



DÁIL ÉIREANN

AN BILLE UM CHIONTÓIRÍ GNÉIS (LEASÚ), 2021 SEX OFFENDERS (AMENDMENT) BILL 2021

LEASUITHE TUARASCÁLA REPORT AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM CHIONTÓIRÍ GNÉIS (LEASÚ), 2021 —AN TUARASCÁIL

SEX OFFENDERS (AMENDMENT) BILL 2021 —REPORT

Leasuithe Amendments

1. In page 6, between lines 8 and 9, to insert the following:

“(a) in the definition of “sexual offence”, by the substitution of “section 3;” for “section 3.”,”.

—An tAire Dlí agus Cirt.

2. In page 9, lines 4 to 6, to delete all words from and including “any” in line 4 down to and including “section” in line 6 and substitute “the nearest public office of the Garda Síochána to where they reside”.

—Denis Naughten.

3. In page 10, to delete lines 7 to 13 and substitute the following:

“(7B) A member of the Garda Síochána not below the rank of inspector may, in respect of a person to whom subsection (7A) applies, specify such period of more or less than 3 days for the purposes of paragraph (b) of that subsection as he or she is satisfied is appropriate, having regard to—

(a) the interests of public safety, or

(b) the safety of a particular member of the public,

and where such a period is so specified, the member of the Garda Síochána informing a person under that subsection shall so inform the person.”.

—An tAire Dlí agus Cirt.

4. In page 10, lines 16 and 17, to delete “any Garda Síochána station which is a divisional headquarters” and substitute “the nearest public office of the Garda Síochána to where they reside”.

—Denis Naughten.

5. In page 10, lines 26 and 27, to delete “any Garda Síochána station which is a divisional headquarters” and substitute “the nearest public office of the Garda Síochána to where they reside”.

—Denis Naughten.

6. In page 10, line 32, to delete “to” and substitute “and in the presence of”.

—Denis Naughten.

7. In page 11, lines 14 and 15, to delete “3 days” and substitute “7 days”.

—An tAire Dlí agus Cirt, Denis Naughten.

8. In page 11, line 18, to delete “3 days” and substitute “7 days”.

—An tAire Dlí agus Cirt.

9. In page 11, line 24, to delete “3 days” and substitute “7 days”.

—An tAire Dlí agus Cirt.

10. In page 13, to delete lines 23 to 28 and substitute the following:

“(iv) the address of each other place (if any), whether in or outside the State, at which, on the date on which the notification is given, he or she resides or regularly stays, and

(v) the address of each other place (if any), whether in or outside the State, at which the person has resided or regularly stayed since the date on which he or she was convicted of the offence concerned.’.”.

—An tAire Dlí agus Cirt.

11. In page 16, line 16, to delete “or 14E”.

—An tAire Dlí agus Cirt.

12. In page 16, to delete lines 30 to 43, and in page 17, to delete lines 1 to 6.

—An tAire Dlí agus Cirt.

13. In page 17, line 9, to delete “14E.” and substitute “14D.”.

—An tAire Dlí agus Cirt.

14. In page 17, between lines 15 and 16, to insert the following:

“(b) a photograph of the relevant offender;”.

—An tAire Dlí agus Cirt.

15. In page 17, line 16, to delete “(b) the address” and substitute “(c) the address”.

—An tAire Dlí agus Cirt.

16. In page 17, line 17, to delete “(c) the nature” and substitute “(d) the nature”.

—An tAire Dlí agus Cirt.

17. In page 17, line 19, to delete “(d) the level” and substitute “(e) the level”.
—An tAire Dlí agus Cirt.
18. In page 17, line 21, to delete “(e) such other” and substitute “(f) such other”.
—An tAire Dlí agus Cirt.
19. In page 18, line 3, to delete “section 14F(3)” and substitute “section 14E(3)”.
—An tAire Dlí agus Cirt.
20. In page 18, to delete lines 9 to 36.
—Denis Naughten.
21. In page 18, line 10, to delete “14F.” and substitute “14E.”.
—An tAire Dlí agus Cirt.
22. In page 18, line 11, to delete “or 14E”.
—An tAire Dlí agus Cirt.
23. In page 18, line 34, to delete “or 14E”.
—An tAire Dlí agus Cirt.
24. In page 18, line 38, to delete “14G.” and substitute “14F.”.
—An tAire Dlí agus Cirt.
25. In page 19, line 21, to delete “14H.” and substitute “14G.”.
—An tAire Dlí agus Cirt.
26. In page 19, line 22, to delete “or 14E”.
—An tAire Dlí agus Cirt.
27. In page 19, line 23, to delete “section 14G” and substitute “section 14F”.
—An tAire Dlí agus Cirt.
28. In page 19, line 27, to delete “or 14E”.
—An tAire Dlí agus Cirt.
29. In page 19, line 30, to delete “section 14G” and substitute “section 14F”.
—An tAire Dlí agus Cirt.
30. In page 20, line 2, to delete “14I.” and substitute “14H.”.
—An tAire Dlí agus Cirt.
31. In page 20, line 8, to delete “sections 14D and 14E operate” and substitute “section 14D operates”.
—An tAire Dlí agus Cirt.

32. In page 20, line 8, to delete “14D and” and substitute “14A to”.

—Denis Naughten.

33. In page 20, line 9, to delete “those sections” and substitute “that section”.

—An tAire Dlí agus Cirt.

34. In page 20, between lines 29 and 30, to insert the following:

“(c) in subsection (4), after “respondent” where it secondly occurs, to insert the following:

“or protecting the victim of previous crimes from harassment”,.”.

—Denis Naughten.

35. In page 25, line 28, to delete “for a specified term”.

—An tAire Dlí agus Cirt.

36. In page 28, line 27, after “concerned” to insert “or protecting the victim of previous crimes from harassment”.

—Denis Naughten.

37. In page 30, after line 35, to insert the following:

“Amendment of Garda Síochána (Functions and Operational Areas) Act 2022

30. (1) Section 7 of the Act of 2022 is repealed.

(2) The Act of 2022 is amended by the substitution of the following section for section 25:

“Transitional provisions relating to amendment of section 92 of Criminal Justice Act 2006 by section 8

25. Any legal proceedings (civil or criminal) in respect of a right, privilege, obligation or liability acquired, accrued or incurred under, or an offence against or contravention of section 92 of the Criminal Justice Act 2006 before the date of the coming into operation of this section may, on or after that date, be instituted, continued or enforced, and any penalty, forfeiture or punishment in respect of such offence or contravention may be imposed and carried out, as if the said section 92 had not been amended by section 8.”.

(3) In this section, “Act of 2022” means the Garda Síochána (Functions and Operational Areas) Act 2022.”.

—An tAire Dlí agus Cirt.

38. In page 30, after line 35, to insert the following:

“30. The Minister shall, within 90 days of the passing of this Act, make regulations under section 60 of the Act of 2018 making it an offence to erase information regarding convictions for sexual offences as set out in section 3 of the Principal Act.”.

—Denis Naughten.

39. In page 30, after line 35, to insert the following:

“30. The Minister shall, within 6 months of the passing of this Act, lay before both Houses of the Oireachtas a report on how registered sex offenders are able to change their name or other aspects of their identity without the knowledge of the Garda Síochána with the intention of subverting the purpose of this Act.”.

—Denis Naughten.