

DÁIL ÉIREANN

AN COMHCHOISTE UM THITHÍOCHT, RIALTAS ÁITIÚIL AGUS OIDHREACHT

JOINT COMMITTEE ON HOUSING, LOCAL GOVERNMENT AND HERITAGE

Dé Máirt, 16 Márta 2021

Tuesday, 16 March 2021

Tháinig an Comhchoiste le chéile ag 1.30 p.m.

The Joint Committee met at 1.30 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Francis Noel Duffy,	Victor Boyhan,
Thomas Gould,	John Cummins,
Emer Higgins,	Mary Fitzpatrick,
Paul McAuliffe,	Rebecca Moynihan,
Cian O'Callaghan,	Mary Seery Kearney.
Richard O'Donoghue,	
Eoin Ó Broin.	

Teachta / Deputy Steven Matthews sa Chathaoir / in the Chair.

Waiver of Pre-Legislative Scrutiny of Residential Tenancies Bill 2021

Chairman: We received a request from the Business Committee regarding the Minister's request for a waiver of pre-legislative scrutiny, PLS, of the Residential Tenancies Bill on the grounds of urgency and time constraints. The Business Committee referred the matter to this committee and the question for consideration is whether a waiver of PLS should be granted.

I will read the note on privilege. Members attending from their Oireachtas offices are protected by absolute privilege in respect of their participation in this meeting. This means they have an absolute defence against any defamation action for anything they say at this meeting. Members are asked not to abuse this privilege. It is my duty as Chair to ensure this privilege is not abused. Members are familiar with all the other aspects of privilege when attending in Leinster House. Since members are not attending in the committee room, the Debates Office has asked that each speaker be clearly identified by name to help ensure the accuracy of the official report.

A request was made to waive PLS of the Residential Tenancies Bill 2021 due to the urgency of passing the Bill through the Houses of the Oireachtas in a timely manner. We were requested to waive PLS as it was felt that the time it would take would mean there would not be time for the Bill to pass through the Houses. I sought yesterday to try to get a consensus view from the committee that it would waive PLS on the basis of urgency. We could not get consensus on that. A vote was requested, so we have brought the committee together today to vote on it. I intend to put the question that the committee agrees to the request to waive PLS on the Residential Tenancies Bill 2021.

Senator Victor Boyhan: I want to set some context because this is the benefit of a public meeting. We are politicians, so let us be clear that we are setting the narrative of what has happened. We were contacted at the weekend regarding a request from the Minister, through the Business Committee, to waive the pre-legislative scrutiny, as the Chairman rightly said. We met yesterday. I thank the Department officials for attending the meeting and facilitating us as we facilitated them. It was a two-way process of engagement on the matter. I was reasonably happy to support the waiving of the PLS based on the urgency and the issues set out at that meeting, as I indicated in an email I circulated to every member of the committee. Members of the committee all received that email and, indeed, I got one or two automated receipts very early this morning.

It is important we have this opportunity to put matters on the record. I went into yesterday's meeting with a view to supporting the waiving of PLS and I indicated that. Indeed, I wrote to the Minister indicating that and I received a receipt for that letter this morning. However, when I listened to what was happening and was told there was documentation that could not be circulated, and we were expected to make a decision based on limited information, rather than all the information, I was concerned. At the end of the day, this is the joint Oireachtas committee that deals with these matters. Pre-legislative scrutiny is an important aspect of our work. It is not to be disloyal to anyone or to be in any way vexatious. I support the Minister in the majority of what he is attempting to do. I am particularly supportive of this issue, but we have to be respected for challenging and questioning the system. That is what politics is about and it is why this is a cross-party joint Oireachtas committee.

It is simply not good enough to have a vote without the public knowing the narrative around this issue. We got late notice. The Minister thinks this is important, as I do. A number of mem-

bers, including Senator Fitzpatrick, suggested we might even have PLS today. I am all on for that and suggested, as a number of members did, that we could have PLS this week. A number of members of the committee are available this week. We know it is serious but we believe it needs to be scrutinised. That is the job of every politician, particularly the Opposition. I want to put the record straight. I recognise the seriousness of this issue, the importance of protecting tenants and landlords, the challenges around Covid and all the issues that surround this legislation. However, we must remember we have limited time. We are trying to facilitate everyone, and other members will speak about this. I want to support the Minister and I am prepared to sit this week to deal with this issue. If other members cannot do so, I respect that. I also respect there is a report to be done. However, we could have some sort of constructive PLS this week, and the Minister needs to be assured of that. His officials will be listening in. There is a willingness and commitment but there is no commitment to waive PLS. I want to put that on the record.

Chairman: I thank the Senator. I agree with much of what he said. It is my experience of this committee, in the eight months it has been together, that it has taken pre-legislative scrutiny very seriously. Members have applied themselves to it very diligently. We have produced a number of reports and there are further reports in train at the moment. There is much more legislation coming towards us. The committee holds pre-legislative scrutiny in high regard. It is something we should always try to do and I have always tried to facilitate it. We have done it well and in a collaborative and collegiate manner up to this point.

That is not the question today. The question is whether we agree to waive PLS on this particular Bill because of the time constraints around it. This Bill is seriously time constrained and there is urgency about it. There is a real possibility that the legislation and current protections we have in place to protect people from evictions and rent increases could expire before we introduce this new legislation. As Chair, it is my job to try and direct this committee. I am mindful of the workload, St. Patrick's Day, Easter and the fact the Minister wishes to introduce this next Thursday in the Dáil, which will give every Member an opportunity to participate in the debate. I support PLS but I have to take a responsible and sensible approach as well. If we go down the route of PLS, we will not be able to carry it out in a timeframe that will allow this legislation to be introduced and in place to protect tenants before it expires on 12 April. That is the vote we will take today.

Deputy Eoin Ó Broin: I thank the Chairman and the committee secretariat for facilitating this meeting at short notice. I want to make a couple of remarks. I accept members will not want to delay the meeting because we went through much of the detail on this matter yesterday. We are in an unacceptable situation. The Minister has known for some time that the April deadline was approaching, but instead of putting in place a proper plan to allow his officials and this committee to do our work properly, at the last minute - this is not the first time this has happened - officials have been given an impossible job of trying to draft legislation at very short notice and the committee essentially is being put in the position of having a Hobson's choice of waiving the important function of pre-legislative scrutiny, PLS, which is not about being for or against legislation but about scrutinising it to ensure it does what we are told it is intended to do, or arguing for PLS and being accused of delaying the passage of the legislation. This is the third time this has happened. In respect of a previous piece of legislation the PLS request from this committee was bypassed and a relatively archaic and unknown procedure was used to get it onto the Schedule of the Seanad. We were also denied pre-legislative scrutiny on the Land Development Agency Bill 2021, which is substantial legislation which all of us, in particular my colleagues and I, would have benefited from.

I do not think we can just let this pass. While this is short legislation, we still have not had sight of it. It was only because a number of members, including the Chairman, took issue yesterday with the fact that we were not being shown the draft of the Bill that it was shared on screen during the briefing. There are several pages to this Bill which we have not seen or had a proper opportunity to scrutinise, including a general scheme of the Bill. That has never happened in my time in the Oireachtas. While I commend the officials on the detail of their briefing - I do not in any way criticise them - this is wholly unsatisfactory.

I want to make two points on the Bill because it is important that the public understand what it does.

Chairman: I ask the Deputy to be brief because the agenda item today is a vote on whether we waive PLS and not to debate the Bill. Today's meeting is not about voting on or scrutinising a Bill, it is about whether we agree to waive the PLS.

Deputy Eoin Ó Broin: I will be brief, but it would be wrong of us as a committee not to give a small amount of time to the Bill such that public understands what it is we are doing here today. I am not debating the Bill; I just want to make two comments on it. I will debate the Bill when it comes to the House next week, if that is the outcome of today's vote.

There is a proposal that for those tenants who are in arrears because of Covid-19 income loss and who currently have protection of notice to quit or rent increase that if and when the 5 km restriction is lifted they would continue to have that protection until July. The big question is why it is only being extended to July. Given most of those workers will not be back to work this year, why is it not being extended beyond July? We have not had an opportunity to scrutinise with the officials why that date, arbitrary as it is, was chosen as opposed to any other date.

Section 2 of the Bill removes a vital protection from all other renters who are in rent arrears. The effect of the passage of this Bill would be that they would lose that protection and notices to quit could ensue. I am not so sure why renters, whom we have been protecting until now, would lose that protection. It makes no sense to me. I proposed a compromise yesterday, which I want to put back on the table today. Given the need to continue the protections for the group of renters - approximately 700 of them - under section 1, I ask that the committee would agree to allow that section of the Bill to proceed but that we would ask the Minister to withdraw section 2 because there is not the same time urgency in regard to that section and come back to it through proper pre-legislative scrutiny. That would allow us to provide the protections that are urgently needed if the level 5, 5 km restriction is lifted in April and that albeit small group of renters who are benefiting from it would get it for another couple of months. It would allow the committee to scrutinise why the Minister is proposing to remove a protection from all other categories of renters who are in rent arrears when the purpose of that does not make sense at this time. I am willing to compromise on this proposal.

Chairman: Thank you, Deputy Ó Broin.

Deputy Eoin Ó Broin: I ask the Chairman to allow me to finish. I do not think it is appropriate to rush any member who wants to comment on this. If other members are not willing to compromise, I will be voting against the Minister's request because it is bad practice that leads to bad legislation and I cannot stand over that.

Chairman: I thank the Deputy. I agree with a number of the points he made. We were briefed yesterday on the detail of the Bill. At the request of Deputy Ó Broin, the committee sec-

secretariat will request the Minister to come before it, when I have no doubt we will put questions to him on the manner in which this request came before the committee and the committee having to make this decision. In terms of rushing it, I do not mean to rush Deputy Ó Broin; I try to give everybody time, but I try to keep the meeting relevant to the issue on the agenda. My view on rushing the legislation is that if we were to go down the route of pre-legislative scrutiny, we would end up with such a tight timeframe it would not be possible to allow for timely debate of all Stages of the Bill or for every Member of the Oireachtas to participate or, at least, have the option to participate in that debate, to table amendments and to discuss the various Stages of the Bill as it progresses through the Houses of the Oireachtas.

The next speaker is Senator Mary Fitzpatrick, followed by Deputies O'Donoghue, McAuliffe and Cian O'Callaghan. I wish to put the question, so I ask members to be brief. The purpose of this meeting is to take a decision on whether to waive PLS. If we decide to waive PLS, the Bill will go through the Houses of the Oireachtas in a timely manner. If we decide to undertake PLS, the questions and suggestions made by Deputy Ó Broin can be fully addressed at that point. I reiterate we are here today to take a decision on PLS.

I call Senator Fitzpatrick and reiterate my request that members be brief with their contributions.

Senator Mary Fitzpatrick: I thank the Chairman and the committee secretariat for facilitating this public meeting. It is disappointing that we could not reach an agreement on this issue in our private meeting yesterday. It is a really important issue, in respect of which there is real urgency. The protections for renters will expire if replacement legislation is not enacted. Yesterday, I asked whether the committee could do the pre-legislative scrutiny if it was meeting today. The reality is there is no Bill on today's agenda for us to scrutinise. There is no Bill available to us. When the Bill is published and introduced in the Dáil and the Seanad, every Member of the Dáil and Seanad will have an opportunity to make a contribution and have his or her say. It would serve this committee well to serve renters well and to move this legislation forward. It is not how any of us want to be doing business. As a committee, we work well. Given the urgent circumstances in which we find ourselves and the unavailability of a Bill to scrutinise, we need to move forward and allow the Minister and the Government to bring forward legislation that will extend protections for renters, which every Member of the Dáil and Seanad will have an opportunity to scrutinise, comment on and table amendments to.

Deputy Richard O'Donoghue: The committee met yesterday. I have listened to other speakers this morning. As a public representative and member of this committee, my job is to scrutinise every Bill introduced. I would not be doing my job if I did not push for scrutiny of this Bill, although, as mentioned by other speakers, we do not have it in front of us today. It is members' duty to scrutinise Bills.

What has happened today cannot go unnoted. This will become a precedent. If this Bill is allowed to proceed without pre-legislative scrutiny, we will be setting a precedent such that any Bill can go through without the scrutiny of this committee. This committee might as well not exist then. As public representatives and members of this committee, it is our job to ensure the Bill is put before us for scrutiny and to ensure all renters are protected therein but this does not do that. We need to put down a marker today that this committee will not accept this. We need the information we are supposed to have to enable us to scrutinise a Bill.

I want to ensure everyone is protected. Everyone here has a job to do in terms of representing their constituencies. Our main objective is to hold Government to account and we are here

today to do that. As mentioned by a previous speaker, if a copy of the Bill had been made available to us today, we could have scrutinised it. I came up from Limerick today at short notice because we could not vote if we were not in Leinster House. I was available all week, and I am available for the rest of the week, to scrutinise this Bill. Why can we not have the Bill in front of us to scrutinise it? All members of the committee would have made time to be available. It is disappointing the Bill is not in front of us.

I will not make a point of not being here to scrutinise the Bill. We will be here to scrutinise it and to hold the Government to account, no matter who it is. We will make sure we will do the right thing for renters to ensure they are all protected. I am not a “Yes” person for anyone. I want to make sure all Bills sent to this committee are scrutinised before they go forward.

Chairman: I agree with Deputy O’Donoghue. The committee has applied itself diligently to pre-legislative scrutiny on all the Bills which have come before it. It is the timely and urgent manner of this Bill, however, that is a concern. I want to carry out pre-legislative scrutiny on legislation. That is our job. I totally agree with Deputy O’Donoghue on that. However, there is a time constraint and an urgency with this Bill. It is my belief, as Chair of the committee, that if we try to carry out pre-legislative scrutiny on this, then the amount of time involved will result in current legislation protecting tenants expiring and the new legislation will not be introduced in time. I do not want us to risk that.

I agree with Deputy O’Donoghue that all legislation should go through scrutiny. This legislation will be scrutinised in the Dáil and the Seanad. We may not carry out pre-legislative scrutiny on the general heads of the Bill. However, that will be a decision for the committee. I call Deputy Cian O’Callaghan.

Deputy Cian O’Callaghan: I confirm I am in the Leinster House complex.

I agree with many of the points made by Deputy O’Donoghue. There is a draft Bill on this. We were given glimpses of it yesterday at our meeting but we were not given a copy of it. We could be carrying out pre-legislative scrutiny this week. All of us are available and fully committed to the committee’s work. We could be concluding that work this week to ensure there are not any significant delays. That would give plenty of time for the legislation to go through both Houses.

I am fine with the compromise put forward by Deputy Ó Broin in terms of section 2 being removed and the rest proceeding. I have an issue, however, with the amount of time scheduled for this in the Dáil next week. It is 90 minutes for Second Stage and 90 minutes for amendments and all other Stages. We know from the rushing through of previous legislation that, in 90 minutes, we are likely to only get to three amendments with the majority tabled not even discussed at all. This is not the way to do legislation. We are not getting to do pre-legislative scrutiny and are getting only the shortest possible time slot in the Dáil for this Bill. That is not something with which I am comfortable or am willing to stand over.

Chairman: I share Deputy Cian O’Callaghan’s concern. Members are suggesting we meet this week and the next to carry out pre-legislative scrutiny. A report has to be produced. We then have to meet to decide on that report, submit recommendations or deal with other considerations. Then the report has to be rewritten and brought back to be agreed by the committee. Then it has to be laid before the House. The Bill then proceeds to various Stages in the Dáil. I did not know the timescale for it next week.

We would end up with a situation where we are fast approaching 12 April. It would be even more rushed at that point to get it through, and that is if we were to get it through within that timeframe at all. It still has to go to the President for signing. I do not want to create a situation where we end up with a period of time where people who need protection from eviction end up between legislation. Yesterday, that was described as catastrophic. I have to take that advice and guidance.

I call Deputy McAuliffe.

Deputy Paul McAuliffe: As Vice Chairman of the committee, I second the Chairman's proposal to waive pre-legislative scrutiny. I do that from the same perspective that he has outlined here. There is a hard stop where a group of people needs protection. It is a decision for us now whether we maximise the amount of time which this committee has to scrutinise the Bill and, therefore, risk the amount of time the wider Oireachtas has. Alternatively, we maximise the amount of time which the wider Oireachtas has to scrutinise it.

By waiving pre-legislative scrutiny, we are ensuring the Bill has a full hearing on Second and Subsequent Stages. As the Chairman suggested, doing so means it does not get to a situation where it is rushed through because of expiry dates and people being put at risk.

I second the proposal on the basis of giving the wider group of public representatives across all parties in both Houses the fullest possible time to scrutinise this Bill. There will be up to five Stages, or thereabouts, in which to scrutinise this Bill.

I agree with the broader issue of pre-legislative scrutiny. The marine planning and development Bill, for example, is 200 pages. Of course, pre-legislative scrutiny is an integral part of the system. This will be the fourth version of that Bill which will come before us, however. It is not a new, complicated or unknown process. It is very well understood and has been well debated. I am not sure what added benefit pre-legislative scrutiny would bring to it that could not be brought on Second or Committee Stages.

For those two reasons, I second and support the Chair's proposal.

Senator John Cummins: I confirm that I am in Leinster House.

I agree with much of what the Chair and Deputy McAuliffe said. I know it is Cheltenham week but I am not willing to gamble with protections for renters. We have protections in place. If we do not waive this pre-legislative scrutiny, we risk these protections. I am not willing to take the chance of people being left in a legislative lacuna where they do not have protections as a result of falling between two stools in legislation. I believe this will get full scrutiny in both the Dáil and Seanad.

The committee is not voting on the merits or demerits of this legislation. This is a vote on whether we waive pre-legislative scrutiny. The Bill will get a full and fair hearing in both Houses of the Oireachtas. I am not willing to gamble with protections for renters. I support the Chair in waiving pre-legislative scrutiny.

Senator Mary Seery Kearney: I support the waiver. The process of pre-legislative scrutiny is important. It is a process, however, that requires we also bring in witnesses and not just the officials who are briefing us. Then there is the preparation of a report and the laying of it before the Houses. At the end of pre-legislative scrutiny, the Bill still has to go before the Dáil and the Seanad. If we follow that entire process, we run the risk of reaching 12 April when

those most economically disadvantaged by Covid, in rent arrears and unable to pay their rent, will lose the protections in place.

We praise officials for their attendance and provision of information to us. Yesterday, those same officials said the 12 July date is a further three-month extension but it can be extended beyond that again if necessary. There is no prohibition on that. We can introduce further legislation to do that. They also said that if we insist on pre-legislative scrutiny, if this Bill were delayed and if we reach 12 April without the legislation in place, then it would be catastrophic.

While I prefer that matters are dealt with in an orderly manner and the committee is given the opportunity to scrutinise legislation, I take up a point made previously that this is not the first version of this Bill. This is an extension of measures which have been in place throughout Covid and the past year. It is not novel legislation that is before us; it is a reiteration and an extension of what has gone before that takes cognisance of what is going on. Rather than it being scrutinised by the committee, it will be scrutinised by approximately 220 people, supposedly, within the Houses of the Oireachtas and on the floor of the Oireachtas in a timely fashion to ensure the protections are extended to the people who need them most. As such, I support the waiver of pre-legislative scrutiny.

Deputy Thomas Gould: I confirm that I am in Leinster House.

Not to have the Bill before the committee for pre-legislative scrutiny says a lot about the Minister and his attitude towards the committee and the Bill. Several members made points about 12 April and the time constraints. It is not the fault of the committee that we are in this position. It is as a result of the Minister not bringing the Bill before the committee in proper time. I travelled from Cork today just to vote on this issue. I would prefer to have the Bill in front of us and for us to scrutinise it, which is what we should be doing. That is our job. It is why the committee is here. For members to have to come up to Leinster House for a vote and then leave is not acceptable or the proper way in which we should be doing business. We have tried to work together on the committee and to be positive and constructive. That is the way I want to be, but not doing one's job is not being positive and constructive.

A section of the Bill removes protections for renters. Deputy Ó Broin has put forward a proposal which I wish to second. It is a compromise that would allow the committee to move ahead and to protect renters without bringing in the extra section to which I refer. I think it is a fair compromise and would go some way in terms of the committee doing its job today.

Chairman: I thank Deputy Gould for the distance he travelled to take part in the vote. It shows his commitment to scrutinising legislation and participating on the committee. To give him an indication of how seriously we take the scrutiny of legislation, as well as the workload of the committee, which gives us a good understanding of the timeframes involved in pre-legislative scrutiny, Committee Stage of the Land Development Agency Bill will shortly be arriving on our desk. That is really important legislation to provide affordable and cost-rental housing throughout the country. We have the pre-legislative scrutiny report on the affordable housing Bill, into which we put much time and effort and to which Deputy Gould made a valuable contribution. The secretariat is working on that report this week and it is my intention that we will be able to scrutinise and consider it next week and see if we can amend it. We also have pre-legislative scrutiny of the electoral reform Bill and the Tailte Éireann Bill, as well as Private Members' Bills which we are trying to accommodate. We take our role in this regard very seriously. The committee and all its members are very committed to scrutinising legislation.

I call Senator Moynihan.

Senator Rebecca Moynihan: I thank the Chairman. I have been taken a little bit by surprise. I joined the meeting at 2 p.m. as that is the time at which I thought it was due to start, rather than at 1.30 p.m. My apologies if I have missed anything.

I am not in favour of waiving pre-legislative scrutiny of the Bill because I think it is a wider issue than simply extending it from April until July. There are potential policy implications in the context of the eviction ban being lifted in conjunction with the lifting of the 5 km restriction. We have the opportunity to try to address the issues that have arisen in family homelessness. The majority of people entering family homelessness have come from the private rented sector. As the committee discussed yesterday, when the 5 km restriction is limited, those people will again be left to the ravages of the market. The proposal that has been put before the committee involves a simple extension for people who have registered and been in arrears. As we discussed yesterday, I do not think the numbers who have registered reflect the numbers who are either in arrears or potentially at risk of homelessness. I think there are much wider policy implications involved, rather than the Government line that this is simply about extending the protections from August until July. We can pretend that we are doing something while not actually doing it. I think we need to look at the wider issue of evictions, the implications of the pandemic in that regard and how we address the issue of families entering homelessness. This is the opportunity to do so. I do not support what the Government is doing. It had three months to come to us-----

Chairman: I apologise for interrupting the Senator but we are here to discuss whether we support the waiving of pre-legislative scrutiny of the Bill. If we decide to carry out pre-legislative scrutiny, the Senator will have the opportunity to raise all the points she has made. If we do not carry out pre-legislative scrutiny, she will have the opportunity to make those submissions in the Seanad. We are not here to discuss or vote on the Bill; we are here to decide whether to waive pre-legislative scrutiny of the Bill. I have made clear that my real sense on this is that we should waive pre-legislative scrutiny because of the time constraints involved and the real fear that we could end up between legislation. That is what we are here to discuss. I ask the Senator to keep to that issue rather than discussing the Bill itself.

Senator Rebecca Moynihan: I am outlining the reasons we should not waive pre-legislative scrutiny. My contribution probably should not be interrupted to direct me in terms of what I can say. I am not voting to waive pre-legislative scrutiny.

Chairman: I thank the Senator. To clarify, I was not trying to direct the Senator to say anything. Rather, I am just trying to keep the committee to the agenda and the agenda item is whether we waive pre-legislative scrutiny.

Deputy Francis Noel Duffy: I too am on the Leinster House campus. I am in Leinster House 2000.

At the meeting yesterday I asked the Department about the legislation, its extension and whether it is substantially the same as legislation which previously underwent pre-legislative scrutiny before the committee and was passed. The officials confirmed that it is substantially the same. I am not overly comfortable waiving pre-legislative scrutiny but, in the context of the time constraints, I am happy to do so.

Chairman: I thank Deputy Duffy. I apologise to Deputy Higgins; I did not see her hand up.

Deputy Emer Higgins: That is no problem. I echo what many members have stated - it is disappointing that we do not have the Bill in front of us, but that is the situation we are in. The situation all members wish to avoid is that of protections for vulnerable renters expiring unnecessarily during a pandemic. This is emergency legislation in an emergency situation and I want the Bill to be passed in time to ensure that protections for renters do not lapse on the current expiry date. I think all of our focus has to be on protecting renters. I, like every other member of the committee, will have the opportunity to speak on the Bill as it moves through the Houses of the Oireachtas.

I know there was mention of a proposed amendment but I am not sure whether that would be in order. Perhaps the Chairman can advise whether it is legally possible to amend a Bill that has not yet been published. Doing so would not necessarily be something with which I would be comfortable. Although I understand there is a significant level of discomfort among members, what I am comfortable with doing is extending the protections for renters in as seamless a way as possible.

Chairman: I thank Deputy Higgins. The proposal that was put can be considered in the course of pre-legislative scrutiny or when the Bill goes before the Houses of the Oireachtas. It is not a matter for the committee to deal with today. We are here to vote on whether to waive pre-legislative scrutiny of the Bill.

Question put.

The Committee divided: Tá; 7; Níl, 6.	
Tá;	Níl;
Cummins, John.	Boyhan, Victor.
Duffy, Francis Noel.	Gould, Thomas.
Fitzpatrick, Mary.	Moynihan, Rebecca.
Higgins, Emer.	O'Callaghan, Cian.
Matthews, Steven.	O'Donoghue, Richard.
McAuliffe, Paul.	Ó Broin, Eoin.
Seery Kearney, Mary.	

Question declared carried.

Clerk to the Committee: The question is carried. The result is Tá, seven; Níl, five.

Chairman: I thank members for their participation. We will now send-----

Deputy Richard O'Donoghue: Is that number correct?

Senator Rebecca Moynihan: I also think there is a mistake there.

Deputy Richard O'Donoghue: I think it is seven-six and not seven-five.

Deputy Thomas Gould: I think Deputy O'Donoghue is correct.

Senator Victor Boyhan: That is a very big mistake.

Deputy Richard O'Donoghue: Maybe we would want to scrutinise this as well.

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Clerk to the Committee: I apologise. I have it on two pages. The members are correct. It is seven-six.

Chairman: I thank the members for pointing that out. We will send a message to the Business Committee that we agree to waive pre-legislative scrutiny.

The committee will reconvene on Tuesday, 23 March to continue pre-legislative scrutiny of the electoral reform Bill.

The joint committee adjourned at 2.12 p.m. until 6.30 p.m. on Tuesday, 23 March 2021.