

HOUSES OF THE OIREACHTAS COMMISSION

Note of meeting which was held incorporeally and took place on 27 April 2020

1. THE FOLLOWING MEMBERS CONTRIBUTED TO THE MEETING:

Deputy Seán Ó Feargháil, Ceann Comhairle (Chairperson), Senator Denis O'Donovan, Cathaoirleach of the Seanad (Deputy Chairperson), Deputy Martin Heydon and Mr. Peter Finnegan (Secretary General).

2. AGENDA ITEM

Legal proceedings initiated in the High Court entitled: Gemma O'Doherty and John Waters v Minister for Health, Ireland and the Attorney General (Respondents), Ceann Comhairle, Dáil Éireann and Seanad Éireann (Notice Parties) (2020/271 JR).

The Commission was requested, pursuant to the Commission Acts, to authorise:

- (i) the 'defence' of legal proceedings initiated in the High Court titled: *Gemma O'Doherty and John Waters v Minister for Health, Ireland and the Attorney General (Respondents), Ceann Comhairle, Dáil and Seanad Éireann (Notice Parties)* in respect of the Notice parties; and
- (ii) the Office of Parliamentary Legal Advisers to act and engage Counsel to represent to Ceann Comhairle, Dáil Éireann and Seanad Éireann in the legal proceedings.

3. DECISION

The Commission, pursuant to the Commission Acts:

- (i) agreed to defend the legal proceedings;
- (ii) agreed to seek authorisation, by way of a motion in Dáil Éireann pursuant to section 4(2)(f)(iv) of the Acts, to conduct the defence of the proceedings against Dáil Éireann;
- (iii) agreed that a statement to the effect that an authorisation pursuant to section 4(2)(f)(v) has been provided for the defence of proceedings relating to Seanad Éireann, be laid before Seanad Éireann when next it sits; and
- (iv) granted approval for the Office of Parliamentary Legal Advisers to act and engage Counsel on behalf of the Notice Parties pursuant to

sections, 4(2)(f)(iv), (v) and 14C(4)(b)(ii) of the Houses of the Oireachtas Commission Acts 2003-2018;

A handwritten signature in cursive script that reads "Anne-Marie Fahy".

Anne-Marie Fahy
Secretary to the Commission
Ext. 3036

27 April 2020