



# **SEANAD ÉIREANN**

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**AN BILLE UM AN NGEILLEAGAR CIORCLACH, UM  
BAINISTIÚ DRAMHAÍOLA (LEASÚ) AGUS UM FHORBAIRT  
MIANRAÍ (LEASÚ), 2022**

**CIRCULAR ECONOMY, WASTE MANAGEMENT  
(AMENDMENT) AND MINERALS DEVELOPMENT  
(AMENDMENT) BILL 2022**

**LEASUITHE TUARASCÁLA  
REPORT AMENDMENTS**

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# SEANAD ÉIREANN

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## AN BILLE UM AN NGEILLEAGAR CIORCLACH, UM BAINISTIÚ DRAMHAÍOLA (LEASÚ) AGUS UM FHORBAIRT MIANRAÍ (LEASÚ), 2022 —AN TUARASCÁIL

### CIRCULAR ECONOMY, WASTE MANAGEMENT (AMENDMENT) AND MINERALS DEVELOPMENT (AMENDMENT) BILL 2022 —REPORT

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#### *Leasuithe Amendments*

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*\*Government amendments are denoted by an asterisk*

\*1. In page 7, to delete lines 32 and 33, and in page 8, to delete lines 1 and 2 and substitute the following:

“3. (1) The Minister may make regulations for the purpose of enabling any provision of this Act to have effect or to provide for any matter referred to in this Act as prescribed or to be prescribed and different regulations under this section may be made in respect of different classes of matter the subject of the prescribing concerned.”.

\*2. In page 8, line 3, to delete “section” and substitute “Act”.

3. In page 9, between lines 12 and 13, to insert the following:

“ “climate justice” reflects the United Nations Framework Convention on Climate Change commitments on equity and “common but differentiated responsibilities and respective capabilities” and requires that the decisions and actions taken to reduce greenhouse gas emissions and to adapt to the effects of climate change should—

(a) support the people who are most affected by climate change but who have done the least to cause it and are the least equipped to adapt to its effects, and

(b) safeguard the human rights of the most vulnerable persons;”.

—Senators Alice-Mary Higgins, Lynn Ruane.

4. In page 9, between lines 13 and 14, to insert the following:

“ “just transition” means a transition that ensures the economic, environmental and social consequences of the ecological transformation of economies and societies are managed in ways that maximise opportunities of decent work for all, reduce inequalities, promote social justice, and support industries, workers and communities negatively affected, in accordance with nationally defined priorities, and based on effective social dialogue;”.

—Senators Alice-Mary Higgins, Lynn Ruane.

\*5. In page 9, line 17, to delete “tendency” and substitute “likelihood”.

\*6. In page 10, between lines 23 and 24, to insert the following:

“ “re-usable alternative item” means a re-usable container, re-usable cup or re-usable

packaging that is an alternative to a single-use container, single-use cup or single-use packaging, as the case may be;”.

\*7. In page 10, between lines 23 and 24, to insert the following:

“ “relevant re-usable alternative item” means a re-usable alternative item that belongs to a class of re-usable alternative item prescribed under *section 11(1)(a)(v)*;”.

\*8. In page 11, line 1, to delete “cup” and substitute “container”.

\*9. In page 11, line 1, to delete “container” and substitute “cup”.

\*10. In page 11, line 1, after “packaging” to insert “, a relevant re-usable alternative item”.

11. In page 12, between lines 31 and 32, to insert the following:

“(VII) transport, including shipping and aviation.”.

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

12. In page 12, to delete lines 35 and 36 and substitute the following:

“(iii) shall ensure that criteria relating to the circular economy including, but not limited to, life-cycle costing and waste prevention criteria are utilised in public procurement.”.

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

13. In page 13, line 7, after “levels” to insert “and availability”.

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

14. In page 13, to delete lines 12 to 15 and substitute the following:

“(d) The Minister shall, in relation to those sectors of the economy in respect of which targets have been set out in the strategy in accordance with this subsection, develop sectoral agreements in respect of those targets and to enable, support and, where necessary, require participants in those sectors to produce and promote more sustainable products and achieve the relevant sectoral targets.”.

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

15. In page 13, line 14, to delete “, on a voluntary basis,”.

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

16. In page 13, between lines 15 and 16, to insert the following:

“(e) The Minister may also set out mandatory requirements and regulations for each of those sectors in relation to their sectoral targets:

(i) retail;

(ii) packaging;

(iii) textiles;

(iv) electronic equipment.”.

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

17. In page 13, between lines 15 and 16, to insert the following:

“(e) The Minister may also set out mandatory requirements and regulations for each of the following sectors in relation to their sectoral targets, including regulations in respect of production process, materials and life cycle:

- (i) retail;
- (ii) packaging;
- (iii) textiles;
- (iv) electronic equipment.”.

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

18. In page 13, between lines 15 and 16, to insert the following:

“(e) The Minister may also set out mandatory requirements and regulations for the retail sector in relation to its sectoral targets and the display or promotion of goods.”.

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

19. In page 13, between lines 20 and 21, to insert the following:

“(b) actions necessary to further just transition and climate justice in the context of the development of a circular economy, and”.

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

20. In page 14, line 17, after “institutions” to insert “operating in the State”.

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

21. In page 15, between lines 19 and 20, to insert the following:

“(j) to assist the establishment of public-public partnerships for research and development in the area of the circular economy and waste management;”.

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

22. In page 15, between lines 19 and 20, to insert the following:

“(j) to assist the establishment, equipping and, where appropriate, the operation of facilities which provide repair services;”.

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

23. In page 15, between lines 19 and 20, to insert the following:

“(j) to develop public industrial washing facilities which support the use of reusable food and drink containers by local businesses and public services;”.

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

24. In page 15, between lines 27 and 28, to insert the following:

“(m) to assist, support or promote initiatives to restore, conserve and renovate buildings in order to reduce embodied emissions resulting from demolition;”.

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

25. In page 15, between lines 33 and 34, to insert the following:

“(o) to assist, support or promote the work of civil society groups or indigenous peoples to support climate justice and protect the environment and human rights by limiting or regulating the extraction or exploitation of natural resources which may be exported into Ireland;”.

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

26. In page 15, lines 37 and 38, to delete “*paragraphs (a) to (o) of that subsection*” and substitute “*subsection (9)*”.

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

27. In page 16, between lines 25 and 26, to insert the following:

“(15) Where a member of a committee established under *subsection (14)* has a material interest in a matter under consideration by the committee, they must declare that interest and subsequently recuse themselves from such deliberations.”.

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

28. In page 17, between lines 23 and 24, to insert the following:

“(ii) reflect the principles of just transition and climate justice,”.

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

29. In page 17, between lines 30 and 31, to insert the following:

“(4) In developing a circular economy programme, the Agency shall ensure that an effective right to repair is afforded to persons and may, for the purpose of facilitating the repair of goods, develop programmes or initiatives for the purposes of promoting community repair facilities.”.

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

30. In page 17, line 32, to delete “6 years” and substitute “3 years”.

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

31. In page 18, between lines 2 and 3, to insert the following:

“(ii) the Joint Oireachtas Committee on Environment and Climate Action,”.

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

\*32. In page 18, line 27, to delete “following—” and substitute “following:”.

\*33. In page 18, between lines 34 and 35, to insert the following:

“(v) such class or classes of re-usable alternative items as may be prescribed for

the purposes of this section;”.

**34.** In page 19, between lines 4 and 5, to insert the following:

“(c) the production of clothing with a life-cycle of less than 2 years.”.

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

**35.** In page 19, between lines 4 and 5, to insert the following:

“(c) the production of any of the following:

- (i) single-use cups;
- (ii) single-use containers;
- (iii) single-use packaging;
- (iv) such class or classes of the single-use items referred to in *subparagraphs (i) to (iii)* as may be prescribed for the purposes of this section.”.

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

**\*36.** In page 19, to delete lines 5 to 7 and substitute the following:

“(2) In making regulations under *subsection (1)* in relation to the supply of a single-use item or a class or classes of single-use item or a class or classes of re-usable alternative item, the Minister shall have regard to the level of material wastage associated with the single-use item or, as the case may be, the class or classes of single-use item, or, as the case may be, the class or classes of re-usable alternative item, concerned, including by reason of—

- (a) where an amount is charged for the supply of that item or class or classes of item, as the case may be, to a customer, that amount, or
- (b) where no amount is so charged, that fact.”.

**37.** In page 19, line 7, after “concerned” to insert the following:

“and shall also have regard as to whether the item is constructed of virgin plastic or recycled plastic”.

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

**\*38.** In page 19, line 8, after “*subsection (1)*” to insert the following:

“in relation to the supply of a single use item or a class or classes of single-use item or a class or classes of re-usable alternative item, as the case may be, only”.

\*39. In page 19, line 10, after “item,” to insert “or the class or classes of re-usable alternative items”.

\*40. In page 19, line 10, after “alternative” to insert “item or class of such item”.

\*41. In page 19, line 11, after “alternative” to insert “item or class of such item”.

\*42. In page 19, line 12, after “item” where it secondly occurs to insert “or class of re-usable alternative item”.

43. In page 19, between lines 13 and 14, to insert the following:

“(4) The Minister may make regulations to exclude an environmental levy charge on customers for certain single-use items where those items are required by that person due to disability.”.

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

\*44. In page 19, line 15, after “item” to insert the following:

“or, as the case may be, each class of re-usable alternative item prescribed under *subsection (1)(a)(v)*”.

\*45. In page 19, line 16, to delete “by the Minister”.

46. In page 19, between lines 20 and 21, to insert the following:

“(c) reducing or ending the use of virgin plastic in manufacturing,”.

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

\*47. In page 20, between lines 12 and 13, to insert the following:

“(9) Regulations under *subsection (1)*—

(a) may make provision for any matter stated in this section or *section 12* as prescribed or to be prescribed and different regulations may be made in respect of different classes of matter the subject of the prescribing concerned,

(b) shall provide for the matters referred to in *section 12(2)*, and

(c) may provide for the matters referred to in *section 12(3)*.”.

\*48. In page 20, between lines 17 and 18, to insert the following:

“(10) A relevant re-usable alternative item or a class of re-usable alternative item prescribed under *subsection (1)(a)(v)* shall not be considered to be a suitable re-usable alternative item or class of such item or a suitable alternative item or class of such item for the purposes of *subsection (3)*.”.

49. In page 20, line 20, after “selling” to insert “or producing”.

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

50. In page 20, between lines 24 and 25, to insert the following:

“(c) where *section (11)(c)* applies, in or at the production site of single-use plastics,”.

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

**\*51.** In page 20, line 26, to delete “regulations relate” and substitute “levy relates”.

**\*52.** In page 22, line 34, after “packaging” to insert “, relevant re-usable alternative item,”.

**53.** In page 23, between lines 24 and 25, to insert the following:

“(e) electronic devices constructed with absolute obsolescence built in;”.

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

**54.** In page 23, between lines 24 and 25, to insert the following:

“(e) electronic devices constructed with relative obsolescence built in;”.

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

**55.** In page 23, between lines 24 and 25, to insert the following:

“(e) products which require precious metals or rare earth minerals to complete;”.

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

**\*56.** In page 23, line 27, after “the” where it secondly occurs to insert “level of”.

**57.** In page 23, between lines 29 and 30, to insert the following:

“(3) In making regulations under this section, the Minister shall have regard to the methods of disposal of single-use items outside the State and the effects upon local communities where waste arising from the disposal of such items is processed or delivered to.”.

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

**\*58.** In page 23, line 30, after “section” to insert the following:

“in respect of a single-use item referred to in *subsection (1)* or a class or classes of such single use items, as the case may be, only”.

**59.** In page 24, between lines 7 and 8, to insert the following:

“(8) In this section—

“absolute obsolescence” refers to a product or item which is constructed with a planned finite lifespan so it will not function mechanically after a certain period of time;

“relative obsolescence” refers to a product or item which is constructed to remain functional after a certain period of time but is obsolete due to—

- (a) a desire for a new item due to psychological, aesthetical, or cosmetic reasons,
- (b) a new product having better quality, functionality or effectiveness, or
- (c) the price of repair or upgrade is too high compared with a new product making it economically obsolete.”.

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

60. In page 24, between lines 24 and 25, to insert the following:

“(c) climate justice;”.

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

61. In page 24, line 33, after “Goals” to insert “and in particular Goal 17 along with its targets and indicators”.

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

62. In page 25, to delete line 8 and substitute the following:

“ “food waste” means “food loss and food waste” where:

- (a) “food waste” refers to food that completes the food supply chain up to a final product, of good quality and fit for consumption, but still doesn't get consumed because it is discarded, whether or not after it is left to spoil or expire. Food waste typically (but not exclusively) takes place at retail and consumption stages in the food supply chain; and
- (b) “food loss” refers to food that gets spilled, spoilt or otherwise lost, or incurs reduction of quality and value during its process in the food supply chain before it reaches its final product stage. Food loss typically takes place at production, post-harvest, processing, and distribution stages in the food supply chain.”.

—*Senators Lynn Boylan, Paul Gavan, Niall Ó Donnghaile, Fintan Warfield.*

63. In page 25, between lines 8 and 9, to insert the following:

**“Supermarket Refill Station Report**

16. (1) The Minister shall, within 12 months of the passing of this Act, prepare and publish a report examining how retailers can reduce plastic packaging in Ireland by encouraging customers to use re-usable containers through requiring a minimum amount of floor space be dedicated to refill stations dedicated to the provision of re-usable products including staples like rice, pasta, cereals, beans, and detergent.
- (2) This report shall examine the size of the supermarket retailer that should be obligated (e.g. greater than 400 metres squared).”.

—*Senators Lynn Boylan, Paul Gavan, Niall Ó Donnghaile, Fintan Warfield.*

64. In page 25, between lines 8 and 9, to insert the following:

**“Ban on dumping of new non-food products**

16. (1) Producers, importers and distributors of new non-food products intended for sale are required to reuse them by donating such products to charities, NGOs, secondhand shops, or social enterprises, as may be defined in regulation by the Minister.
- (2) In this section, “non-food products” may be defined in regulation by the Minister and shall include but not be limited to the following:
- (a) electronic products;

- (b) textiles, clothes and shoes;
  - (c) furniture;
  - (d) ink cartridges;
  - (e) hygiene products;
  - (f) food preservation and cooking equipment;
  - (g) leisure products;
  - (h) books and school equipment.
- (3) The obligations outlined in *subsection (1)* shall not apply to products whose reuse and recycling involves serious risk to health or safety, whose disposal is prescribed, or whose material recovery is prohibited.
- (4) Any person or entity who disposes of new non-food products contrary to *subsection (1)* shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €3,000 in respect of each such offence by such person or entity.”.

—*Senators Lynn Boylan, Paul Gavan, Niall Ó Donnghaile, Fintan Warfield.*

65. In page 25, between lines 8 and 9, to insert the following:

**“Report on circular economy in respect of clothing**

16. The Minister shall, within 18 months of the passing of this Act, lay a report before both Houses of the Oireachtas outlining measures which have been taken to reduce waste arising from the disposal of clothing and to ensure the protection of indigenous clothing industries in countries to which such clothing is exported to as waste or in the form of donations.”.

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

66. In page 25, between lines 8 and 9, to insert the following:

**“Report on supply chain due diligence**

16. The Minister shall, within 12 months of the passing of this Act, lay a report before both Houses of the Oireachtas outlining the mechanisms employed to ensure that both the circular economy strategy and the circular economy programme protect human rights and the environment along the supply chain of goods and services entering the State and the mechanisms employed to ensure compliance with any European Union legislative change on the issue.”.

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

67. In page 25, between lines 8 and 9, to insert the following:

**“Report on planning for oil and gas scale-down and clean-up in line with circular economy**

16. The Minister shall, within 12 months of the passing of this Act and in consultation with

the Minister for Finance, lay a report before both Houses of the Oireachtas outlining—

- (a) estimated timelines and costs in relation to the scaling down or exit of oil and gas companies from Ireland including a consideration of potential costs associated with the clean-up of associated infrastructure and waste,
- (b) an assessment of the potential financial risks or costs to the State in relation to the matters outlined in *paragraph (a)*,
- (c) consideration of potential option for levies on the capital or other assets of such companies or other instruments that might be deployed to reduce the future financial risk or potential impact on the Exchequer associated with matters outlined in *paragraph (a)*,
- (d) an assessment of the impact of such costs described in *paragraph (b)* on implementation of the circular economy strategy and the circular economy programme.”.

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

68. In page 29, to delete lines 13 to 38, to delete pages 30 and 31, and in page 32, to delete lines 1 to 20.

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

69. In page 29, line 21, to delete “deterrence, prevention, detection and”.

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

70. In page 29, to delete lines 24 and 25 and substitute the following:

“(a) details of the precise location and number of the devices to be used in the CCTV scheme,”.

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

71. In page 29, between lines 25 and 26, to insert the following:

“(b) a detailed technical specification of the devices to be used in the CCTV scheme, including the hardware, software and any artificial intelligence used to record, store or process the captured visual data,”.

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

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

“(iii) the deletion and destruction of recordings made and documents produced pursuant to that scheme,”.

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

73. In page 30, between lines 3 and 4, to insert the following:

“(c) shall include an assessment of the ethical, environmental and social class considerations and implications of the CCTV scheme, and”.

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

74. In page 30, line 10, after “shall” to insert “, in consultation with relevant persons,”.

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

75. In page 30, between lines 37 and 38, to insert the following:

“(c) the precise location of any recording devices provided by the CCTV scheme shall be recorded in a local authority database of CCTV recording devices, which is accessible to the public on the website of the local authority concerned.”.

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

76. In page 31, line 24, after “shall” to insert “, in consultation with relevant persons,”.

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

77. In page 31, to delete all words from and including “or” in line 39 down to and including “scheme” in page 32, line 1.

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

78. In page 32, line 8, to delete “one month” and substitute “28 days”.

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

79. In page 32, between lines 15 and 16, to insert the following:

“(17) Notices, which shall be known as Surveillance Transparency Notices, shall be published in respect of every CCTV scheme approved under this section, both online on a website maintained by the relevant local authority, and in all important public forums within the local authority area, and shall be in plain language.

(18) A Surveillance Transparency Notice published in accordance with subsection (17) shall include—

- (a) details of the precise location and number of the devices to be used in the CCTV scheme,
- (b) a detailed technical specification of the devices to be used in the CCTV scheme, including the hardware, software and any artificial intelligence used to record, store or process the recorded visual data, and
- (c) impartial information on the privacy rights and data rights of persons under Irish law, and an explanation of what steps have been taken to ensure the CCTV scheme does not violate those rights.”.

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

80. In page 32, between lines 20 and 21, to insert the following:

**“Prohibition on use of artificial intelligence under CCTV scheme**

21. The Act of 1996 is amended by the insertion of the following section after section 14A:

“14AA.(1)The use of facial recognition technology, or any other cognate artificial intelligence technologies, in combination with information obtained as a result of the operation of an approved CCTV scheme shall be prohibited.

(2) For the purposes of subsection (1), the use of facial recognition technology shall include both direct and indirect use, including—

(a) the operation of such technology in an approved CCTV device, or the use of such technology to process information obtained from an approved CCTV device by a local authority employee, and

(b) the passing of information obtained from an approved CCTV device to any third party for processing in combination with such technology.

(3) A person who violates subsections (1) and (2) shall be guilty of an offence.”.”.

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

81. In page 32, to delete lines 21 to 41, and in page 33, to delete lines 1 and 2.

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

82. In page 33, to delete lines 3 to 40, to delete pages 34 and 35, and in page 36, to delete lines 1 to 30.

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

83. In page 33, lines 6 and 7, to delete “as soon as practicable after the” and substitute “prior to the”.

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

84. In page 34, line 3, to delete “any” and substitute “the”.

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

85. In page 34, line 3, to delete “or”.

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

86. In page 34, between lines 18 and 19, to insert the following:

“(v) the Irish Human Rights and Equality Commission,”.

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

87. In page 35, to delete line 20 and substitute the following:

“(a) may, where obtained on foot of a valid search warrant, be admitted

as evidence in criminal proceedings, and”.

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

88. In page 36, to delete lines 7 to 15.

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

89. In page 36, to delete line 22.

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

90. In page 37, between lines 2 and 3, to insert the following:

“(II) the quantity of embodied emissions resulting from the demolition of buildings;”.

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

91. In page 47, to delete lines 38 and 39, to delete pages 48 to 50, and in page 51, to delete lines 1 to 7.

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

92. In page 48, line 7, to delete “deterrence, prevention, detection and”.

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

93. In page 48, to delete lines 10 and 11 and substitute the following:

“(a) details of the precise location and number of the devices to be used in the CCTV scheme;”.

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

94. In page 48, between lines 11 and 12, to insert the following:

“(b) a detailed technical specification of the devices to be used in the CCTV scheme, including the hardware, software and any artificial intelligence used to record, store or process the recorded visual data;”.

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

95. In page 48, between lines 24 and 25, to insert the following:

“(iii) the deletion and destruction of recordings made and documents produced pursuant to that scheme;”.

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

96. In page 48, between lines 27 and 28, to insert the following:

“(c) shall include an assessment of the ethical, environmental and social class considerations and implications of the CCTV scheme, and”.

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

97. In page 48, line 34, after “shall” to insert “, in consultation with relevant persons,”.

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

98. In page 49, between lines 22 and 23, to insert the following:

“(c) the precise location of any recording devices provided by the CCTV scheme shall be recorded in a local authority database of CCTV recording devices, which is accessible to the public on the website of the local authority concerned.”.

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

99. In page 50, line 10, after “shall” to insert “, in consultation with relevant persons,”.

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

100. In page 50, lines 25 to 27, to delete all words from and including “or” in line 25 down to and including “scheme” in line 27.

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

101. In page 50, line 35, to delete “one month” and substitute “28 days”.

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

102. In page 51, between lines 2 and 3, to insert the following:

“(17) Notices, which shall be known as Surveillance Transparency Notices, shall be published in respect of every CCTV scheme approved under this section, both online on a website maintained by the relevant local authority, and in all important public forums within the local authority area, and shall be in plain language.

(18) A Surveillance Transparency Notice published in accordance with subsection (17) shall include—

(a) details of the precise location and number of the devices to be used in the CCTV scheme,

(b) a detailed technical specification of the devices to be used in the CCTV scheme, including the hardware, software and any artificial intelligence used to record, store or process the recorded visual data, and

(c) impartial information on the privacy rights and data rights of persons under Irish law, and an explanation of what steps have been taken to ensure the CCTV scheme does not violate those rights.”.

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

103. In page 51, between lines 7 and 8, to insert the following:

**“Prohibition on use of artificial intelligence under CCTV scheme**

33. The Act of 1997 is amended by the insertion of the following section after section 23A:

**“23AA.**(1) The use of facial recognition technology, or any other cognate artificial intelligence technologies, in combination with information obtained as a result of the operation of an approved CCTV scheme shall be prohibited.

(2) For the purposes of subsection (1), the use of facial recognition technology shall include both direct and indirect use, including—

(a) the operation of such technology in an approved CCTV device, or the use of such technology to process information obtained from an approved CCTV device by a local authority employee, and

(b) the passing of information obtained from an approved CCTV device to any third party for processing in combination with such technology.

(3) A person who violates subsections (1) and (2) shall be guilty of an offence.”.”.

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

**104.** In page 51, to delete lines 8 to 41, to delete pages 52 and 53, and in page 54, to delete lines 1 to 32.

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

**105.** In page 51, lines 11 and 12, to delete “as soon as practicable after the” and substitute “prior to the”.

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

**106.** In page 52, line 5, to delete “any” and substitute “the”.

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

**107.** In page 52, line 5, to delete “or”.

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

**108.** In page 52, between lines 19 and 20, to insert the following:

“(v) the Irish Human Rights and Equality Commission,”.

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

**109.** In page 53, to delete line 22 and substitute the following:

“(a) may, where obtained on foot of a valid search warrant, be admitted as evidence in criminal proceedings, and”.

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

**110.** In page 54, to delete lines 9 to 17.

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

111. In page 54, to delete line 24.

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

112. In page 55, line 11, after “coal,” to insert “natural gas,”.

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

113. In page 55, line 11, after “coal,” to insert “precious metals,”.

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

114. In page 55, between lines 11 and 12, to insert the following:

**“Amendment of section 8 of Minerals Development Act 1940**

38. Section 8A(4) of the Minerals Development Act 1940 is amended by the insertion of the following paragraph after paragraph (a):

“(aa) where there is the free, prior and informed consent of the local community in full compliance with the Akwé: Kon Guidelines under the Convention on Biological Diversity,”.

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

115. In page 55, line 20, after “coal,” to insert “natural gas,”.

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

116. In page 55, line 20, after “coal,” to insert “precious metals,”.

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