



# **SEANAD ÉIREANN**

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**AN BILLE UM THAIFID AN CHOIMISIÚIN  
IMSCRÚDÚCHÁIN (ÁRAIS MÁITHREACHA AGUS  
NAÍONÁN AGUS NITHE ÁIRITHE GAOLMHARA), AGUS UM  
NÍ EILE, 2020**

**COMMISSION OF INVESTIGATION (MOTHER AND BABY  
HOMES AND CERTAIN RELATED MATTERS) RECORDS,  
AND ANOTHER MATTER, BILL 2020**

**LEASUITHE A RINNE AN DÁIL  
AMENDMENTS MADE BY THE DÁIL**

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# SEANAD ÉIREANN

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AN BILLE UM THAIFID AN CHOIMISIÚIN IMSCRÚDÚCHÁIN (ÁRAIS  
MÁITHREACHA AGUS NAÍONÁN AGUS NITHE ÁIRITHE GAOLMHARA), AGUS  
UM NÍ EILE, 2020

*[BILLE SEANAID ARNA LEASÚ AG AN DÁIL]*

COMMISSION OF INVESTIGATION (MOTHER AND BABY HOMES AND CERTAIN  
RELATED MATTERS) RECORDS, AND ANOTHER MATTER, BILL 2020

*[SEANAD BILL AMENDED BY THE DÁIL]*

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*Leasuithe a rinne an Dáil  
Amendments made by the Dáil*

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*[The page and line references in this list of amendments  
are to the text of the Bill as passed by Seanad Éireann.]*

## TITLE

1. In page 3, line 11, after “2015);” the following inserted:

“to provide for the making of copies of that evidence and those documents by the Commission and the deposit of those copies with the Minister for Children, Equality, Disability, Integration and Youth;”.

2. In page 3, line 14, after “investigation;” the following inserted:

“to require the said commission of investigation to submit its final report to the Government not later than 30 October 2020; to provide for the dissolution of the Commission on 28 February 2021;”.

## SECTION 1

3. In page 3, between lines 24 and 25, the following inserted:

“ “Data Protection Regulation” means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016;

“document” has the meaning assigned to it by the Act of 2004;

“evidence” has the meaning assigned to it by the Act of 2004;

“Minister” means the Minister for Children, Equality, Disability, Integration and Youth;”.

4. In page 3, between lines 26 and 27, the following inserted:

“ “personal data” shall be construed in accordance with the Data Protection Regulation;”.

[SECTION 1]

5. In page 3, line 27 deleted.

SECTION 3

6. In page 4, lines 31 and 32 deleted.

SECTION 4

7. In page 4, after line 36, the following inserted:

**“Deposit of copies of certain records with Minister**

4. (1) The Commission shall make a copy of the database and a copy of all related records and shall deposit those copies with the Minister.
- (2) For the avoidance of doubt, the obligation under *subsection (1)* to deposit with the Minister the copies made in accordance with that subsection is an obligation to so deposit such copies without redaction therefrom.
- (3) The copies deposited with the Minister in accordance with *subsection (1)* shall be deemed to have been deposited with the specified Minister in accordance with subsection (2) of section 43 of the Act of 2004, and accordingly, that Act shall apply to such copies as if they were evidence received by and documents created by or for the Commission.”.

*[Acceptance of this amendment involved the deletion of section 4 of the Bill.]*

SECTION 5

8. In page 5, between lines 5 and 6, the following inserted:

- “5. For the avoidance of doubt, the obligation under subsection (2) of section 43 of the Act of 2004 to deposit with the specified Minister evidence received by, and documents created by or for, the Commission (other than the database and related records) is, subject to *section 6\**, an obligation to so deposit such evidence and documents without redaction therefrom.”.

*[Acceptance of this amendment involved the deletion of section 5 of the Bill.]*

*[\*This is a reference to a section inserted by amendment no. 9.]*

SECTION 6

9. In page 5, between lines 9 and 10, the following inserted:

**“Redaction of certain records**

6. (1) A person who gave evidence or any document to the confidential committee of the Commission (in this section referred to as the ‘confidential committee’), may, not later than 6 weeks from the date on which he or she receives a notification under *subsection (2)*, make a request in writing of the Commission to redact from that

[SECTION 6]

evidence or document all personal data relating to that person before that evidence or document is deposited with the specified Minister in accordance with subsection (2) of section 43 of the Act of 2004.

- (2) The Commission shall make all reasonable efforts to notify every person, who gave evidence or any document to the confidential committee, of that person's entitlement to make a request referred to in *subsection (1)*.
- (3) The Commission shall, upon receipt of a request referred to in *subsection (1)*, redact all personal data to which that request relates from the evidence or document concerned before depositing that evidence or document with the specified Minister in accordance with subsection (2) of section 43 of the Act of 2004.
- (4) This section shall not apply to the database or a related record.”.

**10.** In page 5, between lines 9 and 10, the following inserted:

**“Dissolution of Commission and final report**

- 6.** (1) Notwithstanding the Act of 2004, the Commission shall stand dissolved on 28 February 2021.
- (2) The Commission shall submit its final report to the Government no later than 30 October 2020.”.