



SEANAD ÉIREANN

AN BILLE UM THITHÍOCHT AGUS UM THIONÓNTACHTAÍ CÓNAITHE (FORÁLACHA ILGHNÉITHEACHA), 2026 HOUSING AND RESIDENTIAL TENANCIES (MISCELLANEOUS PROVISIONS) BILL 2026

LEASUITHE COISTE COMMITTEE AMENDMENTS

SEANAD ÉIREANN

AN BILLE UM THITHÍOCHT AGUS UM THIONÓNTACHTAÍ CÓNAITHE (FORÁLACHA ILGHNÉITHEACHA), 2026 —AN COISTE

HOUSING AND RESIDENTIAL TENANCIES (MISCELLANEOUS PROVISIONS) BILL 2026 —COMMITTEE STAGE

Leasuithe Amendments

SECTION 1

1. In page 6, between lines 4 and 5, to insert the following:

“(5) This Act shall not be commenced until a human rights and equality impact assessment has been conducted and a strategy is devised to protect those in Ireland under the EU Temporary Protection Directive or in emergency accommodation, so they are not made homeless. The strategy should consist of a transitional programme aimed at ensuring that EU law on anti-human trafficking is upheld. The assessment shall include the views of multiple human rights, immigration rights and homelessness organisations.”.

—*Senator Aubrey McCarthy.*

2. In page 6, between lines 4 and 5, to insert the following:

“(5) Within twelve months of the commencement of this Bill the Minister for Housing shall lay before the Houses of the Oireachtas a report on the implications of Part 2 of the Bill for returning Irish migrants, and in particular those Irish citizens returning to live in Ireland following extended periods of residence in other jurisdictions to ensure that the operation of the habitual residence conditions do not act as a barrier to Irish citizens being able to reside within the state as access social housing support subject to the eligibility conditions set out in the Housing Acts.”.

—*Senators Maria McCormack, Chris Andrews, Joanne Collins, Conor Murphy,
Nicole Ryan, Pauline Tully.*

SECTION 6

Section opposed.

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

SECTION 7

Section opposed.

—*Senators Alice-Mary Higgins, Lynn Ruane, Laura Harmon, Nessa Cosgrove.*

3. In page 8, line 15, to delete “may” and substitute “shall”.

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

[SECTION 7]

4. In page 8, line 17, after “10(1)” to insert “at a minimum”.

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

5. In page 8, lines 17 and 18, to delete all words from and including “between” in line 17 down to and including line 18.

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

6. In page 8, line 21, to delete “may” and substitute “shall”.

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

7. In page 8, lines 21 to 24, to delete all words from and including “for,” in line 21 down to and including “formed” in line 24.

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

8. In page 8, line 22, after “period” to insert “at a minimum”.

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

9. In page 8, to delete lines 27 to 30.

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

SECTION 8

Section opposed.

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

SECTION 10

10. In page 10, to delete line 20.

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

11. In page 10, to delete line 27.

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

SECTION 11

Section opposed.

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

SECTION 12

Section opposed.

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

12. In page 11, to delete line 8 and substitute the following:

“(b) at least one member of the household is habitually resident in the State,”.

—*Senators Laura Harmon, Nessa Cosgrove.*

13. In page 11, line 21, to delete “Paragraph (a)” and substitute “Paragraphs (a) and (b)”.

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

[SECTION 12]

14. In page 15, after line 38, to insert the following:

“(13) Nothing in this section shall be construed as—

- (a) restricting or qualifying any right conferred on a person by the Treaties of the European Union or by the Regulations of 2015, or
- (b) requiring a housing authority to act in a manner incompatible with the State's obligations under the Convention within the meaning of the European Convention on Human Rights Act 2003.”.

—*Senators Laura Harmon, Nessa Cosgrove.*

15. In page 15, after line 38, to insert the following:

“(13) Nothing in this section affects the eligibility of any person or household for emergency accommodation or for any service or assistance provided to homeless persons under section 10 of the Housing Act 1988, and a housing authority shall not have regard to the residency requirements imposed by this section in determining whether to provide, or to arrange for the provision of, such accommodation, service or assistance.”.

—*Senators Laura Harmon, Nessa Cosgrove.*

16. In page 16, after line 39, to insert the following:

“(i) the household or members of the household were refused access to emergency homeless accommodation provided under Section 10 of the Housing Act 1988”.

—*Senators Maria McCormack, Chris Andrews, Joanne Collins, Conor Murphy, Nicole Ryan, Pauline Tully.*

17. In page 16, after line 39, to insert the following:

“(i) the household or members of the household were removed from emergency homeless accommodation provided under Section 10 of the Housing Act 1988”.

—*Senators Maria McCormack, Chris Andrews, Joanne Collins, Conor Murphy, Nicole Ryan, Pauline Tully.*

18. In page 16, after line 39, to insert the following:

“(i) the determination was otherwise unreasonable having regard to all the circumstances of the household's application.”.

—*Senators Laura Harmon, Nessa Cosgrove.*

19. In page 17, to delete lines 12 to 16 and substitute the following:

“(6) A social housing appeal shall be made to an independent appeals office located within the Housing Agency within 28 days of the notification by the housing authority to the household concerned of the making of a determination in respect of the application or

[SECTION 12]

reassessment for social housing support concerned under section 20.”.

—*Senators Maria McCormack, Chris Andrews, Joanne Collins, Conor Murphy,
Nicole Ryan, Pauline Tully.*

SECTION 13

20. In page 18, between lines 22 and 23, to insert the following:

“Equality impact assessment

13. (1) The Minister shall, before making an order under section 1(4) bringing section 12 into operation, cause to be carried out an equality impact assessment of the residency requirements imposed by section 20A of the Act of 2009 (as inserted by section 12).
- (2) An equality impact assessment under this section shall assess the likely effect of the residency requirements referred to in subsection (1) on persons sharing a protected characteristic within the meaning of the Equal Status Acts 2000 to 2018, having regard in particular to—
- (a) race, nationality and ethnic or national origins,
 - (b) family status, and
 - (c) membership of the Traveller community.
- (d) The Minister shall, as soon as practicable after the completion of an equality impact assessment under this section, cause a copy of the assessment to be laid before each House of the Oireachtas.
- (3) Nothing in this section shall be construed as precluding the Minister from commencing section 8 following the completion and laying of an equality impact assessment under this section, notwithstanding any findings contained in that assessment.”.

—*Senators Laura Harmon, Nessa Cosgrove.*

SECTION 15

21. In page 19, between lines 27 and 28, to insert the following:

“Social housing assessment: transfer and recognition

15. The Act of 2009 is amended by the insertion of the following section after section 20B (inserted by section 12)—

“Social housing passport

- 20C (1) Where a housing authority (in this section referred to as the ‘assessing authority’) has determined under section 20 that a household is qualified for social housing support, and a member of that household subsequently establishes a connection with the functional area of another housing authority (in this section referred to as the ‘receiving authority’), the household may apply to the receiving authority to have the assessment of the assessing authority recognised for the purposes of social housing support in the functional area of the receiving

[SECTION 15]

authority.

- (2) On receipt of an application under subsection (1), the receiving authority shall—
 - (a) recognise the assessment of the assessing authority as establishing that the household is qualified for social housing support in its functional area, without requiring the household to submit to a fresh assessment, unless,
 - (i) the assessment of the assessing authority was made more than 3 years before the date of the application under subsection (1), or
 - (ii) the receiving authority has reasonable grounds for believing that the circumstances of the household have materially changed since the date of the assessment,
 - and
 - (b) where paragraph (a)(i) or (ii) applies, carry out a fresh assessment of the household's eligibility for social housing support in accordance with section 20, taking into account such information as was provided to the assessing authority as the receiving authority considers relevant.
- (3) Where the receiving authority recognises an assessment under subsection (2)(a), the household shall be placed on the housing list of the receiving authority with effect from the date on which the household was placed on the housing list of the assessing authority, subject to the application of any scheme of letting priorities made under section 22 by the receiving authority.
- (4) A household may appeal a decision of a receiving authority under subsection (2) in accordance with section 20B.
- (5) The Minister may by regulations make further provision for the purposes of this section, including provision for—
 - (a) the form and manner of an application under subsection (1),
 - (b) the information to be provided by a household in support of such an application,
 - (c) the circumstances in which a material change in circumstances under subsection (2)(a)(ii) may be found to exist, and
 - (d) the procedures to be followed by housing authorities in giving effect to this section.”.

—*Senators Laura Harmon, Nessa Cosgrove.*

Section opposed.

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

[SECTION 17]

SECTION 17

Section opposed.

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

SECTION 22

- 22.** In page 24, to delete lines 17 to 39.

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

SECTION 24

- 23.** In page 26, to delete lines 14 and 15.

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

SECTION 41

Section opposed.

—*Senators Laura Harmon, Nessa Cosgrove.*

SECTION 55

- 24.** In page 42, to delete lines 24 to 27.

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

- 25.** In page 42, line 25, to delete “may” and substitute “shall”.

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

SECTION 61

Section opposed.

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