

DÁIL ÉIREANN

AN BILLE UM CHOSAINN IDIRNÁISIÚNTA, 2026
[BILLE DÁLA ARNA LEASÚ AG AN SEANAD]

INTERNATIONAL PROTECTION BILL 2026
[DÁIL BILL AMENDED BY THE SEANAD]

Leasuithe chun leasuithe
Amendments to Amendments

*[The page and line references in this list of amendments
are to the text of the Bill as passed by Dáil Eireann]*

SECTION 47

44. In page 52, after line 41, to insert the following:

“Functions of provisional representative person and representative person

47. (1) The functions of a provisional representative person or a representative person in respect of an unaccompanied minor in relation to whom he or she is designated or appointed shall be to represent, assist and act on behalf of the unaccompanied minor, as applicable, in order to safeguard the best interests and general well-being of the unaccompanied minor in a manner that enables the unaccompanied minor to benefit from his or her rights and to comply with his or her obligations under this Act or the EU acts.
- (2) Without prejudice to the generality of *subsection (1)*, for the purposes of performing his or her functions under this Act or the EU acts, a provisional representative person or a representative person shall, in respect of an unaccompanied minor in relation to whom he or she is designated or appointed, exercise, as required, and where appropriate together with the unaccompanied minor’s legal representative (if any), the following powers:
- (a) to meet with the unaccompanied minor and take into account the minor’s views regarding his or her needs where those views are relevant to the performance by the provisional representative person or the representative person of his or her functions in relation to that unaccompanied minor;
 - (b) to assist the unaccompanied minor in the provision of information that is relevant to the assessment of his or her best interests by the minor to any person for any purpose under this Act or the EU acts;
 - (c) to provide the unaccompanied minor with information relevant to the procedures provided for in this Act or the EU acts and to assist the unaccompanied minor in understanding the information relevant to the procedures provided for in and under this Act or the EU acts;
 - (d) where applicable, to assist the unaccompanied minor in relation to the provision of biometric and other data under *section 15* including providing the minor with

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- information relevant to the provision of the data;
- (e) where applicable, to assist the unaccompanied minor in relation to screening procedures carried out in accordance with *Chapter 2* of *Part 2*;
 - (f) where applicable, to assist the unaccompanied minor with an age assessment carried out in accordance with *Chapter 3*;
 - (g) where applicable, to assist the unaccompanied minor with the registration and lodgement of an application, or to register and lodge an application on behalf of the unaccompanied minor in accordance with *sections 37* and *38* and to submit elements and documents in accordance with *section 39*;
 - (h) where applicable, to assist with the preparation of, and be present for, the unaccompanied minor's personal interview and to inform the unaccompanied minor about the purpose and possible consequences of the personal interview and about how to prepare for that interview;
 - (i) where applicable, to assist the unaccompanied minor in relation to any measure applied in relation to the unaccompanied minor, or any related review or appeal, under *Part 5**;
 - (j) where applicable, to assist the unaccompanied minor in relation to procedures under the Asylum and Migration Management Regulation including preparing, and being present for, an Article 22 interview (within the meaning of *Chapter 2* of *Part 4*) and appealing a transfer decision;
 - (k) where applicable, to assist the unaccompanied minor in relation to an appeal (within the meaning of *Part 6*) to the Tribunal, including preparing, and being present, for an oral hearing;
 - (l) where applicable, to support the unaccompanied minor in any engagement with family tracing procedures carried out in accordance with the Asylum Migration Management Regulation or the Reception Conditions Directive.
- (3) A provisional representative person or a representative person appointed in relation to an unaccompanied minor shall—
- (a) be independent in the performance of his or her functions,
 - (b) not have any interests that conflict, or potentially conflict, with the interests of the unaccompanied minor,
 - (c) subject to *section 49*, be appointed in respect of no more than 30 unaccompanied minors at any one time,
 - (d) have the necessary qualifications, training and expertise to perform the functions of a provisional representative person or representative person, as appropriate, and
 - (e) treat any information received in his or her capacity as a representative person or a provisional representative person as confidential and not disclose such information to any person except—

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- (i) for the purpose of the performance of his or her functions under this Act or the EU acts,
- (ii) when required, by an order of a court of competent jurisdiction, to disclose the information in civil or criminal proceedings, or
- (iii) where otherwise required to do so in accordance with any enactment.”.

[Acceptance of this amendment involves the deletion of section 47 of the Bill.]

*[*This is a reference to a Part proposed to be inserted by amendment No. 90 on the principal list of amendments dated 7 April 2026.]*

Amendment to Amendment No. 44

I. After subsection (3), to insert the following:

- “(4) A provisional representative person or a representative person appointed in relation to an unaccompanied minor shall, in the performance of his or her functions, comply with child specific safeguarding standards, and in particular shall—
- (a) ensure that all actions taken in respect of the unaccompanied minor are guided by the principles of child protection, child welfare and the best interests of the child,
 - (b) have due regard to the minor’s age, maturity, gender, cultural background, developmental needs and any indicators of trauma or vulnerability,
 - (c) take all reasonable steps to ensure that the unaccompanied minor is protected from harm, exploitation, re-trafficking, secondary victimisation or any treatment that may adversely affect the minor’s physical, psychological or emotional well-being, and
 - (d) ensure that any interviews, assessments, procedures or engagements involving the unaccompanied minor are conducted in a child appropriate, trauma informed and culturally sensitive manner.”.

Matt Carthy

SECTION 69

65. In page 69, between lines 13 and 14, to insert the following:

“CHAPTER 2

Material reception conditions

Provision of material reception conditions

- 71.** (1) Subject to this Part, an applicant shall be entitled to receive material reception conditions under this Chapter where the applicant does not have sufficient means to have an adequate standard of living without receiving such conditions.
- (2) The Minister shall make material reception conditions (other than the daily expenses allowance and the clothing allowance) available to the applicant at the accommodation allocated to the applicant under *section 72** provided that the applicant resides in the accommodation.

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- (3) The Minister for Social Protection shall make the daily expenses allowance and, where necessary, a clothing allowance available to the applicant provided that the applicant resides in the accommodation allocated to the applicant under *section 72**.
- (4) The Minister, in consultation with the Minister for Social Protection, shall ensure that the material reception conditions provided to the applicant in accordance with their respective functions under *subsections (2) and (3)* provide an adequate standard of living for the applicant in accordance with Article 19(2) of the Reception Conditions Directive.
- (5) The Minister shall ensure that the requirements of *subsections (2), (3) and (4)* are also met in respect of—
 - (a) applicants assessed as having special reception needs under *section 77***, and
 - (b) applicants held in detention under *Part 5****.
- (6) Following consultation with the Minister for Social Protection, the Minister may by regulations do one or more than one of the following:
 - (a) provide that material reception conditions or specified material reception conditions are to be available to an applicant only where the applicant does not have sufficient financial means to have an adequate standard of living as referred to in *subsection (1)*;
 - (b) require an applicant to cover or contribute to the cost of the material reception conditions which the applicant receives where the applicant has sufficient means to do so;
 - (c) where it transpires that an applicant had sufficient financial means to cover the cost of the material reception conditions received at the time the applicant was provided with such conditions, require the applicant to refund the cost of those conditions to the State;
 - (d) in so far as it is necessary and proportionate for the purposes of this subsection, impose requirements on an applicant to share details of the applicant's financial means with the Minister and the Minister for Social Protection in such form and manner and in such circumstances as may be prescribed;
 - (e) in so far as is necessary and proportionate for the purposes of this subsection, impose requirements on an employer of an applicant, the Minister for Social Protection and the Revenue Commissioners to share with the Minister details of payments received by the applicant in such form and manner and in such circumstances as may be prescribed.
- (7) Regulations under *subsection (6)* shall ensure that—
 - (a) the principle of proportionality is respected,
 - (b) the applicant's individual circumstances are taken into account,
 - (c) the need to respect the applicant's dignity or personal integrity is taken into account, and

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- (d) the applicant’s special reception needs (if any) are taken into account.
- (8) The Minister or the Minister for Social Protection may provide the material reception conditions, or particular material reception conditions, as a financial allowance or vouchers or a combination of these.
- (9) The Minister, following consultation with the Minister for Social Protection, may make such regulations as the Minister considers necessary in order to—
 - (a) arrange for the provision of material reception conditions to applicants, and
 - (b) arrange for the giving of financial allowances or vouchers or a combination of these to applicants instead of any or all of the material reception conditions.
- (10) The entitlement of an applicant to material reception conditions under this Chapter shall not apply to an unaccompanied minor being provided with such conditions by or on behalf of the Child and Family Agency.”.

*[*This is a reference to a section proposed to be inserted by amendment No. 66 on the principal list of amendments.]*

*[**This is a reference to a section proposed to be inserted by amendment No. 71 on the principal list of amendments.]*

*[***This is a reference to a Part proposed to be inserted by amendment No. 90 on the principal list of amendments.]*

Amendment to Amendment No. 65

1. In subsection (10), after “Child and Family Agency”, to insert the following:

“, and such provision shall not be made through any for-profit provider”.

Matt Carthy

66. In page 69, between lines 13 and 14, to insert the following:

“Allocation of accommodation

72. (1) The Minister may allocate accommodation within the State to an applicant.
- (2) The Minister may, where the Minister considers it necessary to do so, allocate accommodation to an applicant that is different to the accommodation previously allocated by the Minister to the applicant and shall ensure that the applicant has the opportunity to inform the applicant’s legal representative or legal counselling service (if any) of the address of the new accommodation.
- (3) Other than where an applicant is detained under *Part 5**, an applicant may choose to reside at the accommodation allocated to the applicant under this section or, subject to *Part 5**, elsewhere in the State.
- (4) The Minister may by regulations provide for the putting in place of mechanisms for the purpose of verifying whether an applicant is residing at accommodation allocated to the applicant under this section for the purpose of *subsection (2) or (3) of section 71*** and such regulations may provide for all or any of the following:

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- (a) mechanisms by which the person in charge of an accommodation centre or an officer of the Minister may verify whether the applicant is residing in the accommodation;
 - (b) mechanisms, including electronic mechanisms, by which the applicant may confirm that he or she is residing in the accommodation, including verification of the applicant's identity by use of an identity card, password, or such personal data (within the meaning of the Data Protection Regulation) as may be prescribed;
 - (c) the processing (within the meaning of the Data Protection Regulation) of personal data for the purposes of verifying the identity of the applicant;
 - (d) suitable and specific measures to be taken to safeguard the fundamental rights and freedoms of data subjects in processing the data (which may include, in particular, the measures referred to in section 36(1) of the Act of 2018).
- (5) The Minister shall have regard to the following matters when allocating accommodation to an applicant:
- (a) where family members of the applicant are applicants and are present in the State, the maintenance, with the agreement of the applicant and the family member concerned, of family unity;
 - (b) gender and age-specific concerns;
 - (c) the special reception needs of the applicant (if any);
 - (d) where relevant, the efficient consideration of the applicant's application;
 - (e) the need to ensure, in so far as possible, the prevention of assault and violence including violence committed with a sexual, gender, racist or religious motive.
- (6) In allocating accommodation to a minor, the Minister shall ensure that the minor is accommodated with the minor's parents or with the adult responsible under law for the minor and the minor's unmarried minor siblings, provided it is in the best interests of the minor.
- (7) The Minister may, exceptionally and subject to *subsection (8)*, provide material reception conditions to an applicant that are different to those provided for in this section where—
- (a) an assessment of an applicant's needs is required to be carried out under *section 77****, or
 - (b) the accommodation otherwise normally available for allocation to an applicant is temporarily exhausted and the contingency plan for the time being in place under *section 222* is activated.
- (8) The provision of material reception conditions in accordance with *subsection (7)* shall—
- (a) be for as short a period as possible,
 - (b) ensure the applicant has access to health care in accordance with *section 76*****, and

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- (c) be in accordance with Article 20(10) of the Reception Conditions Directive.
- (9) Where an applicant is availing of material reception conditions in an accommodation centre—
 - (a) the applicant shall be afforded sufficient facilities within the accommodation centre to ensure that the applicant can communicate with the applicant’s relatives or legal representatives, persons providing legal counselling, representatives of the High Commissioner and other relevant national, international and non-governmental organisations or bodies, and
 - (b) subject to *subsection (10)*, family members and legal representatives of the applicant, persons providing legal counselling, representatives of the High Commissioner and other relevant non-governmental organisations shall have access to the accommodation centre in order to assist the applicant.
- (10) The right of access referred to in *subsection (9)(b)* may be limited only on grounds relating to the security of the accommodation centre and of applicants.
- (11) Where accommodation is allocated to an applicant, the Minister shall, without delay, inform the applicant in writing, in a language that the applicant understands or may reasonably be supposed to understand, of—
 - (a) the applicant’s obligations under the house rules of the accommodation, and the consequences of non-compliance with the house rules, and
 - (b) the contact details of the office of the Legal Aid Board and the Health Service Executive that services the area in which the accommodation is located.”.

*[*This is a reference to a Part proposed to be inserted by amendment No. 90 on the principal list of amendments.]*

*[**This is a reference to a section proposed to be inserted by amendment No. 65 on the principal list of amendments.]*

*[***This is a reference to a section proposed to be inserted by amendment No. 71 on the principal list of amendments.]*

*[****This is a reference to a section proposed to be inserted by amendment No. 70 on the principal list of amendments.]*

Amendments to Amendment No. 66

I. Between subsections (9) and (10), to insert the following:

“(10) The Minister shall publish all contracts, subcontracts, financial schedules, performance reports and compliance assessments relating to accommodation centres or accommodation services provided under this section, within 30 days of signature, subject only to the withholding of commercially sensitive information where strictly necessary and justified in writing. All documents published under this subsection shall be made available on a publicly accessible website maintained by the Minister.”.

Matt Carthy

71. In page 69, between lines 13 and 14, to insert the following:

“Assessment of special reception needs

77. (1) The Minister shall, as soon as practicable, and not later than 30 working days, after an application is made or deemed to have been made under *Part 3* or an indication is given under paragraph (a), (b) or (c) of section 13(1) of the Act of 2015, individually assess—
- (a) whether the applicant has special reception needs, and
 - (b) if so, the nature of those special reception needs.
- (2) Where necessary for the purposes of ensuring appropriate communication during the assessment under *subsection (1)*, the applicant shall be provided with the services of an interpreter.
- (3) The assessment under *subsection (1)* may be integrated with the assessment referred to in Article 20 of the Asylum Procedures Regulation.
- (4) Where *subsection (3)* applies, the assessment under *subsection (1)* must be continued after the application is lodged under *section 38*, taking into account any information in the applicant’s file.
- (5) Notwithstanding the period referred to in *subsection (1)*, where the Minister considers it necessary to do so, the Minister may at any stage after the expiry of that period, individually assess—
- (a) whether an applicant has special reception needs, and
 - (b) if so, the nature of the applicant’s special reception needs.
- (6) The Minister for Health and the Health Service Executive shall provide the Minister with such assistance as is necessary for the performance by the Minister of the Minister’s functions under this section.
- (7) The Minister shall ensure that a person carrying out an assessment under this section—
- (a) is trained to detect signs that an applicant has special reception needs,
 - (b) is trained to identify measures to address those special reception needs when identified, and
 - (c) attends training where necessary in order to ensure that the person remains sufficiently qualified to detect and identify measures to address the special reception needs of an applicant.
- (8) An assessment under *subsection (1)* shall be initiated by identifying special reception needs based on one or more than one of the following indicators:
- (a) visible signs from the applicant that the applicant may have special reception needs;
 - (b) the applicant’s statements;

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- (c) the applicant's behaviour;
 - (d) where the applicant is a minor:
 - (i) where applicable, statements from the minor's parents or the adult taking responsibility for the minor;
 - (ii) where designated or appointed, as the case may be, statements from the representative person or the provisional representative person of the minor;
 - (iii) the statements and views of the minor in accordance with the minor's age or maturity.
- (9) When assessing under this section whether an applicant may have special reception needs, the assessment shall take into consideration that the following categories of applicants are more likely to have special reception needs:
- (a) minors;
 - (b) unaccompanied minors;
 - (c) persons with disabilities;
 - (d) elderly persons;
 - (e) pregnant women;
 - (f) lesbian, gay, bisexual, transgender and intersex persons;
 - (g) single parents with minor children;
 - (h) victims of trafficking in human beings;
 - (i) persons with serious illnesses;
 - (j) persons with mental disorders, including post-traumatic stress disorder;
 - (k) persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, victims of gender-based violence, of female genital mutilation, of child or forced marriage, or of violence committed with a sexual, gender, racist or religious motive.
- (10) Where the applicant has been assessed as having special reception needs, the following information shall be included in the applicant's file:
- (a) the nature of the applicant's special reception needs;
 - (b) a description of the visible signs or the applicant's statements or behaviour relevant for the assessment of the applicant's special reception needs;
 - (c) measures that have been identified to address those needs;
 - (d) the authorities responsible for addressing those needs.
- (11) Where there are indications that the mental or physical health of the applicant could affect the applicant's reception needs, the person assessing the special reception needs of the applicant under this section shall, subject to the prior consent of the applicant, refer the applicant to an appropriate registered medical practitioner or psychologist

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(within the meaning of the Health and Social Care Professionals Act 2005) for further assessment.

- (12) The Minister shall take into account the result of the assessment under this section when deciding on the type of special reception support which may be provided to the applicant and shall make arrangements for the provision of such support.
- (13) Where necessary for the purposes of ensuring appropriate communications with the registered medical practitioner or psychologist following a referral in accordance with *subsection (11)*, the applicant shall be provided with the services of an interpreter to ensure that the applicant can communicate with the registered medical practitioner, psychologist or other medical staff.
- (14) Where the lack of an interpreter would risk delaying treatment by a registered medical practitioner or psychologist, an oral translation may, subject to the applicant's consent, be provided by other persons who have attained the age of 18 years.”.

Amendment to Amendment No. 71

1. In subsection (2), after “an interpreter”, to insert the following:

“who meets the qualification and competency standards prescribed by the Minister”.

Matt Carthy

82. In page 69, between lines 13 and 14, to insert the following:

“National Standards and monitoring of accommodation

88. (1) The Minister may, for the purposes of Article 31 of the Reception Conditions Directive, set standards for accommodation offered to people in the international protection process and shall publish those standards on a website maintained by or on behalf of the Minister.
- (2) The monitoring body shall, for the purposes of Article 31 of the Reception Conditions Directive—
 - (a) monitor compliance by service providers with the National Standards in so far as they relate to accommodation centres,
 - (b) advise the Minister as to the level of compliance by service providers with the National Standards in so far as they relate to accommodation centres, and
 - (c) provide, in accordance with *section 93**, a report of each inspection of an accommodation centre to the Minister.
- (3) The monitoring body shall be independent in the performance of its functions.”.

*[*This is a reference to a section proposed to be inserted by amendment No. 87 on the principal list of amendments.]*

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Amendment to Amendment No. 82

1. Between subsections (1) and (2), to insert the following:

- “(2) (a) Before establishing a new accommodation centre, the Minister shall ensure that a Community Impact Assessment is prepared and published.
- (b) The Assessment shall be carried out by the relevant local authority or another competent body appointed by the Minister.
- (c) The Assessment shall address projected capacity, local service impacts, community engagement, mitigation measures, and whether the proposal would contribute to a disproportionate concentration of centres in disadvantaged areas.
- (d) The assessing body shall consult the local authority (where applicable) and community stakeholders.
- (e) A centre shall not commence operation until consultation has concluded and the Assessment has been published.”.

Matt Carthy

2. Between subsections (1) and (2), to insert the following:

- “(2) (a) The Minister shall ensure that any entity seeking a contract for the provision of accommodation or related services to persons in the international protection system is subject to mandatory due diligence prior to the award of such contract.
- (b) Due diligence shall include verification of identity and beneficial ownership, confirmation of tax compliance, assessment of financial capacity, and checks for prior regulatory sanctions or relevant convictions.
- (c) A contract shall not be awarded unless the Minister is satisfied that the entity has met these requirements.
- (d) The Minister shall maintain and annually update a register of entities assessed under this section.”.

Matt Carthy

3. Between subsections (1) and (2), to insert the following:

- “(2) The Minister shall, by regulation, prescribe a maximum daily amount payable by the State for accommodation provided to applicants, having regard to value for money and regional cost variations, and shall review that amount at least once every 12 months.”.

Matt Carthy

91. In page 69, between lines 13 and 14, to insert the following:

“Particular reasons to believe that person might abscond

97. (1) Without prejudice to the consideration of any other matter, where any of the following circumstances exists in the case of an individual applicant, it may be regarded as reason to believe that that person might abscond:

- (a) the person, during the processing of his or her application—
 - (i) provided to an immigration officer, an officer of the Minister or a member of An Garda Síochána, information that he or she knew, or could reasonably be expected to know, was false,
 - (ii) misrepresented information to an immigration officer, an officer of the Minister or a member of An Garda Síochána or presented information to such a person in a way that was misleading, or
 - (iii) when requested to provide information relevant to the examination of his or her application that was in his or her knowledge, withheld or concealed such information,

whether or not by the use of false documents;

- (b) the person while in the State, destroyed or disposed of an identity document or travel document with the intention of preventing his or her identity or nationality being determined;
 - (c) the person failed, without reasonable excuse, to cooperate with competent authorities or, as the case may be, comply with procedural requirements, under this Act or the EU acts;
 - (d) the person explicitly expressed an intention not to cooperate with competent authorities or, as the case may be, comply with procedural requirements, under this Act or the EU acts;
 - (e) the person has previously failed to comply with the law of the State, or of another state, relating to the entry, or presence, of foreign nationals into, or in, the State or, as the case may be, that other state;
 - (f) the applicant is in the State and is required to be present in another Member State in accordance with Article 17(4) of the Asylum and Migration Management Regulation;
 - (g) the applicant is required to be present in the State in accordance with Article 17(4) of the Asylum and Migration Management Regulation and has been transferred to the State after having absconded to another Member State;
 - (h) the person’s application has been rejected as inadmissible or manifestly unfounded.
- (2) Without prejudice to the generality of *paragraph (c) of subsection (1)*, procedural requirements referred to in that paragraph include—

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- (a) a requirement under *section 15* to provide biometric data,
- (b) a requirement under *section 22* to travel to a screening centre,
- (c) an obligation under *section 25* to provide information,
- (d) the requirement to lodge the application in accordance with *section 38* and Article 28 of the Asylum Procedures Regulation,
- (e) a requirement to attend a personal interview,
- (f) a requirement to reside in a specified place under *section 98**, and
- (g) a requirement to report to competent authorities under *section 99***”.

*[*This is a reference to a section proposed to be inserted by amendment No. 92 on the principal list of amendments.]*

*[**This is a reference to a section proposed to be inserted by amendment No. 93 on the principal list of amendments.]*

Amendment to Amendment No. 91

I. After subsection (2), to insert the following:

“(3) The Minister shall record, and publish in anonymised and aggregate form, annual statistical information on the routes of entry of applicants to whom this section applies, including—

- (a) the number of applicants presenting at a port or airport,
- (b) the number presenting inland,
- (c) the number reporting entry via the Common Travel Area, and
- (d) the number whose route of entry could not be established,

and such information shall be published not later than 31 March each year.”.

Matt Carthy