

**Second Report of the sub-Committee on Dáil Reform  
regarding changes to Standing Orders**

**21 June 2016**

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That, in accordance with the recommendation of the sub-Committee on Dáil Reform under Standing Order 107(1)(a), the Standing Orders of Dáil Éireann relative to Public Business be amended as follows:

**1. DIVISIONS** (to allow for divisions claimed on a Thursday to be taken the same day)

With immediate effect, in Standing Order 70, paragraph (2), to insert the following proviso after “the next Thursday following, at 12.47 p.m.”:

“Provided that any division demanded on a Thursday before the weekly division time shall be taken at the weekly division time on the same day”.

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**2. QUESTIONS AND TOPICAL ISSUES** (where bodies do not meet standards in the provision of information)

With immediate effect, in Standing Order 36, to insert the following proviso after “in respect of Government policy).”:

“Provided that, at his or her absolute discretion, the Ceann Comhairle may permit a Question or Topical Issue in relation to such a body where a member has made a reasonable request for information to that body, relating to the member’s functions as a public representative, and an adequate response is not forthcoming.”

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**3. QUESTIONS** (maximum aggregate time for grouped questions increased to take account of the 30 second introduction)

With immediate effect, in Standing Order 40, paragraph (2)(b), to delete “Provided that the total time allowed for any such group of Questions shall not exceed eighteen minutes” and substitute “Provided that the total time allowed for any such group of Questions shall not exceed eighteen and a half minutes”.

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**4. QUESTIONS TO THE TAOISEACH** (to clarify the period of the roll over)

With immediate effect, in Standing Order 39, paragraph (1), to delete subparagraphs (d) and (e) and substitute the following:

“(d) Any Question to the Taoiseach which appears on the Order Paper and which is not disposed of on the day it first appears shall be placed on the Order Paper for the next two sitting days on which the Taoiseach is due to answer Questions before Questions to the Taoiseach to be asked on that day, save that a Question to be taken by the Taoiseach may be placed before Questions to be taken by a Minister of State at his or her Department.

(e) Where any Question to the Taoiseach is not disposed of on the third sitting day on which it appears on the Order Paper, as provided in subparagraph (d), the Taoiseach

shall cause an answer to be provided in the Official Report of the Debates: Provided that such written answer shall not prejudice the right of the member in whose name the Question appears on the Order Paper to request, within thirty minutes of the conclusion of Taoiseach's Question Time on that day, that the Question be addressed again to the Taoiseach on the next day on which he or she is to answer Questions for oral answer.

(f) On any day when the Taoiseach is not available to answer Questions, only the Questions relating to matters for which the Minister of State at the Department of the Taoiseach is responsible will appear on the Order Paper and that day will not be counted as one of the three sitting days in respect of any Questions to the Taoiseach not appearing on the Order Paper."

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**5. QUESTIONS** (replies to PQs referred to State bodies and detailed replies deferred to a later date to be associated with the relevant official debate as well as being provided to the individual Deputy)

With immediate effect, the adoption of the following new Standing Order:

"**42A.** (1) Where a member of the Government (including the Taoiseach), in replying to a Question asked on notice, either –

(a) states that he or she has referred or will refer the question to a body under the aegis of his or her Department for reply (a "referred reply") or,

(b) confirms that more detailed information can and will be supplied to the member in whose name the Question appears on the Order Paper at a later date (a "deferred reply"),

that member of the Government shall cause such referred or deferred replies to be provided within 10 days after the Question has been answered, not reckoning a Saturday, Sunday or public holiday.

(2) Each and every reply received pursuant to paragraph (1) shall be included in or otherwise associated with the Official Report of the Debates (alongside the Question and the original reply) to which it relates and shall be laid before the Dáil."

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**6. QUESTIONS** (written questions during summer recess)

With effect from 1<sup>st</sup> September 2016, the adoption of the following new Standing Order:

"**42B.** (1) Members may put down Questions distinguished by an asterisk under Standing Order 42(2) to a member of the Government twice during the summer recess.

(2) Such Questions must be in writing and must reach the Clerk–

- (a) for the first occasion, not later than 11 a.m. on the fifth day following the adjournment of the Dáil, and
  - (b) for the second occasion, not later than 11 a.m. on the tenth day preceding the date set for the resumption of the Dáil after the recess,
- not reckoning a Saturday, Sunday or public holiday.
- (3) Notwithstanding that the Dáil will not be sitting on those days, an Order Paper containing the text of the Questions submitted shall be prepared for both occasions, and members of the Government shall cause the answers to such Questions to be provided in the Official Report of the Debates.
- (4) Questions to be answered in the summer recess shall have the same status as is accorded generally to Questions under these Standing Orders.”

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**7. ORDER OF BUSINESS ON TUESDAY** (to clarify that questions on promised legislation can also be asked on Tuesday, providing there is time available on the Order of Business, and that the time limits for questions will also apply on that day)

With immediate effect, to delete Standing Order 28 and substitute the following:

**“28.** (1) Every sitting of the Dáil shall be governed by a printed Order Paper which shall be prepared under the direction of the Ceann Comhairle.

- (2) (a) Subject to Standing Order 27B, the Business Committee shall have the right to determine the order in which Government and Private Members’ business shall appear on the Order Paper and, by announcement, the order in which it shall be taken each week.
  - (b) Any announcement or proposals made by a member of the Business Committee under Standing Order 27E shall be made on Tuesdays (or on a Wednesday where the Dáil does not sit on the Tuesday of that week), immediately following Leaders’ Questions.
  - (c) Subject to paragraph (d), following the proceedings comprehended by paragraph (b), the Ceann Comhairle may permit, at his or her discretion, questions to the Taoiseach about the taking of business which has been promised, including legislation promised either within or outside the Dáil; about the making of secondary legislation; and as to when Bills or other documents on the Order Paper needed in the House will be circulated: Provided that the Taoiseach may request a Minister or Minister of State to respond to the issue raised.
  - (d) The proceedings on the matters comprehended by paragraphs (b) and (c) and Standing Order 27E shall not exceed 30 minutes.
- (3) On Wednesdays and Thursdays immediately following Leaders’ Questions, the Ceann Comhairle may permit, at his or her discretion, but for a period not

exceeding 15 minutes, questions to the Taoiseach about the taking of business which has been promised, including legislation promised either within or outside the Dáil; about the making of secondary legislation; and as to when Bills or other documents on the Order Paper needed in the House will be circulated: Provided that the Taoiseach may request a Minister or Minister of State to respond to the issue raised.

- (4) For the purposes of paragraphs (2)(c) and (3), the time allowed for questions shall not exceed 1 minute each, and members shall be allowed to put only one question, addressing a single topic, whereupon the Taoiseach shall make a brief reply, not exceeding 1 minute: Provided that the Taoiseach may defer replying to a question relating to the making of secondary legislation to another day.
- (5) For the purposes of paragraphs 2(c) and (3), a member of the Government or the Government Chief Whip may on Tuesdays and Wednesdays and shall on Thursdays respond to questions in the Taoiseach's stead."

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#### **8. POST-ENACTMENT CONSIDERATION** (power to require Minister to attend)

With immediate effect, in Standing Order 85, to insert the following paragraph:

"(6C) power to require that a member of the Government or Minister of State who is officially responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 164A."

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#### **9. MEMBER'S EXPLANATION AS TO THE WAY HE OR SHE VOTED**

With immediate effect, in Standing Order 138, to insert the following paragraph:

"(2A) In relation to a division of the House, where a member so requests, the Ceann Comhairle shall direct that the member's brief explanation for the way in which he or she voted, or for his or her abstention from the vote, be furnished in the Official Report of the Debates, provided that the member makes their request within one week of the division."

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#### **10. PRE-LEGISLATIVE CONSIDERATION**

With effect from 1<sup>st</sup> September 2016, the adoption of the following new Standing Order:

"**146A.** Prior to its presentation or introduction to the Dáil, the general scheme or draft heads of a Bill shall (save in exceptional circumstances and by permission of the Business Committee [*see also S.O. 148*]), be given by a member of the Government or

Minister of State to the Committee empowered under Standing Order 84A to consider Bills published by the member of the Government. The general scheme or draft heads of the Bill shall be considered by the Committee: Provided that the Committee may decide in relation to a particular Bill that such consideration is not necessary, and in such cases, need not consider the general scheme or draft heads.”

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#### **11. FIVE-MINUTE STATEMENT ON INTRODUCTION OF BILL**

With immediate effect, in Standing Order 147, the substitution of the following for paragraph (2):

“(2) Any member may move for leave to introduce a Bill. The Ceann Comhairle shall permit that member to make an explanatory statement thereon not exceeding five minutes in length. If such motion be opposed, the Ceann Comhairle shall permit in accordance with paragraph (4) an explanatory statement not exceeding five minutes in length from the member who moves and from a member who opposes the motion before he or she puts the question thereon. If leave to introduce the Bill is given, an Order shall be made for its second reading and the Bill shall be printed.”

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#### **12. OPENING SPEECH BY COMMITTEE CHAIR OR VICE-CHAIR ON SECOND STAGE OF BILL** (but only where pre-legislative consideration has taken place)

With immediate effect, in Standing Order 148, the substitution of the following for paragraph (2):

“(2) Unless the Dáil shall otherwise order, the speech of—

- (i) the member of the Government or Minister of State proposing the motion for the second reading of the Bill,
- (ii) the main spokesperson nominated by each of the groups, as defined in Standing Order 143, and
- (iii) a member who is the Chairman or vice-Chairman of the Committee appointed to consider Bills in respect of the relevant Government Department, or a member of the Committee nominated in their stead, speaking in relation to that Committee’s pre-legislative consideration of the Bill,

shall not exceed thirty minutes in each case; and the speech of any other member in the course of the debate shall not exceed twenty minutes. Provided that for the purposes of this Standing Order a group which consists only of a single party shall have precedence over a technical group;

Provided further that a member who is the Chairman or vice-Chairman of the Committee appointed to consider Bills in respect of the relevant Government Department, or a member of the Committee nominated in their stead, may only make a

speech pursuant to subparagraph (iii) where the Bill has been the subject of pre-legislative consideration under Standing Order 146A. Provided further that such contribution shall not preclude a further contribution in a personal capacity by that member in the course of the debate;

Provided further that a member of the Government or Minister of State, or such other member as he or she may authorise in that behalf, shall be also entitled to not less than fifteen minutes, and not more than thirty minutes, for a speech in reply.”

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### **13. ANY MEMBER MAY TABLE AMENDMENTS TO BILL IN SELECT COMMITTEE**

With immediate effect, in Standing Order 150, to insert the following proviso after “prior permission of the Chair without notice.”:

“Provided further that a member may table amendments to a Bill in Select or Special Committee, and may attend at that Committee to move his or her amendments, even if he or she is not a member of that Committee. However, such member may not vote in such Committee, unless he or she is attending as a substitute nominated on notice in accordance with Standing Order 95(2).”

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### **14. POST-ENACTMENT CONSIDERATION**

With immediate effect, the adoption of the following new Standing Order:

“**164A.** Twelve months following the enactment of a Bill, save in the case of the Finance Bill and the Appropriation Bill, the member of the Government or Minister of State who is officially responsible for implementation of the Act shall provide a report which shall review the functioning of the Act and which shall be laid in the Parliamentary Library.”

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### **15. TIME FOR VOTES ON ESTIMATES**

With immediate effect, the deletion of Standing Order 183.

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### **16. CHANGE OF NAME OF CPP**

With immediate effect, the deletion of the phrase “Committee on Procedure and Privileges” wherever it occurs, and substitution therefor of “Committee on Procedure”.

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## 17. COMMITTEE ON THE IRISH LANGUAGE, GAELTACHT AND THE ISLANDS

With immediate effect, the adoption of the following new Standing Order:

**“110A.** (1) There shall stand established following the reassembly of the Dáil subsequent to a General Election, a Standing Committee which shall be joined with a similar Committee of the Seanad to constitute the Joint Committee on the Irish Language, Gaeltacht and the Islands to perform the functions set out in this Standing Order, other than those set out at paragraph (3) which shall be performed by the Dáil Standing Committee.

(2) The Joint Committee shall consider policy matters relating to the Irish language, Gaeltacht and the Islands generally within the remit of Government Departments and associated public bodies and, in particular, shall consider—

- (a) strategy in relation to the Irish language and the promotion of the Irish language in general,
- (b) Irish language literature, music, culture and related matters,
- (c) the promotion of the wider use of Irish in the proceedings of both Houses of the Oireachtas, their Committees and in the environs of both Houses,
- (d) progress in the implementation of Irish Language Schemes in public bodies,
- (e) reports of An Coimisinéir Teanga and related matters,
- (f) matters relating to An Foras Teanga, both in relation to An Foras Gaeilge and the Ulster Scots Agency,
- (g) the teaching of Irish and education in Irish,
- (h) the statutory responsibilities of Radio Teilifís Éireann and the Broadcasting Authority of Ireland in relation to the Irish language,
- (i) matters relating to Irish language broadcasters, including TG4, Raidió na Gaeltachta, Raidió na Life and Raidió RíRá, and
- (j) any other matters relating to the Irish language, Gaeltacht and the Islands.

(3) The Dáil Standing Committee shall consider such—

- (a) Bills relating to the Irish language, Gaeltacht and the Islands,
- (b) aspects of Estimates for Public Services as relate to the Irish language, Gaeltacht and the Islands, and
- (c) other related matters,

as shall be referred to it by the Dáil,

and

- (d) such Value for Money and Policy Reviews and annual output statements, including performance, efficiency and effectiveness in the use of public monies on the Irish language, Gaeltacht and the Islands, as the Committee may select.

(4) The Dáil Standing Committee shall consist of seven members of Dáil Éireann, of whom three shall constitute a quorum. The quorum of the Joint Committee shall be four, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann. The Chairman of the Dáil Standing Committee shall also be the Chairman of the Joint Committee.

(5) The Dáil Standing Committee shall have the powers defined in Standing Order 85(1), (2) and (3).

(6) The Joint Committee shall, in respect of its remit, have the powers defined in Standing Order 85, other than paragraphs (2A) and (6A) thereof.

(7) The Joint Committee shall be empowered under Standing Order 84A to consider –

(a) the general scheme or draft heads of any Bill relating to the Irish language, Gaeltacht and the Islands, and

(b) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill relating to the Irish language, Gaeltacht and the Islands enacted by the Houses of the Oireachtas.

(8) The provisions of Standing Orders 87, 89 and 95 shall apply to the Dáil Standing and Joint Committee as appropriate.

(9) The Joint Committee shall be defined as the ‘Joint Oireachtas Committee’ for the purposes of the Broadcasting Act 2009 insofar as it relates to TG4.”

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