



---

**An Bille um Adhlacthaí Forais (Leasú), 2022**  
**Institutional Burials (Amendment) Bill 2022**

---

*Mar a tionscnaíodh*

*As initiated*

---





---

**AN BILLE UM ADHLACTHAÍ FORAIS (LEASÚ), 2022  
INSTITUTIONAL BURIALS (AMENDMENT) BILL 2022**

---

*Mar a tionscnaíodh*

*As initiated*

---

**CONTENTS**

**Section**

1. Definitions
2. Amendment of section 2 of Principal Act
3. Amendment of section 7 of Principal Act
4. Short title, collective citation, construction and commencement

ACT REFERRED TO

Institutional Burials Act 2022 (No. 18)



---

**AN BILLE UM ADHLACTHAÍ FORAIS (LEASÚ), 2022**  
**INSTITUTIONAL BURIALS (AMENDMENT) BILL 2022**

---

# Bill

*entitled*

An Act to amend the Institutional Burials Act 2022 to enable Director of Authorised Intervention to engage in cases where precise burial places cannot be identified but where inappropriate burials are likely to have taken place in an institutional setting, to provide for cases where persons who consider that they are related to persons thought to be buried on principal burial land indicate that an excavation of the land is their preference, and to provide for related matters. 5 10

**Be it enacted by the Oireachtas as follows:**

## **Definitions**

1. In this Act—
- “Minister” means the Minister for Children, Equality, Disability, Integration and Youth;
- “Principal Act” means the Institutional Burials Act 2022. 15

## **Amendment of section 2 of Principal Act**

2. Section 2 of the Principal Act is amended in the definition of “principal burial land” by the insertion of “there is reasonable evidence to suggest that” after “where”.

## **Amendment of section 7 of Principal Act**

3. (1) Section 7 of the Principal Act is amended— 20
- (a) in subsection 3, by the substitution of “, including in cases where the precise location of burials cannot be identified, where there is reasonable evidence to suggest that” for “where they are satisfied that”,
- (b) in subsection 3(a), by the insertion of “are reasonably likely to” after “burials”,
- (c) by the insertion of the following subsections after subsection (3): 25
- “(3A) For the purposes of this section, ‘evidence’ means evidence of manifestly inappropriate burials, and may include, but not be limited to—
- (a) missing burial records, or the absence of or conflicting information

concerning the location(s) where persons who died while resident at the institution were buried,

(b) records which indicate the presence of manifestly inappropriate burial sites, or

(c) records which indicate an unusually high death rate at the institution. 5

(3B) The Government may make an order under subsection (1) where persons who consider that they are related to persons thought to be buried on principal burial land indicate that the making of an order is their preference, and where the making of an order would not contravene subsection (4).”, 10

and

(d) by the deletion of subsection (5).

#### **Short title, collective citation, construction and commencement**

4. (1) This Act may be cited as the Institutional Burials (Amendment) Act 2022. 15

(2) The Institutional Burials Act 2022 and this Act may be cited together as the Institutional Burials Acts 2022 and shall be construed together as one.

(3) This Act shall come into operation on such day or days as the Minister may by order or orders appoint either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions. 20



# BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta um Adhlacthaí Forais, 2022 chun a chumasú don Stiúrthóir um Idirghabháil Údaraithe gabháil do chásanna nach féidir áiteanna beachta adhlactha a chéannú ach inar dóigh gur tharla adhlacthaí míchuí i suíomh forais, do dhéanamh socrú maidir le cásanna ina léiríonn daoine a mheasann go bhfuil siad gaolta le daoine a cheaptar a bheith adhlactha i bpríomhthalamh adhlactha gurb é a rogha é go ndéanfar an talamh a thochailt, agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Na Seanadóirí Lynn Ní Ruáin, Ailís Máire Ní Uiginn, Proinséas Ní Dhuibh agus Eibhlín Ní Fhlóinn a thug isteach,*

*29 Meán Fómhair, 2022*

# BILL

(as initiated)

entitled

An Act to amend the Institutional Burials Act 2022 to enable the Director of Authorised Intervention to engage in cases where precise burial places cannot be identified but where inappropriate burials are likely to have taken place in an institutional setting, to provide for cases where persons who consider that they are related to persons thought to be buried on principal burial land indicate that an excavation of the land is their preference, and to provide for related matters.

*Introduced by Senators Lynn Ruane, Alice-Mary Higgins, Frances Black and Eileen Flynn,*

*29th September, 2022*

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ó

FOILSEACHÁIN RIALTAIS,  
BÓTHAR BHAILE UÍ BHEOLÁIN, CILL MHAIGHNEANN,  
BAILE ÁTHA CLIATH 8, D08 XAO6.

Tel: 046 942 3100

r-phost: [publications@opw.ie](mailto:publications@opw.ie)

nó trí aon díoltóir leabhar.

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE

To be purchased from

GOVERNMENT PUBLICATIONS,  
MOUNTSHANNON ROAD, KILMAINHAM,  
DUBLIN, D08 XAO6.

Tel: 046 942 3100

Email: [publications@opw.ie](mailto:publications@opw.ie)

or through any bookseller.

€1.27



9 781399 304177