DÁIL ÉIREANN

AN BILLE UM ATHCHÓIRIÚ TOGHCHÁIN, 2022
ELECTORAL REFORM BILL 2022
LEASUITHE TUARASCÁLA
REPORT AMENDMENTS

[No. 37a of 2022]    [14 June, 2022]
1. In page 11, line 5, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

   —An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

2. In page 12, line 1, to delete “accounts;” and substitute “accounts; to provide for the holding of fundraising lotteries by political parties;”.

   —An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

3. In page 12, line 31, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

   —An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

4. In page 12, line 31, to delete “Commission” where it firstly occurs and substitute “Coimisiún”.

   —Aengus Ó Snodaigh.

5. In page 13, between lines 15 and 16, to insert the following:
   ““political party” means a political party registered in the Register of Political Parties in accordance with Chapter 6 of Part 2.”;

   —An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.


   —An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

7. In page 15, between lines 29 and 30, to insert the following:
   ““recognised accountancy body” means a body granted recognition or deemed to have been granted recognition under section 930 of the Act of 2014.”;

   —An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

8. In page 16, lines 13 and 14, to delete “or, in the English language, as the Electoral Commission”.

   —An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta, Aengus Ó Snodaigh.
9. In page 18, between lines 3 and 4, to insert the following:

“(10) At least 20 per cent of ordinary members appointed to the Commission shall be competent to conduct their functions in the Irish language.”.

—Aengus Ó Snodaigh.

10. In page 18, line 26, to delete “expertise in financial matters” and substitute “expertise in financial matters (including by virtue of membership of a recognised accountancy body)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreacht.

11. In page 22, between lines 12 and 13, to insert the following:

“(7) (a) A Committee shall be established in accordance with this section, no later than 6 months following the establishment of the Commission, to monitor the role of both official languages in electoral policy and procedure, including in referendums, and to advise and assist the Commission in working to ensure that the first official language of the State is given prominence in, and that Irish speakers can participate fully as equal citizens in, the electoral and democratic processes.

(b) A person shall not be appointed to the Committee referred to in paragraph (a) unless that person is competent to conduct their functions in the Irish language, and Irish shall be the working language of the Committee.

(c) The Committee referred to in paragraph (a) shall, no later than one year after its establishment, prepare an annual report on the use of Irish in the electoral and democratic processes during the year previous, including recommendations for its increased use, including in political advertising online and in traditional media, and equal opportunities for engagement by Irish speakers in such processes, which shall be published and laid before the Joint Oireachtas Committee responsible for matters relating to the Irish language.”.

—Aengus Ó Snodaigh.

12. In page 22, lines 30 and 31, to delete “are civil servants within the meaning of the Civil Service Regulation Act 1956” and substitute “are civil servants (within the meaning of the Civil Service Regulation Acts 1956 to 2005) in the Civil Service of the State”.

—Ged Nash.

13. In page 22, between lines 34 and 35, to insert the following:

“(5) At least 20 per cent of members of staff appointed in a given year shall be competent to conduct their functions in the Irish language.”.

—Aengus Ó Snodaigh.

14. In page 24, between lines 17 and 18, to insert the following:

“(6) A person shall not be appointed Chairperson unless that person is competent to conduct their functions in the Irish language.”.

—Aengus Ó Snodaigh.
15. In page 26, between lines 24 and 25, to insert the following:

“(21) A person shall not be appointed chief executive unless that person is competent to conduct their functions in the Irish language.”.

—Aengus Ó Snodaigh.

16. In page 30, line 2, to delete “executive.” and substitute the following:

“executive, and
(c) the objectives, outputs and strategies of the Commission for achieving the aim of increasing the use, visibility, and prominence of Irish, and achieving equal access by Irish speakers to participate, in the electoral and democratic processes.”.

—Aengus Ó Snodaigh.

17. In page 30, line 15, to delete “published in such manner” and substitute “published (in both the Irish and English languages) in such manner”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

18. In page 30, line 36, after “information” to insert “equally in both official languages”.

—Aengus Ó Snodaigh.

19. In page 31, between lines 4 and 5, to insert the following:

“(i) to regulate to ensure that no communications for electoral purposes in Gaeltacht areas act to promote the use of the English language as the primary language of the community for electoral or democratic processes to the detriment of the Irish language.”.

—Aengus Ó Snodaigh.

20. In page 31, between lines 4 and 5, to insert the following:

“(i) to promote the increasing use, visibility, and prominence of the Irish language, and equal opportunities for Irish speakers to engage, in the electoral and democratic processes.”.

—Aengus Ó Snodaigh.

21. In page 31, between lines 8 and 9, to insert the following:

“(4) Where the participation of an elector in an election or referendum is facilitated through their inclusion on the special voters list in the case of an illness or disability under section 17 of the Act of 1992, or under section 103 of the Act of 1992 as a result of an inability to vote without assistance, the Commission shall ensure that the elector may avail equally of such facilities or support as may be provided in the official language of their choice.”.

—Aengus Ó Snodaigh.
22. In page 31, line 18, to delete “to publish and distribute” and substitute “to publish (in both the Irish and English languages) and distribute”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

23. In page 31, between lines 32 and 33, to insert the following:

“(4) The Commission shall ensure that—

(a) any statement published and distributed in accordance with section 30(1)(b) is published simultaneously and distributed equally in both official languages,

(b) any brochure, leaflet or pamphlet published and distributed in accordance with section 30(2)(a) is bilingual in both official languages, or may be in the Irish language only or bilingual in the case of a brochure, leaflet, or pamphlet distributed to a presidential elector or household located within a Gaeltacht Language Planning Area, and the text in the Irish language in a bilingual brochure, leaflet or pamphlet—

(i) shall be at least as prominent, as visible, and as legible as the text in the English language,

(ii) shall not have lettering smaller in size than the lettering in the text in the English language,

(iii) shall not be abbreviated unless the word in the corresponding English language text, which is a translation thereof, is likewise abbreviated,

(c) the publication and distribution of posters outside of Gaeltacht Language Planning Areas in accordance with section 30(2)(a) shall ensure that no fewer posters are distributed or erected with text in the Irish language than in the English language, and that no greater prominence is given to posters in the English language than posters in the Irish language, and only posters with text in the Irish language shall be distributed or erected within Gaeltacht Language Planning Areas, and

(d) of the broadcasting time allocated to facilitate the Commission in performing its functions under section 31, no more time shall be broadcast on RTÉ in the English language than in the Irish language, and advertisements broadcast on TG4 in accordance with section 31 shall be in the Irish language only.”.

—Aengus Ó Snodaigh.

24. In page 33, line 21, to delete “shall publish a notice” and substitute “shall publish (in both the Irish and English languages) a notice”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

25. In page 35, line 5, to delete “the Electoral Commission” and substitute “An Coimisiún Togcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.
26. In page 35, line 7, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

27. In page 35, lines 7 and 8, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

28. In page 43, between lines 35 and 36, to insert the following:

“Postal Voting Review
55. (1) The Commission shall conduct a review of postal voting entitlements. This shall include, but not be limited to, extending postal voting rights to those—
(a) away from their ordinary residence,
(b) travelling abroad,
(c) with caring duties that prevent them from voting,
(d) with any other reasonable reasons which would prevent them from attending the polling station on election day.
(2) This review shall include a process of public consultation and expert engagement.
(3) This review shall be provided to the Minister, the Joint Oireachtas Committee and laid before both Houses of the Oireachtas within 24 months of the establishment of the Commission.”.

—Cian O'Callaghan.

29. In page 43, between lines 35 and 36, to insert the following:

“Extended Voting Period Review
56. (1) The Commission shall conduct a review of the standard voting period. This shall include, but not be limited to—
(a) an additional voting day,
(b) early voting,
(c) other practical measures to increase voter turnout.
(2) This review shall include a process of public consultation and expert engagement.
(3) This review shall be provided to the Minister, the Joint Oireachtas Committee and laid before both Houses of the Oireachtas within 24 months of the establishment of the Commission.”.

—Cian O'Callaghan.
30. In page 44, to delete line 35.

―Cian O'Callaghan.

31. In page 45, between lines 2 and 3, to insert the following:

“(g) the names of constituencies shall be in the Irish language or in the Irish and English languages.”.

―Aengus Ó Snodaigh.

32. In page 45, between lines 9 and 10, to insert the following:

“(d) the names of constituencies shall be in the Irish language only or in the Irish and English languages.”.

―Aengus Ó Snodaigh.

33. In page 45, line 31, to delete “notice of its intention” and substitute “notice (in both the Irish and English languages) of its intention”.

―An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

34. In page 46, line 40, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

―An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

35. In page 47, line 3, to delete “The Commission” and substitute “An Coimisiún”.

―An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

36. In page 47, line 29, to delete “public notice” and substitute “public notice (in both the Irish and English languages)”.

―An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

37. In page 48, between lines 5 and 6, to insert the following:

“Names of Constituencies and Local Electoral Areas

63. (1) In any case where the name of a constituency or local electoral area is used for official purposes in text or spoken form, for the purposes of any election following the commencement of this Act or by a public body for any other purpose, the name of the constituency shall be in the Irish language or in the Irish and English languages.

(2) Where the name of a constituency is given in both official languages in written form, the text Irish language shall be at least as prominent, as visible, and as legible as the text in the English language, shall not have lettering smaller in size than the lettering in the text in the English language, and the name in the English language shall not appear except following the text in the Irish language.

(3) Where the name of a constituency is given in both official languages in oral form, the spoken name in the Irish language shall be at least as prominent, as audible, and as clear as the text in the English language and shall be spoken prior to the name in the
38. In page 48, between lines 18 and 19, to insert the following:

“(2) The Commission shall include, as a programme under subsection (1), the subject of gender quotas at local elections, with the objective of making recommendations to the Minister outlining how this can be achieved.”.

—Jennifer Whitmore.

39. In page 49, line 2, after “programmes” to insert “, in both official languages equally,”.

—Aengus Ó Snodaigh.

40. In page 50, lines 35 and 36, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

41. In page 51, to delete lines 1 to 4 and substitute the following:

“(b) by the substitution, in section 106(4), of “An Coimisiún Toghcháin” for “the Referendum Commission” in each place it occurs, and

(c) by the substitution, in section 127(8), of “An Coimisiún Toghcháin” for “the Referendum Commission” in each place it occurs.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

42. In page 51, line 8, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

43. In page 51, line 10, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

44. In page 51, line 13, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

45. In page 52, line 30, to delete “The Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

46. In page 52, after line 30, to insert the following:

“Amendment of Údarás na Gaeltachta Act 1979

78. (1) In this section—

“Act of 1979” means the Údarás na Gaeltachta Act 1979;
“Minister” means the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.

(2) Section 6 of the Act of 1979 is hereby amended by the substitution of the following subsection for subsection (2):

“(2) An tÚdarás shall consist of a chairperson who shall be appointed by the Minister and 19 other members of whom 17 shall be persons elected in accordance with Part IV of this Act and 2 shall be appointed by the Minister.”.

(3) The Act of 1979 is hereby amended by the substitution of the following section for section 29:

“29. (1) Each of the following areas shall be a constituency for the purposes of this Part:

(a) the area comprising those parts of the Gaeltacht situated in the county of Donegal,
(b) the area comprising those parts of the Gaeltacht situated in the county of Mayo,
(c) the area comprising those parts of the Gaeltacht situated in the county of Galway,
(d) the area comprising those parts of the Gaeltacht situated in the county of Meath,
(e) the area comprising those parts of the Gaeltacht situated in the county of Kerry,
(f) the area comprising those parts of the Gaeltacht situated in the county of Cork, and
(g) the area comprising those parts of the Gaeltacht situated in the county of Waterford.

(2) In an election—

(a) the constituency specified in subsection (1)(a) shall return 4 persons,
(b) the constituency specified in subsection (1)(b) shall return 2 persons,
(c) the constituency specified in subsection (1)(c) shall return 6 persons,
(d) the constituency specified in subsection (1)(d) shall return 1 person,
(e) the constituency specified in subsection (1)(e) shall return 2 persons,
(f) the constituency specified in subsection (1)(f) shall return 1 person,
(g) the constituency specified in subsection (1)(g) shall return 1 person.”.

(4) The First Schedule to the Act of 1979 is amended—

(a) by the substitution of the following for paragraph 2:

“2. A member of an tÚdarás other than a member appointed in accordance with section 6(2)(a)(vi) shall, unless the member sooner dies, resigns, becomes disqualified or is removed from office, hold office for such period not exceeding five years.”,

(b) by the deletion of paragraph 3.”.

—Aengus Ó Snodaigh.

47. In page 56, to delete lines 23 to 26.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta, Cian O'Callaghan.

48. In page 56, line 27, to delete “(e)” and substitute “(d)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

49. In page 59, line 34, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

50. In page 59, line 35, to delete “the Commission” and substitute “An Coimisiún”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

51. In page 68, line 21, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

52. In page 68, line 22, to delete “the Commission” and substitute “An Coimisiún”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

53. In page 68, line 32, to delete “the Commission” and substitute “An Coimisiún”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

54. In page 73, between lines 9 and 10, to insert the following:

““Maintaining and updating register”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

55. In page 73, line 10, to delete ““5.”” and substitute “5.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.

56. In page 79, line 29, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachtta.
57. In page 82, to delete lines 25 to 34 and substitute the following:

“29. (1) An application to be entered on the register of electors under section 15D shall be in a form directed by the Minister and shall include, having regard to Rule 5(3), such information as is necessary to enable the registration authority to carry out its functions.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

58. In page 82, line 36, to delete “and shall include” and substitute “and shall be made by the applicant directly to the registration authority for the registration area in which he or she is ordinarily resident and shall include”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

59. In page 83, line 3, to delete “using the information referred to in paragraph (1)(a) to (e)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

60. In page 83, to delete lines 17 to 20 and substitute the following:

“(5) A registration authority shall consider, in accordance with paragraph (7), an application form which is signed by the applicant in the presence of—”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

61. In page 84, line 24, to delete “required under” and substitute “required pursuant to”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

62. In page 85, to delete lines 32 to 39 and substitute the following:

“31. (1) Notwithstanding sections 7(1)(a), 8(1)(a) and 9 and subject to section 11(1)(a)—

(a) a person who is registered as an elector in a constituency or local electoral area as a local or European elector, or as a Dáil elector under section 8(2), and who becomes a citizen of Ireland shall, in a form directed by the Minister, apply directly to the registration authority for the registration area in which he or she is ordinarily resident to have his or her name entered in the register of presidential electors, and

(b) a person who is registered as an elector and who becomes a citizen of a state other than Ireland shall, in a form directed by the Minister, apply directly to the registration authority for the registration area in which he or she is ordinarily resident to have the relevant information held by the registration authority in respect of him or her updated.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.
63. In page 85, lines 40 and 41, to delete “required under” and substitute “required pursuant to”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

64. In page 86, line 5, to delete “(4)” and substitute “(4)(a)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

65. In page 86, line 5, to delete “paragraph (1)” and substitute “paragraph (1)(a)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

66. In page 86, between lines 12 and 13, to insert the following:

“(b) An applicant referred to in paragraph (1)(b) shall satisfy the registration authority that the information provided to the authority is correct and shall provide to the authority such further information and documents as the authority may require, having regard to Rule 5(3).”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

67. In page 86, line 14, to delete “paragraph (1)” and substitute “paragraph (1)(a)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

68. In page 86, line 14, to delete “paragraph (4)” and substitute “paragraph (4)(a)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

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

“(6) The registration authority, on receipt of an application under paragraph (1)(b) and on being satisfied, under paragraph (4)(b) that the information provided to the authority is correct, shall update the relevant information held by the registration authority in respect of him or her.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

70. In page 86, line 19, to delete “(6)” and substitute “(7)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

71. In page 91, to delete lines 2 to 11 and substitute the following:

“38. (1) An application to be entered on the pending electors list under section 17A shall be in a form directed by the Minister and shall include, having regard to Rule 5(3), such information as is necessary to enable the registration authority to carry out its functions.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

72. In page 91, line 13, to delete “and shall include” and substitute “and shall be made by the applicant directly to the registration authority for the registration area in which he or she is ordinarily resident and shall include”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.
73. In page 91, line 18, to delete “using the information referred to in paragraph (1)(a) to (e)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

74. In page 91, to delete lines 32 to 34 and substitute the following:

“(5) A registration authority shall consider in accordance with paragraph (7) an application form which is signed by the applicant in the presence of—”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

75. In page 94, between lines 14 and 15, to insert the following:

“Amendment of section 17 of Electoral Act 1997

106. Section 17 of the Act of 1997 is amended by the insertion of the following subsection after subsection (4B) (inserted by section 42 of the Act of 2012):

“(4C)(a) The Commission shall, no later than one year following its establishment, prepare and publish a report, following consultation with the Irish speaking community, on the feasibility and options for establishing a conditional fund to support qualified parties in addition to the payments calculated in accordance with this Part which would be made available to assist in the delivery of full equal rights and opportunities for Irish speaking members of the public, members of the qualified party in question, and employees, to participate in their organisation and engage with their representatives, administration, public policy proposals and websites or online accounts in the Irish language without having to resort to use of the English language.

(b) The report shall be laid before the Minister, both Houses of the Oireachtas, and the Joint Oireachtas Committee for the Irish language, the Gaeltacht and the Irish speaking community on the day of publication.”.

—Aengus Ó Snodaigh.

76. In page 109, line 25, to delete “notices” and substitute “notices (which shall be in both the Irish and English languages)”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

77. In page 110, line 5, to delete “prepare and publish” and substitute “prepare and publish, in both the Irish and English languages,”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

78. In page 110, line 7, to delete “prepare and publish” and substitute “prepare and publish, in both the Irish and English languages,”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.
79. In page 128, lines 29 and 30, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

80. In page 129, line 27, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

81. In page 130, line 23, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

82. In page 131, lines 16 and 17, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

83. In page 132, lines 10 and 11, to delete “the Electoral Commission” and substitute “An Coimisiún Toghcháin”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

84. In page 135, lines 18 to 20, to delete all words from and including “sections” in line 18 down to and including “61(4))” in line 20 and substitute the following:

“sections 25(1)(d), 25(1A)(b), 25(1B)(a), 25(1C), 25(1D), 25(1E)(b), 25(1F), 43(2)(d), 43(3)(c), 61(2)(d), 61(2)(g), 61(2A), 61(2B)(b), 61(3)(c) and 92(1)(d))”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

85. In page 135, line 41, to delete “and”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

86. In page 136, lines 14 and 15, to delete all words from and including “Credit Union Act” in line 14 down to and including line 15 and substitute “Credit Union Act 1997;”.

and”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

87. In page 136, between lines 15 and 16, to insert the following:

“(d) in paragraph (b) of subsection (2)—

(i) in subparagraph (vi), by the deletion of “candidate authenticated by the political party at a Dáil or European election,”,

(ii) in subparagraph (vii), by the substitution of “or funds provided to such candidate by the political party in relation to those expenses,” for “other than a donation of money;”, and

(iii) by the insertion of the following subparagraph after subparagraph (vii):
“(viii) election expenses incurred by a political party on behalf of a
candidate authenticated by the political party at a Dáil or
European election or funds provided to such candidate by the
political party in relation to those expenses;”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

88. In page 136, between lines 15 and 16, to insert the following:

“(d) (i) in subsection (2)(d), by the substitution of “donation;” for “donation.”, and

(ii) by the insertion of the following after subsection (2)(d):

“(e) where a gift or a bequest of money is made outside the State to a
political party, it is deemed to be a donation to which this Part
applies notwithstanding that—

(i) the party may also be registered as a political party under the
law of the place in which the donation is made, or

(ii) the party engages in political or other promotional activities in
that place.”.

—Ged Nash.

89. In page 136, to delete lines 25 to 33 and substitute the following:

“24B. (1) Not later than 31 March in every year, the leader of each political
party, which, in the preceding year, had members in either House of
the Oireachtas or, as the case may be, in the European Parliament,
shall furnish to the Standards in Public Office Commission a written
statement, in the form directed by the Commission, in respect of the
preceding year, indicating the value of each donation received by the
political party from outside the State (if any), whether in cash or in
kind, exceeding €100 in value and confirming that each such donation
(including all contributions) has been included in the written statement
for that year.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

90. In page 137, between lines 20 and 21, to insert the following:

“Amendment of section 31 of Principal Act

156. Section 31 of the Principal Act is amended, in paragraph (a) of subsection (1), by the
substitution of “In this Part and in section 22 ‘election expenses’ means” for “In this Part
‘election expenses’ means”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.
91. In page 138, between lines 20 and 21, to insert the following:

“Amendment of Principal Act – Insertion of section 82A

160. The Principal Act is amended by the insertion of the following section:

“Fixed payment notices

82A. (1) Where a person commits an offence under a relevant provision, the Standards in Public Office Commission may serve a notice (in this section referred to as a ‘fixed payment notice’) on the person.

(2) The fixed payment notice shall—

(a) be in a form directed by the Minister,

(b) state that the person is alleged to have committed an offence under the relevant provision concerned,

(c) state that the person is not obliged to pay the fixed payment,

(d) state that, if the fixed payment is paid to the Commission by the date specified in it, a prosecution in respect of the offence under the relevant provision concerned will not be initiated, and

(e) contain details of how the fixed payment is to be paid.

(3) The fixed payment notice shall be served on the person by delivering it to the person or by leaving it at, or posting it to, the address (or principal address) at which the person carries on business or (if there is no such address) the address at which the person ordinarily resides.

(4) The fixed payment is €200.

(5) No prosecution in respect of the offence under the relevant provision shall be initiated against the person—

(a) until after the date specified in the fixed payment notice as that by which the fixed payment is to be paid, or

(b) at all, if the fixed payment is paid to the Standards in Public Office Commission before that date.

(6) The amount of any fixed payment received by the Standards in Public Office Commission under this section shall be paid into or disposed of for the benefit of the Exchequer as the Minister for Finance directs.

(7) In this section, ‘relevant provision’ means section 25(1)(a), 25(1)(b), 25(1)(c), 25(1A)(a), 25(1B)(b), 25(1B)(c), 43(2)(c), 43(3)(b), 61(2)(c), 61(2)(f), 61(2)(h), 61(2)(i), 61(3)(a), 61(3)(b) or 92(1)(c).”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

92. In page 139, to delete lines 24 and 25 and substitute the following:

“(b) in subsection (2)—
(i) in paragraph (a)—

(I) by the insertion of “, and of each of its subsidiary organisations,” after “party”, and

(II) by the substitution of “time,” for “time, and”,

and

(ii) by the substitution of the following paragraphs for paragraph (b):

“(b) be furnished by each subsidiary organisation to the appropriate officer within the period of 3 months from the end of the financial year to which the relevant books of accounts relate, and

(c) enable the appropriate officer to ensure that the annual statement of accounts complies with the guidelines.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

93. In page 140, to delete lines 28 to 30 and substitute the following:

“sections 85(1), 86(1) and 87(1) shall not apply and the appropriate officer of the political party shall not be required to prepare an annual statement of accounts for that subsidiary organisation.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

94. In page 140, line 32, to delete “(a)(i)” and substitute “(a)”.  

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

95. In page 140, line 33, to delete “or”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

96. In page 140, line 34, to delete “(ii)” and substitute “(b)”. 

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

97. In page 140, line 36, to delete “year, and” and substitute “year, or”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

98. In page 141, line 1, to delete “(b)” and substitute “(c)”. 

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

99. In page 141, to delete lines 2 and 3 and substitute the following:

“sections 86(1) and 87(1)(b) shall not apply and the annual statement of accounts for that subsidiary organisation shall not be required to be audited by a statutory auditor.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

100. In page 141, to delete lines 10 and 11 and substitute the following:

“the requirements of sections 85(1), 86(1) and 87(1) shall apply to that
subsidiary organisation and the appropriate officer of the political party shall be required to prepare an annual statement of accounts for that subsidiary organisation and those annual statements of accounts shall be audited by a statutory auditor.”.

—An tAire Tithiochta, Rialtais Áitiúil agus Oidhreachta.

101. In page 148, after line 21, to insert the following:

“PART 8

LOTTERY FUNDRAISING BY POLITICAL PARTIES

Fundraising by political parties

172. (1) A political party may apply to the District Court for a licence (in this section referred to as a “lottery licence”) to promote periodical lotteries.

(2) An application under subsection (1) shall—

(a) be accompanied by a fee of €150, and

(b) be made to the District Court not less than 60 days before the first day on which it is intended to promote the lottery to which the application relates.

(3) When considering an application for a lottery licence, a District Court judge shall have regard to the purpose of the lottery concerned.

(4) The superintendent of the Garda Síochána for the district in which the lottery is to be held and any other person who appears to the court to be interested may appear and adduce evidence in relation to the application.

(5) Subject to subsection (10), the District Court shall either grant the application and issue the lottery licence or refuse the application.

(6) A lottery licence issued under subsection (5) shall continue in force for such period, not exceeding 12 months, as may be specified in the licence.

(7) An application under subsection (1) shall be made to a judge of the District Court assigned to the District Court district in which it is proposed to promote the lottery.

(8) A political party to which a lottery licence has been issued under subsection (5) shall not transfer that licence to any other person and any such purported transfer shall be void and of no effect.

(9) A political party to which a lottery licence has been issued under subsection (5) shall not accept a stake from a person under the age of 18 years in relation to the lottery.

(10) A lottery licence shall be issued subject to the following conditions:

(a) the value of each prize and the name of the intended beneficiary of the lottery shall be stated on every ticket or coupon or, where the lottery is conducted in a premises, prominently displayed at the normal means of access to the premises.
proposed to be used;

(b) the total value of the prizes shall—

(i) if more than one lottery is held in any week, be not more than €30,000, or

(ii) if one lottery is held in any year, be not more than €360,000.

(11) A political party to which a lottery licence has been issued under subsection (5) shall comply with the conditions of the lottery licence.

(12) The District Court clerk for the District Court district in which the application under subsection (1) was made shall keep a register of all lottery licences issued under subsection (5).

(13) Every register maintained under subsection (12) may be maintained electronically and shall be available for inspection at all reasonable times by members of the public.”.

—An tAire Tíothochta, Rialtais Áitiúil agus Oidhreachta.