



REPORT OF THE COMMITTEE ON STANDING ORDERS AND DÁIL REFORM

*Orders of Reference for Special Committee
on International Surrogacy*

Adopted by the Committee
3 February 2022

Contents

Special Committee on International Surrogacy	3
APPENDIX: Proposed Orders of Reference of Special Committee on International Surrogacy	4

Special Committee on International Surrogacy

The Committee on Standing Orders and Dáil Reform recommends to Dáil Éireann, pursuant to Standing Order 118A(2)(b), that a Special Committee on International Surrogacy be appointed, with Orders of Reference as contained in the **Appendix** to this report.

APPENDIX: Proposed Orders of Reference of Special Committee on International Surrogacy

That, notwithstanding anything in Standing Orders—

- (1) a Special Committee consisting of nine members of Dáil Éireann be appointed, to be joined with a Special Committee to be appointed by Seanad Éireann, to form the Joint Committee on International Surrogacy;
- (2) the Joint Committee shall expeditiously consider and make recommendations on measures to address issues arising from international surrogacy having particular regard to:
 - (a) all aspects of the rights, interests and welfare of children born through international surrogacy who are independent rights holders with a specific focus on—
 - (i) ensuring that children born through international surrogacy can preserve their identity, including their genetic, gestational and social origins, and
 - (ii) ensuring safeguards against the sale, trafficking and exploitation of children;
 - (b) the rights, interests and welfare of surrogate mothers, who should be in a position to make independent and informed decisions about international surrogacy arrangements free from exploitation and coercion;
 - (c) the rights, interests and obligations of intending parents in future international surrogacy arrangements, with a specific focus on the question of access to a legal route to parentage and guardianship under Irish law;
 - (d) the rights, interests and obligations of intending parents of existing children who have already been born through international surrogacy arrangements, with a specific focus on the question of access to a legal route to parentage and guardianship under Irish law;
- (3) the Joint Committee shall undertake consultations to hear and consider the views of organisations representing the rights and interests of children born through surrogacy, surrogate mothers and intending

parents, and of such other organisations and individuals as the Committee considers appropriate;

- (4) the Joint Committee shall report to both Houses of the Oireachtas on the matters contained in paragraph (2) within three months of its first public meeting;
- (5) where the Joint Committee considers that an extension is required to the timeframe set out in paragraph (4), it shall make an interim report to both Houses requesting such extension and setting out the timeframe for its final report;
- (6) members of either House, not being members of the Joint Committee, may attend and take part in proceedings of the Joint Committee, or any sub-Committee thereof, but without having a right to vote or to move motions or amendments, save where they attend, pursuant to Standing Orders, as a substitute for an absent member (or for a substitute not in attendance);
- (7) the member of Dáil Éireann nominated by the Social Democrats to serve on the Joint Committee shall be Cathaoirleach;
- (8) the quorum of the Joint Committee shall be four, at least one of whom shall be a member of Dáil Éireann, and one a member of Seanad Éireann; and
- (9) the Joint Committee shall have the powers defined in paragraphs (1), (2), (3), (4), (5), (9) and (10) of Standing Order 96.