line 38, to insert the following:

- “(9) (a) The operator of a DAHR facility commits an offence if he or she makes or permits to be made an appointment or any other arrangement for or on behalf of an intending parent or parents with a person or facility that provides anonymous gamete donation services outside the State.
- (b) A person who commits an offence under this subsection is liable—
 - (i) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, and
 - (ii) on conviction on indictment to a fine not exceeding €70,000 or imprisonment for a term not exceeding 2 years or both.”.

—*Senators Rónán Mullen, Feargal Quinn.*

44. In page 30, before line 1, to insert the following:

“Prohibition on use of gamete or embryo of related donor

27. The operator of a DAHR facility shall not use or permit to be used in a DAHR procedure a gamete or an embryo provided by a donor where—
- (a) the donor of that gamete or embryo, as the case may be, and the intending parent or any one of the intending parents, as the case may be, are within the prohibited degrees of relationship as set out in *Part 1* of the *Schedule#*, or
 - (b) the donor of that gamete or embryo, as the case may be, and the spouse, civil partner or cohabitant of the intending parent or any one of the intending parents, as the case may be, are within the prohibited degrees of relationship as set out in *Part 2* of the *Schedule#*.”.

—*Senators Rónán Mullen, Feargal Quinn.*

[# *This is a reference to the Schedule proposed to be inserted by amendment 122.*]

45. In page 30, to delete lines 1 to 38.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
46. In page 31, to delete lines 1 to 38, and in page 32, to delete lines 1 to 3.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
47. In page 32, to delete lines 4 to 7.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
48. In page 32, to delete lines 8 to 16.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
49. In page 32, to delete lines 17 to 38, to delete page 33, and in page 34, to delete lines 1 to 14.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
50. In page 34, to delete lines 15 to 40.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
51. In page 34, line 35, after “ability” to insert “and intention”.
—*Senators Rónán Mullen, Feargal Quinn.*
52. In page 34, to delete lines 37 to 40 and substitute the following:
“(6) An operator of a DAHR facility commits an offence if he or she fails in their obligations to comply with *section 28* to the extent of causing the Circuit Court to make an order under *subsection (3)*.
(7) A person who commits an offence under this section is liable—
(a) on summary conviction to a fine not exceeding €3,000, and
(b) on conviction on indictment to a fine not exceeding €100,000.”
—*Senators Rónán Mullen, Feargal Quinn.*
53. In page 35, to delete lines 1 to 18.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
54. In page 35, to delete lines 19 to 33.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*
55. In page 35, line 20, to delete “18 years” and substitute “16 years”.
—*Senators Rónán Mullen, Feargal Quinn.*
56. In page 35, line 21, to delete “18 years” and substitute “16 years”.
—*Senators Rónán Mullen, Feargal Quinn.*
57. In page 35, to delete lines 34 to 37, and in page 36, to delete lines 1 to 28.
—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

58. In page 35, lines 35 to 37, to delete all words from and including “(1) A” in line 35 down to and including line 37 and substitute the following:

“(1) A donor-conceived child who has attained the age of 18 years may request from the Minister the name, date of birth, contact details and up-to-date full medical history of a relevant donor, as recorded and updated in the Register.”.

—*Senators Jim Walsh, Rónán Mullen.*

59. In page 35, line 35, to delete “18 years” and substitute “16 years”.

—*Senators Rónán Mullen, Feargal Quinn.*

60. In page 36, line 13, to delete “sufficient” and substitute “sufficiently grave”.

—*Senators Rónán Mullen, Feargal Quinn.*

61. In page 36, to delete lines 29 to 41, and in page 37, to delete lines 1 to 7.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

62. In page 37, to delete lines 8 to 31.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

63. In page 37, to delete lines 32 to 39, and in page 38, to delete lines 1 to 5.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

64. In page 38, to delete lines 6 to 20.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

65. In page 38, to delete lines 21 to 37.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

66. In page 39, to delete lines 1 to 12.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

67. In page 39, to delete lines 13 to 26.

—*Senators Rónán Mullen, Feargal Quinn, Jim Walsh.*

68. In page 40, to delete lines 8 and 9 and substitute the following:

“(e) the father is a guardian of the child by virtue of section 6D, or

(f) the circumstances set out in subsection (4B) of this section apply;”.

—*Senators Averil Power, Diarmuid Wilson.*

69. In page 41, between lines 17 and 18, to insert the following:

“(4B) The circumstances referred to in paragraph (f) of the definition of ‘father’ in subsection (1) are that the father and mother of the child concerned—

- (a) have not married each other, and
- (b) the father has been registered in a register of births as father of the child,

provided that—

- (i) the father shall not be a guardian by virtue of this subsection until 60 days have passed since the birth of the child, and
 - (ii) the father shall not be a guardian by virtue of this subsection where a declaration has been made under subsection (4C) unless the District Court makes an order declaring the father to be a guardian under subsection (4E).
- (4C) The mother of a child may, within 60 days of the birth of a child, make a statutory declaration in a form to be determined by the Minister that the father of the child is not a guardian of the child by virtue of subsection (4B).
- (4D) Where a mother of a child has made a statutory declaration under subsection (4C), the father may apply to the District Court for an order declaring him to be a guardian of a child.
- (4E) Where an application is made under subsection (4D), the District Court shall grant an order declaring that the father is a guardian of the child, jointly with the mother, unless the court is satisfied, on the balance of probabilities, that—
- (a) the applicant is not the father of the child,
 - (b) allowing the applicant to act as guardian of the child is not in the best interests of the safety of the child or of the mother or both, or
 - (c) the child was conceived as a result of an unlawful act.”.”.

—*Senators Averil Power, Diarmuid Wilson.*

70. In page 43, line 10, to delete “child.”.” and substitute the following:

“child.

- (3) Where an application is made under this section, a rebuttable presumption shall apply that it is in the best interests of the child that his or her parent be appointed a guardian of the child, unless the contrary is clearly established.”.”.

—*Senators Averil Power, Diarmuid Wilson.*

71. In page 43, to delete lines 14 to 18 and substitute the following:

- “**6B.** (1) A man who is, under *section 5(1)(b)* of the *Act of 2015*, the parent of the child, shall be a guardian of the child.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

72. In page 43, to delete line 16.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

73. In page 43, to delete line 23.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

74. In page 43, to delete lines 25 to 31.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

75. In page 44, before line 1, to insert the following:

“Central Register for Statutory Declarations for Joint Guardianship

6C. The Minister shall cause to be established and maintained a register to be known as the Central Register for Statutory Declarations for Joint Guardianship, the purpose of which is to provide protection for the statutory declaration documents which grant guardianship rights to unmarried fathers in respect of their children.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

76. In page 59, between lines 32 and 33, to insert the following:

“Establishment of Court Welfare System

31A. The Minister shall cause to be established a comprehensive court welfare service. The service shall—

- (a) carry out assessments of the child’s welfare and best interests,
- (b) ascertain the views of the child,
- (c) carry out family risk assessments, and
- (d) ensure, where appropriate, that supports and services are available to the child and family including mediation and child contact centres.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

77. In page 78, between lines 1 and 2, to insert the following:

“National Register of Joint Guardianship Statutory Agreements

98. (1) The Minister shall cause to establish and maintain a register to be known as the National Register of Joint Guardianship Statutory Agreements.

(2) The Minister shall make an entry in the Register in respect of each joint guardianship agreement issued under the Guardianship of Children (Statutory Declaration) Regulations, 1998 (S.I. No. 5/1998).

(3) The Minister may prescribe the manner in which the joint guardianship agreements referred to in *subsection (2)* are to be recorded.

(4) The National Register of Joint Guardianship Statutory Agreements will also record

registration of guardianship for fathers who meet the cohabitation criteria in section 6B(3) of the Act of 1964.”.

—*Senators Jillian van Turnhout, Fiach Mac Conghail.*

78. In page 80, to delete lines 12 to 16.

—*Senators Rónán Mullen, Feargal Quinn.*

79. In page 81, between lines 15 and 16, to insert the following:

“Amendment of section 14 of Principal Act

106. Section 14 of the Principal Act is amended by the insertion of the following paragraph after paragraph (c):

“(d) request from the birth mother or guardian her or his preference, if any, for the category of applicant as outlined under section 33(1)(a) (i), 33(1)(a)(i)(ia), 33(1)(a)(i)(ib), 33(1)(a)(ii) and 33(1)(a)(iii) into which the child shall be placed.”.

—*Senators Fidelma Healy Eames, Feargal Quinn.*

80. In page 83, lines 19 and 20, to delete “a married couple, a couple who are civil partners of each other or a cohabiting couple” and substitute “a married couple or a couple who are civil partners of each other”.

—*Senators Rónán Mullen, Feargal Quinn.*

81. In page 83, between lines 21 and 22, to insert the following:

“111. Section 20(4) of the Principal Act is amended by the insertion of the following paragraph after paragraph (b):

“(c) the relevant stated preference, if any, indicated under section 14(d).”.

—*Senators Fidelma Healy Eames, Feargal Quinn.*

82. In page 84, lines 19 and 20, to delete “a married couple, a couple who are civil partners of each other or a cohabiting couple” and substitute “a married couple or a couple who are civil partners of each other”.

—*Senators Rónán Mullen, Feargal Quinn.*

83. In page 84, between lines 20 and 21, to insert the following:

“114. The Principal Act is amended by the insertion of the following section after section 32:

“Requirement of informed consent in respect of certain applicants

32A. Notwithstanding section 20, the Authority shall not make an adoption order in favour of an applicant or applicants, as the case may be, other than an applicant or applicants referred to in section 33(1)(a)(i) or section 33(1)(a)(ii), unless every person whose consent to the making of the adoption order is necessary under section 26 knows, when consenting,

that the applicant or applicants, as the case may be, are not of the kind referred to in the said subparagraphs of section 33(1)(a).”.”.

—*Senators Rónán Mullen, Feargal Quinn.*

84. In page 84, line 24, to delete “subparagraphs” and substitute “subparagraph”.

—*Senators Rónán Mullen, Feargal Quinn.*

85. In page 84, to delete lines 25 and 26 and substitute the following:

“(ia) the applicants are civil partners of each other who are living together and satisfy the Authority that, in the particular circumstances, the adoption is desirable and in the best interests of the child.”.

—*Senators Rónán Mullen, Feargal Quinn.*

86. In page 84, to delete line 27.

—*Senators Rónán Mullen, Feargal Quinn.*

87. In page 84, line 31, to delete “subsections” and substitute “subsection”.

—*Senators Rónán Mullen, Feargal Quinn.*

88. In page 85, lines 15 to 23, to delete all words from and including “(3B) Where” in line 15 down to and including “Authority.” in line 23.

—*Senators Rónán Mullen, Feargal Quinn.*

89. In page 85, lines 25 and 26, to delete “a married couple, a couple who are civil partners of each other or a cohabiting couple” and substitute “a married couple or a couple who are civil partners of each other”.

—*Senators Rónán Mullen, Feargal Quinn.*

90. In page 85, lines 28 and 29, to delete “a married couple, a couple who are civil partners of each other or a cohabiting couple” and substitute “a married couple or a couple who are civil partners of each other”.

—*Senators Rónán Mullen, Feargal Quinn.*

91. In page 85, lines 31 to 33, to delete “a married couple living together, a couple who are civil partners of each other living together or a cohabiting couple” and substitute “a married couple living together or a couple who are civil partners of each other living together”.

—*Senators Rónán Mullen, Feargal Quinn.*

92. In page 85, lines 34 to 36, to delete “a married couple living together, a couple who are civil partners of each other living together or a cohabiting couple” and substitute “a married couple living together or a couple who are civil partners of each other living together”.

—*Senators Rónán Mullen, Feargal Quinn.*

93. In page 85, between lines 36 and 37, to insert the following:

“(f) in subsection (7), by the substitution of “applicants referred to in subsection (1)

(a)(ia) or an applicant referred to in subsection (1)(a)(iii)” for “an applicant referred to in subsection (1)(a)(iii)”.”

—*Senators Rónán Mullen, Feargal Quinn.*

94. In page 85, between lines 36 and 37, to insert the following:

“(f) by inserting after subsection (7) the following subsection:

“(8) In making an order the Authority must act in the best interest of the child (having a mother and a father) and will give preference, in the first instance to married male-female couples, subject to paragraphs (a), (b), (c) and (d) of section 34.”.”

—*Senators Jim Walsh, Rónán Mullen.*

95. In page 85, lines 38 to 40, to delete “a married couple living together, a couple who are civil partners of each other living together or a cohabiting couple” and substitute “a married couple living together or a couple who are civil partners of each other living together”.

—*Senators Rónán Mullen, Feargal Quinn.*

96. In page 86, lines 2 to 4, to delete “a married couple married to each other, a couple who are civil partners of each other or a cohabiting couple” and substitute “a married couple married to each other or a couple who are civil partners of each other”.

—*Senators Rónán Mullen, Feargal Quinn.*

97. In page 86, lines 10 and 11, to delete “a person, a married couple married to each other, a couple who are civil partners of each other or a cohabiting couple” and substitute “a person, a married couple married to each other or a couple who are civil partners of each other”.

—*Senators Rónán Mullen, Feargal Quinn.*

98. In page 86, lines 13 to 15, to delete “a married couple living together, a couple who are civil partners of each other living together or a cohabiting couple” and substitute “a married couple living together or a couple who are civil partners of each other living together”.

—*Senators Rónán Mullen, Feargal Quinn.*

99. In page 86, lines 16 and 17, to delete “the person, married couple, civil partners or cohabiting couple” and substitute “the person, married couple or civil partners”.

—*Senators Rónán Mullen, Feargal Quinn.*

100. In page 86, lines 19 and 20, to delete “the person, the married couple, the civil partners or the cohabiting couple” and substitute “the person, the married couple or the civil partners”.

—*Senators Rónán Mullen, Feargal Quinn.*

101. In page 87, line 7, after “wedlock,” to insert “or”.

—*Senators Rónán Mullen, Feargal Quinn.*

102. In page 87, line 9, to delete “or”.

—*Senators Rónán Mullen, Feargal Quinn.*

- 103.** In page 87, lines 10 and 11, to delete all words from and including “(iii) where” in line 10 down to and including “adopters,” in line 11.
—*Senators Rónán Mullen, Feargal Quinn.*
- 104.** In page 87, line 24, after “wedlock;” to insert “or”.
—*Senators Rónán Mullen, Feargal Quinn.*
- 105.** In page 87, line 26, to delete “or”.
—*Senators Rónán Mullen, Feargal Quinn.*
- 106.** In page 87, lines 27 and 28, to delete all words from and including “(iii) where” in line 27 down to and including “and” in line 28.
—*Senators Rónán Mullen, Feargal Quinn.*
- 107.** In page 87, line 35, after “wedlock;” to insert “or”.
—*Senators Rónán Mullen, Feargal Quinn.*
- 108.** In page 88, line 2, to delete “or”.
—*Senators Rónán Mullen, Feargal Quinn.*
- 109.** In page 88, lines 3 and 4, to delete all words from and including “(III) where” in line 3 down to and including “and” in line 4.
—*Senators Rónán Mullen, Feargal Quinn.*
- 110.** In page 88, line 8, to delete “subparagraphs” and substitute “subparagraph”.
—*Senators Rónán Mullen, Feargal Quinn.*
- 111.** In page 88, lines 12 to 14, to delete all words from and including “(ib) where” in line 12 down to and including “and” in line 14.
—*Senators Rónán Mullen, Feargal Quinn.*
- 112.** In page 88, lines 24 to 30, to delete all words from and including “(9) In” in line 24 down to and including “concerned.” in line 30.
—*Senators Rónán Mullen, Feargal Quinn.*
- 113.** In page 88, line 36, after “wedlock;” to insert “or”.
—*Senators Rónán Mullen, Feargal Quinn.*
- 114.** In page 88, line 39, to delete “or”.
—*Senators Rónán Mullen, Feargal Quinn.*
- 115.** In page 89, lines 1 and 2, to delete all words from and including “(c) where” in line 1 down to and including “couple.” in line 2.
—*Senators Rónán Mullen, Feargal Quinn.*

116. In page 89, to delete line 31 and substitute the following:

“(ii) in subparagraph (iii), by the substitution of “child, or” for “child.”, and”.

—*Senators Rónán Mullen, Feargal Quinn.*

117. In page 89, line 32, to delete “subparagraphs” and substitute “subparagraph”.

—*Senators Rónán Mullen, Feargal Quinn.*

118. In page 89, line 33, to delete “child, or” and substitute “child.”.

—*Senators Rónán Mullen, Feargal Quinn.*

119. In page 90, lines 1 and 2, to delete all words from and including “(v) the” in line 1 down to and including “couple.” in line 2.

—*Senators Rónán Mullen, Feargal Quinn.*

120. In page 90, line 6, to delete “paragraphs” and substitute “paragraph”.

—*Senators Rónán Mullen, Feargal Quinn.*

121. In page 90, lines 8 and 9, to delete all words from and including “(cb) the” in line 8 down to and including “or” in line 9.

—*Senators Rónán Mullen, Feargal Quinn.*

122. In page 113, after line 18, to insert the following:

“SCHEDULE

Section 27#

PART 1

Prohibited Degrees of Relationship between Donor and Intending Parent

The operator of a DAHR facility shall not use or permit to be used in a DAHR procedure a gamete or an embryo provided by a donor where the donor of that gamete or embryo, as the case may be, and the intending parent or any one of the intending parents, as the case may be, or the spouse, civil partner or cohabitant, as the case may be, of the intending parent are within the prohibited degrees of relationship as set out below. Relationships should be construed as including relationships in the half-blood (e.g. sibling includes a sibling where there is only one parent in common, etc.), and all the relationships include relationships and former relationships by adoption.

Prohibited degrees of relationship with respect to the intending parent

Donor is a parent of the intending parent.

Donor is a brother or sister of the intending parent.

Donor is a son or daughter of the intending parent.

Donor is a grandson or granddaughter of the intending parent.

Donor is a brother or sister of a parent of the intending parent.

Donor is a son or daughter of a brother or sister of the intending parent.

PART 2

Prohibited Degrees of Relationship between Donor and Spouse, Civil Partner or Cohabitant of Intending Parent

The operator of a DAHR facility shall not use or permit to be used in a DAHR procedure a gamete or an embryo provided by a donor where the donor of that gamete or embryo, as the case may be, and the spouse, civil partner or cohabitant, as the case may be, of the intending parent or any one of the intending parents, as the case may be, are within the prohibited degrees of relationship as set out below. Relationships should be construed as including relationships in the half-blood (e.g. sibling includes a sibling where there is only one parent in common, etc.), and all the relationships include relationships and former relationships by adoption.

Prohibited degrees of relationship with respect to the intending parent

Donor is a parent of the spouse, civil partner or cohabitant of the intending parent.

Donor is a brother or sister of the spouse, civil partner or cohabitant of the intending parent.

Donor is a son or daughter of the spouse, civil partner or cohabitant of the intending parent.

Donor is a grandson or granddaughter of the spouse, civil partner or cohabitant of the intending parent.

Donor is a brother or sister of a parent of the spouse, civil partner or cohabitant of the intending parent.

Donor is a son or daughter of a brother or sister of the spouse, civil partner or cohabitant of the intending parent.”.

—*Senators Rónán Mullen, Feargal Quinn.*

[# *This is a reference to the section proposed to be inserted by amendment 44.*]