



SEANAD ÉIREANN

**AN BILLE UM CHÁILÍOCHT I SAINFHÁIL PHOIBLÍ
(CONARTHAÍ A ULLMHÚ AGUS CRITÉIR
DHÁMHACHTANA), 2021**

**QUALITY IN PUBLIC PROCUREMENT (CONTRACT
PREPARATION AND AWARD CRITERIA) BILL 2021**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM CHÁILÍOCHT I SAINFHÁIL PHOIBLÍ (CONARTHAÍ A ULLMHÚ
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—AN TUARASCÁIL

QUALITY IN PUBLIC PROCUREMENT (CONTRACT PREPARATION AND AWARD
CRITERIA) BILL 2021
—REPORT

*Leasuithe
Amendments*

**Government amendments are denoted by an asterisk*

1. In page 7, to delete lines 32 to 40, and in page 8, to delete lines 1 to 23 and substitute the following:

“Compliance with Irish Human Rights and Equality Commission Act 2014 and related matters

5. (1) Where, in performing its functions for the purposes of section 42 of the Irish Human Rights and Equality Commission Act 2014, a public body within the meaning of section 2 of that Act is also a contracting authority under Public Authority Contracts Regulations, then—
 - (a) in addition to complying with paragraph (4) of Regulation 84 of those Regulations, it shall maintain documentation to record the manner in which it has complied with the said section 42 as if it were required to be included in that paragraph, and
 - (b) where appropriate, the other provisions of the said regulation 84 shall apply accordingly.
- (2) For the purposes of *subsection (1)* but without prejudice to the reference in *subsection (1)* to functions, the documentation referred to in *subsection (1)* shall, in particular, record information on the preparation, allocation and granting of contracts governed by the Public Authority Contracts Regulations.
- (3) For the purposes of the annual review by the Minister under *section 7(2)(f)*, a contracting authority to which *subsection (1)* applies shall make a return to the Minister, within such time and in such form as he or she designates, in respect of the performance by the authority concerned of the matters to which those subsections relate during the period concerned.”.

—*Senators Alice-Mary Higgins, Lynn Ruane.*

2. In page 8, to delete lines 29 to 41 and substitute the following:

“foregoing such guidelines shall include—

- (a) guidance concerning the use and incorporation of qualitative, environmental, social, human rights and equality considerations in the preparation of the procurement procedure of such contracts,
 - (b) examples, for contracting authorities, of qualitative, environmental, social, human rights and equality considerations that may arise in such procurement, and
 - (c) examples of regulations, national strategic policies, legal obligations, EU directives and international commitments that might be considered or reflected in the preparation or design of procurement procedure or contracts.
- (2) The Minister shall cause a copy of any guidelines issued under *subsection (1)* to be laid before each House of the Oireachtas as soon as practicable.
- (3) Contracting authorities shall consider any guidelines issued under *subsection (1)*.
- (4) For the purposes of the Public Authority Contracts Regulations, a contracting authority shall include within a report to which Regulation 84 of those Regulations relates a record of their consideration and application of guidelines issued under *subsection (1)*.”.

—*Senators Alice-Mary Higgins, Lynn Ruane.*