

Seanad Select Committee on EU Scrutiny and Transparency

Orders of Reference

15 October 2025

- (1) There shall stand established, following the reassembly of the Seanad subsequent to a General Election, a Select Committee of Seanad Éireann which shall be called the Seanad Select Committee on EU Scrutiny and Transparency (hereinafter referred to in this Standing Order as “the Committee”).
- (2) The Committee shall consist of the Cathaoirleach, who *ex officio* shall be Chair, and ten other members; and three shall constitute a quorum.
- (3) The Committee may examine the draft Statutory Instrument due to be signed by the Minister being made under section 3 of the European Communities Act 1972 for the transposition of EU Directives.
- (4) The Committee may examine and scrutinise the implementation of any EU agreement or policy, including the human rights clauses of EU Trade Agreements.
- (5) The Committee shall have the power to receive a list of all Directives requiring transposition under section 3 of the European Communities Act 1972, and departmental information notes and draft Statutory Instruments due to be signed by the Minister at least six months in advance of the deadline for transposition.
- (6) The Committee shall have power to require any Government Department or instrument-making authority concerned to:
 - (a) submit a Memorandum to the Committee explaining any statutory instrument under consideration;
 - (b) attend a meeting of the Committee for the purpose of explaining any such statutory instrument: Provided that such Department or authority may decline to attend for stated reasons given in writing to the Committee, which may report thereon to the Seanad;
 - (c) submit a Memorandum on any infringement relating to the transposition of a Directive, including infringements giving rise to the imposition of a financial penalty.
- (7) The Committee may determine that it does not require departmental information notes in respect of certain categories of Directives.
- (8) The Committee shall have the power to require the Minister of State for European Affairs to attend a meeting of the Committee for the purpose of explaining any such draft Statutory Instrument due to be signed by a Minister: Provided that the Minister of State for European Affairs may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Seanad: Provided further that another Minister may attend in his/her stead.
- (9) The Committee shall have the power to:
 - (a) examine the matters affecting, or relating to, the transposition and implementation, by statutory instrument, of any Directive,

(b) scrutinise draft Directives and proposals by the EU and the impacts they could have for Ireland, particularly in relation to the Windsor Framework, the island of Ireland, the United Kingdom, the EU and its member states, the United States of America and its states, Canada and its provinces and other nations and regions as the Committee deems appropriate; and

(c) examine any infringement relating to the failure to transpose, in whole or in part, any Directive, including infringements giving rise to the imposition of a financial penalty.

(10) The Committee shall have the power to refer any draft Statutory Instrument due to be signed by a Minister and associated documents, or any matter examined under paragraph (9), to the relevant Joint Committee and to recommend to that Committee that the proposed Statutory Instrument or matter examined be further scrutinised.

(11) The powers and functions of the Committee are conferred upon it for the purposes of exercising its powers under paragraph (10).

(12) Paragraph (2) of Standing Order 86 shall not apply to the Committee.

(13) Paragraph (2) of Standing Order 93 shall not apply to the Committee.

(14) The Committee shall have the power to undertake travel, provided that the power under this paragraph is subject to such recommendations as may be made by the Working Group of Committee Cathaoirligh under Standing Order 118(5)(a).