



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*
(OFFICIAL REPORT—*Unrevised*)

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SEANAD ÉIREANN

Dé Céadaoin, 24 Samhain 2021

Wednesday, 24 November 2021

Chuaigh an Leas Chathaoirleach i gceannas ar 10.30 a.m.

Machnamh agus Paidir.
Reflection and Prayer.

Gnó an tSeanaid - Business of Seanad

An Leas-Chathaoirleach: I have received notice from Senator Jerry Buttimer that, on the motion for the Commencement of the House today, he proposes to raise the following matter:

The need for the Minister for Health to make a statement on the availability of the pre-exposure prophylaxis programme, PrEP, in Cork.

I have also received notice from Senator Malcolm Byrne on the following matter:

The need for the Minister for Health to make a statement on the cyberattack on the health service in May 2021, including estimated costs and impact on hospital procedures.

I have also received notice from Senator Robbie Gallagher on the following matter:

The need for the Minister for Transport to make a statement on the availability of charging points, particularly in counties Monaghan, Cavan and Meath.

I have also received notice from Senator Lynn Boylan on the following matter:

The need for the Minister for Environment, Climate and Communications to make a statement on community involvement in offshore wind development.

I have also received notice from Senator Maria Byrne on the following matter:

The need for the Minister of State with responsibility for business, employment and retail to make a statement on supports for business start-ups, particularly in the Limerick area.

I have also received notice from Senator Sharon Keogan on the following matter:

The need for the Minister for Environment, Climate and Communications to make a statement on the waiting times for applicants to the better energy warmer homes scheme.

The matters raised by the Senators are suitable for discussion. The Cathaoirleach has selected the matters raised by Senators Jerry Buttimer, Malcolm Byrne, Robbie Gallagher and Lynn Boylan and they will be taken now. The other Senators may give notice on another day of the matters they wish to raise.

Nithe i dtosach suíonna - Commencement Matters

Health Services

An Leas-Chathaoirleach: I welcome to the House our colleague, Minister of State, Deputy Feighan, who is one of our former distinguished Members. I wish him well with his recovery.

Senator Jerry Buttimer: I thank the Cathaoirleach for picking this very important topic. I welcome the Minister of State and thank him for being here and also wish him well. I commend his work on his brief so far. He has been very proactive and I commend him on the work he has done in terms of sexual health and sexual well-being. The sexual health strategy is so important.

Next Wednesday, 1 December, is World AIDS Day and a day of visibility. However, I am wearing the red ribbon here today as a reminder to all of us that it is not just one day. The issue of PrEP is one that has become a source of contention of Cork, and it should not be, because Cork is our second city. To be fair to the Minister of State and the Department of Health, the funding is available. PrEP has become a very important tool and asset in the fight against HIV in the world. I want to stress that the Cork Sexual Health Centre is doing Trojan work. The outreach, engagement, support and services are fantastic and are helping so many people.

A resolution is needed in Cork in the availability of PrEP. Funding is approved and has come from the Department and CHO 4, covering Cork and Kerry. The roadblock is that there has been no implementation of the funding. I appreciate that we have a pandemic and the resources and staff of the HSE are stretched. A standalone PrEP clinic is needed, however, in Cork, our second city. The positions that should be created must be advertised and filled.

A central part of the sexual health strategy is access to critical services and supports. I appeal that the new sexual health strategy will include deliverable measures to improve access to HIV and sexual health services, such as PrEP, in Cork city. There is a global commitment to meet the end of HIV by 2030. As part of that, the supports and services linked to PrEP are essential. Equally, I appeal that as the Minister of State meets with different organisations as part of the sexual health strategy, there would be engagement and inclusivity with all stakeholders, not just with people within the Department. The Minister of State has been very open and engaging with all of us who have met with him and the groups he has met around the country. I thank him for his work and I wish him well.

This is an important issue. It is not just about World AIDS Day. It is about the ongoing provision of services and supports in the fight against HIV. If we cast our minds back to where we were in the 1980s and compare it with today, we will see that we are in a much better place now. We can be in an even better place with the supports and services available. I thank the Minister of State for being here. I really appreciate it and thank him for his work.

Minister of State at the Department of Health (Deputy Frankie Feighan): I thank Senator Buttimer for giving me an opportunity to update the House on this matter. Sexual health is a priority for the Department of Health. This was evidenced by the publication of the National Sexual Health Strategy 2015-2020, the first major strategy to tackle this vital area. Good progress has been made with the implementation of the strategy since 2015. The Department of Health, along with the HSE sexual health and crisis pregnancy programme, SHCPP, has worked hard to built important partnerships with a range of community and voluntary groups, all of which are working with us to implement a range of important sexual health initiatives. Work has now begun on a review and refresh of the strategy and this will continue in 2022. The treatment of HIV is a priority item within the strategy. As we approach World AIDS Day, we have a good opportunity to take stock of where we are in the fight against the virus.

In recent years we have seen the launch of two major initiatives to intensify our response to HIV in Ireland. The first of these saw Ireland joining the Fast-Track Cities global initiative, which aims to boost HIV prevention and treatment and to reduce stigma. The implementation of this initiative includes expanded community HIV testing and outreach in key urban areas and centres; targeted outreach to key at-risk groups; public campaigns on stigma reduction and promotion of the PrEP service; and the development of a co-ordination, monitoring and evaluation workstream. Steering groups, which include representation from the Department of Health and the SHCPP, have been established and are now in place. They are working to progress this initiative in the participating cities of Dublin, Cork, Limerick and Galway. The second initiative was the introduction of a national programme of HIV PrEP. Funding of €5.4 million was secured for PrEP in 2020, including an allocation for the recruitment of additional staff, as Senator Buttimer rightly said. The funding and roll-out of this programme has continued in 2021. While the PrEP service remains fully funded, implementation has been impacted as a result of the Covid-19 pandemic. All health services, including STI, HIV and PrEP services, are continuing to face constraints resulting from the impacts of the Covid-19 pandemic. These constraints include attendance by appointment only or online as a result of the need to maintain social distancing, and the necessary redeployment of personnel to diverse Covid-19 related duties which include testing, contact tracing, vaccination and front-line patient care.

The Cork PrEP service commenced in South Infirmity Victoria University Hospital in April 2020. There are 294 PrEP service users registered with the PrEP clinic in the hospital. Existing PrEP users continue to be seen for PrEP review and monitoring as prescriptions are required. The recruitment of a PrEP clinical nurse manager for the service is a priority for the HSE and is actively being pursued. The service closed to new PrEP service users on Monday, 4 October 2021, and will remain closed to new users until the clinical nurse manager is in post.

Senator Jerry Buttimer: I thank the Minister of State for his reply. The Fast-Track Cities initiative, which he mentioned, is an important part of what we are trying to achieve in our fight against HIV and AIDS. The interesting thing is that the funding has been approved, notwithstanding the remarks of the Minister of State. The key point I want to make is there is a need to have a resolution to the post being filled. As the Minister of State said, the service has been closed to new PrEP users since 4 October and will remain closed. I hope the Minister of State will impress upon the HSE the urgency and importance of this service and this facility. I hope this will be prioritised in real time, not in HSE time because that can go on forever, as we know. I do not mean to be rude or disparaging when I say that, but there is a need to progress the good work being done to ensure we meet our commitments in the sexual health strategy. Our second city is not open as a PrEP facility for men who require this service, and we cannot allow that to

continue. I appeal to the Minister of State to use his powers to fast-track the recruitment of a new clinical nurse manager. As he knows, the HSE can take forever to fill a post. I hope it will not be that way in this case. I thank the Minister of State for his commitment and support and for being here this morning. I appreciate the work he is doing in the Department.

Deputy Frankie Feighan: I thank Senator Buttimer for his significant contribution to the House on this important topic. I wish to conclude by providing some detail on another important sexual health initiative which is currently in progress. The Department of Health is happy to support the HSE's home STI testing pilot project in Dublin, Wicklow, Kildare, Cork and Kerry through the Sláintecare integration fund. My colleague the Minister for Health, Deputy Stephen Donnelly, was pleased to be able to secure funding of €3.3 million in the recent budget for the continuation of online STI testing. Integrating online STI testing services with established public STI clinics is an effective and efficient way to increase access to and capacity for STI testing services. This allows people to use online platforms and tests for STIs in the comfort of their own homes.

Senator Buttimer said that this post needs to be filled as a matter of urgency. I will bring his concerns back to the HSE to try to get it filled as quickly as possible.

Cybersecurity Policy

An Leas-Chathaoirleach: Senator Malcolm Byrne wishes to raise the need for the Minister for Health to make a statement on the cyberattack on the health service in May 2021, including the estimated costs and the impact on hospital procedures.

Senator Malcolm Byrne: I thank the Minister of State for taking this matter. He will be aware that in May of this year, we had a ransomware attack on our health services. It was the largest known attack on a health service anywhere in the world. For this to happen to any health service is frankly disgraceful, but it is particularly disgraceful as we battle a pandemic. Credit is due to the IT staff who tried as quickly as possible to restore the systems in place. There was undoubtedly a considerable cost. While it is easy to measure the direct IT cost, and I am interested in hearing those figures, there is a broader cost in terms of the impact that the cyberattack had on health procedures. At the time, approximately 7,000 patient appointments were delayed each day as a result of the attack. That has consequences for all of those individuals and their families. Quite frankly, it was a terrorist attack. It is something that unfortunately we are going to see much more of. It is where the new battleground is going to be. Sadly, we are going to see state actors engaged to a far greater extent behind some of these cyberattacks.

This week, Grant Thornton Ireland published a report which estimated that the economic cost of cybercrime in Ireland last year was approximately €9.6 billion. That has very serious consequences for the economy. Obviously, an attack on something like our health services has serious impacts on people's lives. This time it was the health service, but I am worried that next time it could be water services or local authorities. An attack on our infrastructure has very serious consequences. I hope the Government has a strategy in place to prevent this happening not just within the health service but across all areas of critical infrastructure and indeed infrastructure more widely.

It is time to look at the broader question of how we address cybercrime and cyberterrorism. It is essential that we co-operate with our EU partners and indeed as part of the permanent struc-

tured co-operation, PESCO, because this is a matter of national security and defence. This constitutes an attack on the State, and as a State we must respond. We are not capable of simply responding on our own. We must respond with fellow democracies to some of these attacks. I hope the Minister of State can respond to my queries about the infrastructure that needs to be put in place here at a domestic level, but given that this is a matter of national defence and security, I believe we should also be taking part in some of the PESCO groups that are designed to combat cybercrime and cyberterrorism. This is where the wars and battles of the future are going to be fought. Earlier this year, Ireland had a salutary lesson that our systems are not up to scratch. I hope that the Government has in place a system so that if we experience a similar attack, we can address it.

Deputy Frankie Feighan: I thank Senator Byrne for raising this very important issue. Cyberthreats are a global issue and they are not limited to healthcare. Increasing attacks on critical infrastructure are triggering widespread disruption across the globe and causing significant disruption to companies and State agencies. They impact directly on citizens, as the Senator has rightly outlined.

The Conti ransomware attack on the HSE of 14 May 2021 resulted in an immediate loss of almost all ICT systems, applications and communications networks needed to support the delivery of health and social care services. The impact on patient services and patients was on a scale not seen before. As an immediate response, the HSE took all systems offline to reduce the risk of further contagion while the situation was assessed. All technical staff were diverted to respond to the crisis, supported by senior management from across the organisation. At present, almost all ICT systems have recovered to full functionality. However, some remedial work is required on a small number of older, legacy ICT systems and this work is actively being progressed by the HSE.

There are significant financial costs associated with repairing the damage caused to the HSE's ICT systems. Funding provided this year addressed the immediate risks to the HSE, including the recovery of systems and data affected by the attack, the upgrade and replacement of legacy systems, and the establishment of a security operations centre for enhanced monitoring of threats. The HSE estimates that these measures cost €37.5 million in 2021 and do not include the wider costs associated with the disruption to health services and patient impact.

I believe there is a need for sustained investment in ICT in the health service in the coming years to protect the health system from the risk of future attacks. The 2022 budget includes funding for the HSE to enhance cyber-resilience. The cyberattack against the HSE's ICT infrastructure has been unprecedented in severity and scale, and this investment will support the maintenance of a modern and secure ICT infrastructure to mitigate any future attacks.

Considerable work is also under way at Government level to protect against future attacks. The Office of the Government Chief Information Officer has enhanced the Internet connections connecting the Government to the rest of the world and put in place mitigation measures to deal with attacks should they arise, such as performing real-time checks on Internet traffic to block access to reported malicious destinations to mitigate phishing attacks.

Departments are also moving to the build-to-share Government infrastructure model which protects the working environment and monitors malicious activity more efficiently. Plans are also in place to establish the National Cyber Security Centre on a statutory footing and to increase staff numbers to support the critical work they do in protecting infrastructure from future

cyberattacks.

I thank the Senator again for raising this issue which has caused huge critical infrastructure malfunctions. It caused significant disruption to companies and State agencies, and it impacted directly on citizens. I thank all of the stakeholders for all the work they have done since that attack. I hope that the funding in place will help us to be aware and to minimise the impact on patient services.

Senator Malcolm Byrne: I thank the Minister of State. I appreciate that he is able to measure the direct cost in the figure of €37.5 million this year. We are six months on and, as the Minister of State has said, it still has not been fully resolved. The indirect costs are much more difficult to measure but I have no doubt that we are talking about tens of millions of euro with regard to the loss of productivity and the impact it has had. It has also had an impact on patients' lives. My concern on the broader issue around cybersecurity relates to whether, as a State, we are taking it sufficiently seriously. It requires a cross-government approach. On top of that, I again encourage us to look at partnering with the EU and other democracies through PESCO and other agencies. This is a matter of national defence and security. The Minister of State has said that this attack was unprecedented. He is correct, but I must say to the Minister of State that we are going to see a lot more of it. That is why we need to take it seriously.

Deputy Frankie Feighan: I thank the Senator for his contribution to the House on this important topic. Cyberthreats remain a persistent concern across a number of sectors globally. The disruption they cause to services, particularly during a pandemic, is devastating. It is galling that cyberattacks prey on our public healthcare system and our patients, and on some of the most vulnerable people in the State. I assure the Senator that my Department, and the HSE as the key target of the cyberattack in May, are working closely with the Office of the Government Chief Information Officer and the National Cyber Security Centre and its partners to strengthen ICT infrastructure and ensure that health services are resilient to future cyber-incidents.

As well as working with my colleagues in the Government to improve cyber-resilience at national level, my Department is also engaged at EU level to ensure robust cyber-resilience in all EU member states through the implementation of the national information security directive and the proposed critical entities resilience directive, which deal with the protection and resilience of critical entities such as health service providers.

In conclusion, I acknowledge the staff and colleagues in my Department, the HSE and other Departments and Government agencies who worked tirelessly during the ransomware attack to make sure that our health services were restored and, most importantly, that patients got the urgent care they needed.

Electric Vehicles

An Leas-Chathaoirleach: My constituency colleague, Senator Robbie Gallagher, wishes to raise the need for the Minister for Transport to make a statement on the availability of electric vehicle charging points, particularly in the counties of Monaghan, Cavan and Meath.

Senator Robbie Gallagher: The Minister of State, Deputy Feighan, is very welcome to the House this morning and I thank him for taking time out of his busy schedule to be here. This morning I want to raise the need for electric vehicle, EV, charging points throughout coun-

ties Monaghan, Cavan and Meath. EcoXpress, which is the first all-electric courier company operating in the Republic of Ireland, is based in Monaghan. It has four electric vans servicing County Monaghan, three electric vans servicing County Cavan and five electric vans servicing counties Louth and Meath. As the company grows, it intends to increase the fleet of vehicles. The feedback from clients is very positive in that they are happy to see this reduction in CO2 emission levels. It goes without saying that the nature of the courier business demands speed and efficiency as top goals.

Unfortunately, I am saddened to say this morning that this company is experiencing great difficulty with the lack of fast-charging points for its vehicles. Monaghan town has only one fast-charging location and that can take approximately 40 minutes to charge a vehicle up to 80% of its charging capacity. Sometimes, when they arrive at a charging point, drivers discover that another vehicle is already there or perhaps there is even a queue of vehicles waiting for the charging point. It is worth noting that Monaghan would traditionally be seen as a halfway point for people from the north of the country, for example Donegal, Derry or north Tyrone, when they are travelling to Dublin. Monaghan will always be seen as a halfway point and perhaps this goes some way to highlighting the increased usage of those charging points in that particular area. Other towns such as Carrickmacross similarly have only one fast-charging location. Unfortunately, from time to time these charging points have broken down and have been broken down for a number of days, and apparently other parts of the country are also experiencing similar difficulties with fast-charging points.

11 o'clock

Government policy on EVs is quite clear for those who can afford them. They are the way to go. Home charging is seen as the primary method of charging the majority of EVs in Ireland. It is convenient, cost-effective and environmentally friendly. It is very cost-effective if the special low night-time rate can be availed of to charge a vehicle. That seems to be a sensible way for domestic users to charge their EVs because, typically, their journeys involve going from A to B and back to A again. However, drivers of commercial vehicles, particularly couriers, may have to make multiple journeys on any given day. Since they could be away from early morning and on the road all day, they totally depend on the fast-charging infrastructure, be it in counties Monaghan, Cavan, Louth, Meath or elsewhere.

The Government has identified the transition to EVs for those who can afford them as critical if we are to deliver on our climate change targets. Unfortunately, the scarcity of charging points does not encourage people to change over to EVs, particularly if they are in the commercial world and most particularly if they are in the courier business. This issue requires immediate attention. I hope the Minister of State will have good news not only for the company I mentioned but also for the many companies and individuals who are thinking of changing over to EVs.

An Leas-Chathaoirleach: For once, I will take some latitude in the Chair. I congratulate the Senator on raising this important local issue, which I, too, can relate to. I thank him for it.

Deputy Frankie Feighan: I thank the Senator for raising this issue. The Government's policy on the increased usage of EVs is primarily driven by the climate action plan, which sets out a target of having 945,000 EVs on Irish roads by 2030. To support these EVs, Ireland has a comprehensive charging network available to EV owners to charge their vehicles. Several operators are providing charging points, with the majority being rolled out by EasyGo and the

ESB through its ecars programme. Each provider has a map outlining the availability of charging points that is updated in real-time.

Charging-point operators in Ireland mainly provide charging points that are the standard 22 kW or the higher 50 kW or 150 kW. Standard charging points are located on streets and at strategic destinations, such as train stations, hotels and shopping centres. The fast and high-powered charging, HPC, points are mainly focused along the motorways.

In addition to the charging points on the main network, charging points are provided at locations such as places of employment and private car parks. Currently, there are approximately 2,000 charging points in Ireland, and this number is continuing to grow.

A sum of €10 million from the climate action fund was committed to support ESB investment in the charging network, and this has leveraged a further investment of €10 million, from the ESB. This intervention alone will result in 90 additional high-powered chargers, each capable of charging two vehicles; 52 additional fast chargers, which may replace existing standards chargers; and the replacement of 264 standards chargers with more modern technology and with each consisting of two charge points. The project is due to be completed in 2022.

With regard to the three Border counties the Senator has mentioned, the Department of Transport is informed by ESB ecars that its charging network currently includes the following: in County Meath, 24 standard charge points, six fast chargers and two HPC points; in County Louth, 24 standard charge points and four fast chargers; and in County Cavan, ten charge points and one fast charger. ESB ecars is to begin work next month to install a HPC hub in County Monaghan. Work to install HPC locations in Trim and Navan, County Meath, will be completed by mid-2022. ESB ecars is in negotiation with private landowners with regard to the provision of a new HPC hub in County Cavan.

The FASTER project is a joint initiative aimed at supporting the installation, by May 2023, of 73 rapid 50 kW-capacity EV charging stations across both jurisdictions within Ireland, as well as in Scotland, and it has been awarded €6.4 million from the EU INTERREG VA programme. The Sustainable Energy Authority of Ireland, which administers the scheme, has informed the Department that, to date, three local authorities have submitted applications for funding, while a further 13 have requested application forms. Louth County Council is seeking funding for the installation of 20 points.

The Senator inquired about County Monaghan. I do not have any information in my reply, but the primary focus of the scheme is to support the installation of infrastructure that will facilitate owners of EVs who do not have access to private parking spaces but who rely on parking their vehicles in public places only.

Senator Robbie Gallagher: I thank the Minister of State for his response. He stated there are plans to expand the rolling out of charging points in the region. That is very much welcome. I would be grateful if he could get me more detail specifically on the plans for County Monaghan. County Cavan will see an increase, as will counties Louth and Meath.

The Minister of State mentioned Monaghan in a certain context, but I am here to give voice to the courier company in question and many others who are calling for more charging points to be installed. If we are to encourage people who can afford to change to an EV to do so, it is vital that we put in place the infrastructure to support them. This is particularly the case for a courier company, whose business will be judged on – and grow based on – how successfully

it does its business. If a company cannot charge its vehicles, it cannot deliver its goods. This would have an adverse effect on business. I would be grateful if the Minister of State could get me more specific details, particularly on County Monaghan.

Deputy Frankie Feighan: I thank the Senator. We are all at one here. The Senator's lobbying for County Monaghan is very effective. I thank him. He has support from the Leas-Chathaoirleach. As the Senator will be aware, the Government is fully committed to supporting the significant expansion and modernisation of the EV charging network over the coming years. The Department of Transport is working closely with several key stakeholders, including those in local government, to ensure EV infrastructure will stay ahead of demand. The Senator is correct that we need to be ahead of the curve because EVs are the way forward.

The programme for Government commits to publishing an EV infrastructure strategy to facilitate the uptake of EVs. Once completed, it will provide a key framework for ensuring that we can continue to have sufficient infrastructure in place to keep ahead of demand. It is envisaged that the strategy will be published early next year. I will ask the Department to get the Senator information pertaining to County Monaghan.

Renewable Energy Generation

Senator Lynn Boylan: Cuirim fáilte roimh an Aire Stáit. Today I am particularly interested in hearing the Minister of State's response to the plans for the offshore community benefit fund. The terms and conditions for the first offshore renewable energy support scheme, RESS, are out for consultation, but I would like to tease out how the scheme will be administered. While the consultation is ongoing, the Government has made a couple of statements that indicate its preference, namely a nationally managed fund. That is very different from the community benefit funds in respect of the onshore RESS, whereby each project administers its own fund. It is stated in the consultation documentation that one reason for this is that while a single, medium-sized, 500 MW offshore project could generate €4 million in community funding for a year, it would take 80,000 onshore projects to achieve the same level. According to the Government's document as well, when dealing with projects costing millions of euro, the cost of administering the funds could be reduced significantly by administering them centrally. We must be careful in this regard, however, because other factors beyond that of lowest cost are involved and should be considered when we are talking about community benefits. Communities' experience of how they have been treated onshore has not been a good one in this regard. They now have access to the community benefit fund, but the legacy of how they were treated by onshore wind projects remains.

Making the administration of funds national will mean that communities will miss out on developing skills and jobs in funds management, and this aspect should not be discounted by the Government. It is important that all community groups have access in this regard and that the administrative burden is not too high, but I urge caution regarding what will happen around the ownership of the scheme. I refer to there being a centralised, Dublin-based fund and, once again, applications being made to Dublin for these community benefits. It is essential, therefore, to get the model right, and I encourage the Government not to close the door on the opportunity of having these funds administered at the community level by individuals who live in the communities and know what will work for those communities. I say that because this is also part of what a just transition is; it concerns community ownership of the transition.

I would also like to hear about the plans regarding the climate-proofing of the community benefit fund. It must be ensured that it will be possible for the money used on projects not only to facilitate a just transition through microgeneration and similar endeavours, but also to have an ultimate outcome that will not result in making the climate crisis even worse. The projects the funding is intended for must be climate-proofed and must also create employment opportunities in the non-extractive sector.

I would also like to tease out some detail on the possibility of allocating a portion of the fund specifically to the small fishers who face unique challenges. They are going to be directly impacted by the development of offshore wind. These are communities that have been alienated for a long time by many Government bodies and by EU bureaucracy, and they should have a separate fund that they can access to enable them to be net beneficiaries of the development of offshore wind.

The community fund could also enable opportunities for marine research and allow us to learn more about the indicator species and the rich biodiversity we have in our marine area. Equally, we should not close the door on community ownership of offshore wind. While nobody is in a position now to do anything on that scale, we must explore co-operative models in this regard and definitely not close the door to communities if they want to become involved in creating their own offshore wind projects. This scheme should not just be about the microgeneration element.

Deputy Frankie Feighan: I thank the Senator for raising this issue. Ireland has one of the best offshore renewable energy resources in the world with a sea area of 490,000 sq. km, which is approximately seven times the size of our landmass. Ireland's location at the Atlantic edge of the EU means that we have more offshore energy potential than most countries in Europe. The Maritime Area Planning Bill 2021, which recently completed Committee Stage in the Dáil, will enable the realisation of our offshore renewable energy ambitions by establishing well-regulated developments, streamlined consent and comprehensive environmental assessment of proposals and consultative processes to better enable community investment and engagement.

The Department of the Environment, Climate and Communications is developing terms and conditions for the first offshore wind auction under the offshore renewable electricity support scheme, ORESS 1. It will support the first phase of offshore wind development in Ireland. All offshore wind energy development will be required to make community benefit fund contributions and, owing to the larger scale of offshore wind developments, these contributions are expected to be significantly larger than those from their onshore counterparts. Additionally, as a result of the longer construction period required by offshore wind projects, mechanisms for early community benefit are included in the draft ORESS 1 terms and conditions, which are now undergoing public consultation until December.

The Senator mentioned the national managed fund proposals. To better account for the increased governance requirements of offshore funds, the ambiguity of the offshore community and the increased State aid risk posed by benefits payable to certain marine community members, the Department of the Environment, Climate and Communications is proposing that the offshore community benefit fund be managed at a national level. The main role of the national fund manager, as proposed, would be to support local decision-making by undertaking the administrative obligations and burdens of collecting and managing the funds on behalf of the local community. The local community would then be left free to concentrate on decision-making on funding applications and implementation. In no way is a nationally administered fund in-

tended to weaken local community decision-making. The proposal is also expected to reduce administrative overheads and to realise a greater proportion of funds for expenditure in coastal and marine communities. The proposal for a national fund is also included in our ORESS 1 consultation and will be subject to the feedback received by that process. The Department has also highlighted that community benefit funds will be open to all communities, inclusively and equitably. In this regard, as part of the ORESS 1 consultation process, views are invited regarding how the fishing and seafood sectors can be inclusively engaged as a part of the wider community.

Significant investment in Ireland's offshore renewable energy sector through ORESS will deliver considerable benefits to coastal communities more generally in respect of high-value jobs and indigenous supply chains. A cross-departmental offshore renewable energy team, chaired by officials from the Department of the Environment, Climate and Communications, is being established to capture wider economic and business opportunities associated with the development of offshore renewables in Ireland. The significant role of regional ports in the development of Ireland's offshore renewable energy sector and the need for investment in port infrastructure will also benefit local coastal communities through employment and commercial opportunities. A review of the national ports policy by the Department of Transport will consider the port infrastructure development required to facilitate Ireland's future offshore renewable energy sector.

Senator Lynn Boylan: I welcome the Minister of State's provision of some clarity on these questions. I still encourage that the decision concerning a nationally administered fund be kept open. It is, once again, being said that the decision-making will come from the community, but the best model of community involvement is the one led by the community for the community. There is a job creation opportunity here for rural communities if we encourage people to learn skills in administration and funds management.

Turning to the State aid risk for the small inshore fishers, there are ways around that aspect. We must continue to examine that issue, and part of the solution involves port and harbour infrastructure. It also involves sustainable equipment and research into where the fish are and how to fish sustainably.

I did not get an answer regarding climate-proofing in respect of ensuring the community benefit fund will not be funding projects which will make the climate crisis worse. I ask the Minister of State to raise that issue with the Minister.

Deputy Frankie Feighan: I will certainly raise climate-proofing with the Minister. The Senator will be aware that the Department recognises that increased participation by people in offshore renewable energy projects will bring about significant supports for climate action as people in turn become personally invested in their delivery. The Department continues to engage in the overall package of community participation and benefits in line with Ireland's climate ambitions to achieve net zero emissions by 2050 and to deliver on the European Green Deal.

The Senator is absolutely right that this is a huge opportunity for people and communities to be involved in major decision-making. Two lines of thought exist in this regard, namely, that decision-making will occur nationally or it will take place locally. Working together, however, we can get the best of both worlds. I take on board the views of the Senator, and also her request for more information about climate-proofing. I agree as well that the development of many

skills and abilities can be explored in these communities.

An Leas-Chathaoirleach: I thank the Minister of State for his response. Even though he has had a long and intense session this morning, his voice is certainly in good fettle, which is good.

Sitting suspended at 11.20 a.m. and resumed at 11.34 a.m.

An tOrd Gnó - Order of Business

Senator Lisa Chambers: The Order of Business is No. 1, Private Members' business, Companies (Emission Reporting) Bill 2021 - Second Stage, to be taken at 1 p.m. with the time allocated to this debate not to exceed 90 minutes; No. 2, Residential Tenancies (Amendment) (No. 2) Bill 2021 - Committee Stage (resumed), to be taken at 2.30 p.m. and the proceedings thereon shall, if not previously concluded, be brought to a conclusion by 4.30 p.m. by the putting of one question from the Chair which shall, in relation to amendments, include only those set down or accepted by Government; and No. 3, Official Languages (Amendment) Bill 2019 - Committee Stage, to be taken at 4.45 p.m. or 15 minutes after the conclusion of No. 2, whichever is the later, and to adjourn at 8.45 p.m., if not previously concluded.

Senator Malcolm Byrne: I want to raise the question of the future of higher education funding. It is well over five and a half years since the Cassells report was published. The Minister for Further and Higher Education, Research, Innovation and Science, Deputy Simon Harris, indicated that now is the time for the question to be addressed. This can has continually been kicked down the road. It is completely unfair on our higher education institutions. They have gone through a very difficult two-year period and we need to have certainty around the future funding of the sector. I would like to ask for a debate on the question of future funding of the higher education sector.

Related to that, the House will be aware that many third-level students are facing into exams quite soon. This is a stressful period for them. There is a lot of uncertainty. Some institutions are a bit clearer than others as to whether students will be required to sit exams in person or will be given the option of sitting exams online. It is important that there should be clarity. I appreciate that this is a matter for each higher level education institution, but it may be useful to ask the Minister to engage with the Union of Students of Ireland, the Irish Universities Association and the Technological Higher Education Association to try to ensure that exams can be done in the safest way possible. It is important for students that there is clarity as soon as possible.

I also wish to mention two long-running disputes where it is important that we move towards a resolution. The first is the pension scheme for community employment supervisors and deputy supervisors. This has been kicked back and forth for years following Labour Court recommendations. In fairness, the Minister for Public Expenditure and Reform, Deputy Michael McGrath, has made some efforts to progress the matter. I believe it can be resolved if all groups sit around the table. We all know the work that community employment scheme supervisors and deputy supervisors have done in our communities. It is important that we work towards a

resolution.

The second dispute I wish to raise is one with which the House is very familiar. I refer to the position of secretarial assistants and addressing the issue of their pay, terms and conditions. In my case, without Patrick Higgins, my secretarial assistant, I would not be able to do the work that I do. I am sure it is the same for all of my Seanad colleagues. Prior to my time, in 2019 a cross-party motion to address this issue was supported by all Members. I am aware that the matter is before the WRC. The question of support staff for all of us needs to be addressed. We all know how hard our colleagues work. We need a bit of imagination to resolve the dispute.

Senator Gerard P. Craughwell: Yesterday, I attended the Representative Association of Commissioned Officers, RACO, biannual conference. It was probably one of the most depressing conferences I have ever attended. Clearly, nobody in government takes the Defence Forces seriously. Nobody cares about the way the organisation is being run into the ground. Yesterday, we had a Minister for Defence tell the assembled group that the conciliation and arbitration adjudicator, which RACO has been waiting for since June of this year, is awaiting authorisation from the Department of Public Expenditure and Reform. What sort of organisation have we created in the Department of Public Expenditure and Reform that a Minister cannot make one part-time appointment? It is outrageous.

Another story that has been published widely over the past couple of days is the state of the accommodation in the Defence Forces. The Curragh, our flagship, is being run into the ground. The United Nations school is in the Curragh. The place is derelict. One would not put animals in parts of it. The way it has been run into the ground is outrageous. All of these barracks were handed over in pristine condition more than 100 years ago. Today, they are red rotten and falling apart due to a lack of investment. It is simply not good enough that this is the way things are going.

The second issue I wish to raise is vaccines and, in particular, the booster shots. I received a message from some friends on Saturday that people could walk into Citywest and get a booster vaccine if it was five months since their last vaccine. I make no bones of the fact that I am scared stiff of Covid. I have underlying conditions. I turned up at Citywest and was stopped at the gate and asked where I was going to which I replied I was there for my booster vaccine. I was asked if it was five months since I had my last vaccine to which I replied it was or there or thereabouts. I was asked for my certificate and told I was five days short of it being five months since my last vaccine and that I would have to go home. Yet, other people I know who were vaccinated on the same day as I was got in and got their booster shots. My niece in County Galway received eight requests to turn up for a vaccine after she had been given it. She then received text messages advising she would be regarded as a no-show. We need to get the roll-out of the vaccine booster shots up and running.

The issue with respect to our secretarial assistants within the Oireachtas is outrageous. The woman who works for me is not only a secretarial assistant but does a massive volume of research on my behalf. To think our secretarial assistants are not regarded in the same light as personal assistants in the Dáil is outrageous. We really need to sort that out.

Senator Pauline O'Reilly: I want to clarify the Green Party's position on a Bill dealing with peat extraction that was tabled on the Order Paper yesterday. Let us be clear about it. That Bill is not consistent with European law. It will face the exact same challenges that were faced by legislation in 2019. It is giving false hope to growers throughout the country that it will

resolve issues; it will not. Ten times the volume of peat is being exported as is being imported. Those are the facts. Those are the CSO's figures. Between the start of this year and September 500,000 tonnes of peat were exported. How can we justify the narrative that has been put out that we need to import peat? Illegal extraction is happening in plain sight throughout the country and the Minister, Deputy Darragh O'Brien, and the Minister of State, Deputy Peter Burke, are turning a blind eye to it. They must act to stop the illegal extraction. It is an issue for growers in the horticulture sector. Peat extraction is permitted on a small scale. That is not happening because it is big business to extract it on a large scale and export it. If illegal extraction was tackled, we could have the permitted extraction on a small scale. We could import the small volume required in a transition phase and the growers in the sector could get the peat they require. That is the issue that needs to be faced. The lack of engagement on this issue with the Departments prior to the tabling of that Bill is an issue. The export of that 500,000 tonnes of peat is known. Let us address that. The Green Party will not support a Bill that allows widespread extraction of peat without environmental impact assessments, which is what this Bill would allow.

Senator Lynn Boylan: I agree with Senator O'Reilly that this legislation is the most disingenuous I have seen produced and it is not compatible with EU law. It will not get past the Attorney General.

I want to offer solidarity to students throughout the country who are staging three days of protests as part of their Cost of College campaign. Students are being squeezed at every point due to the lack of affordable student accommodation while they struggle to pay their college fees. My party's position is that third-level education should be accessible to anyone who wants to access it. As a State we should see it as an investment in the future of the country. Accessing training and education should not be about how much money someone's parents have or whether they own a property one can stay in. Instead it should be about the skills, abilities and the interests of the student and about lifelong learning.

When students take to the radio to tell us they are living in homeless shelters, attending lectures in the back of pubs to avail of free Wi-Fi, or getting up at 3 a.m. or 4 a.m. to travel to college because they cannot afford to live close to it, or that food banks being set up on college campuses are running out of stock, alarm bells should ring in every Department if this is the state of our third-level sector. We should listen to the students who protested outside these Houses yesterday and who are protesting in Galway today. Education must be free at the point of delivery and it cannot be about a declaration of wealth.

I would like to raise another issue related to third-level education to share my concerns with the students of Dublin City University, DCU, of which I am one, regarding the most recent controversy surrounding a lecturer on the DCU campus. I recognise third-level institutions and the right to freedom of expression but I had direct experience of this individual back in 2014 and 2015 when I was targeted online by him and subjected to disinformation about a campaign I worked on. The things he said then and the things he is saying now would make any student of colour or of the Islamic faith deeply uncomfortable about attending DCU. His campaign against me led to me getting death threats, getting abused and trolled online until I blocked the individual because he was feeding the trolls and directing them in my direction. I want to offer my solidarity to the students of colour and of the Islamic faith in DCU knowing that there is an individual there who carries out his business publicly. He can hold whatever views he wants privately but he targets individuals and campaigns against them.

Senator Mark Wall: I want to raise the horrific report presented by “Prime Time” on the alleged sexual assaults at my local hospital, Naas General Hospital, last night. Like, I am sure, other Members who live in County Kildare, I have received a large number of calls from worried former patients who were asking if there are more than four reported cases. Everyone will agree that is a very obvious question and a worry, given we have been told the alleged perpetrator worked at the hospital since 2012. I thank Aoife Hegarty and RTÉ’s “Prime Time” team for reporting on this matter but, unfortunately, it leaves many more questions than answers. We need the Minister for Health and the HSE to make a statement on the matter. Are more cases under investigation? Why has it taken almost four years for such a report to come out? The report last night indicated this person has worked at another Irish hospital. Is there also an investigation under way at that hospital? It would seem a number of reports from nurses working in the hospital to local gardaí raised the initial alarm. I cannot believe how the victim felt and how his life has changed since he received that call from gardaí asking him if he was sitting down. It is important to thank him for coming forward so bravely but his frustration with the silence was clear to all who tuned in last night.

Naas hospital is very important to the county where I live. Those who have used its fine facilities during the past ten years or so need reassurance. These four victims need some answers notwithstanding the ongoing Garda investigation. As they said last night, silence only protects the evil in our society and not having any contact from the hospital since being informed of this life-changing incident is simply not good enough. I ask the Deputy Leader to raise this matter with the Minister for Health as a matter of urgency on behalf of us all but, more importantly, on behalf of those who have been informed they were sexually assaulted in Naas hospital.

I want to raise a number of issues related to the Defence Forces, which were also raised by my colleague, Senator Craughwell. I agree with him on the condition of the Curragh. It was described as a flagship by the Minister for Defence but I am reliably informed there are 43 derelict buildings in the flagship of our Defence Forces. It is simply not good enough. We need a debate in this House on the future of our Defence Forces. When I raised this issue with the Taoiseach when he was in the House the other day he informed me a report from the commission would be coming out by the end of the year. We are all anticipating that report but we also need a debate on it. I hope the Deputy Leader can organise that. An issue that has been increasingly raised with me relates to those who were born aboard and who are now members of our Defence Forces but who are having problems serving in our Army. They are proud to do so, but they are coming up against obstacles regarding their nationality on a daily basis. We need to address that issue given the current recruitment crisis.

I agree with what two previous speakers said regarding our secretarial assistants. I have raised this issue a number of times. This is something that needs to be solved urgently and I thank the Members for raising it.

Senator Erin McGreehan: I too want to lend my support to the secretarial assistants. As a former secretarial assistant who also worked in this House I am fully behind them and they need proper pay.

The main reason I stand in the Chamber this morning is to ask the Deputy Leader for a debate on energy and on our fuel and energy security. The hauliers are coming to Dublin today beeping their horns and highlighting the real problem we have in this country with the cost of fuel and of living. I heard on RTÉ that snow is expected for the next couple of days. That sends shivers down people’s spines in more ways than one as that they ask how will they be able to af-

ford to heat their houses. Yesterday, we heard advice not to light fires. We need solutions, help and the fast-tracking of grants for people's retrofits. I ask for a debate on energy, fuel and the potential for fuel poverty in this country because it is a significant issue and is growing every single week. People have the cost of oil for their cookers and a few bags of coal for their fire every week. This is a great amount of money to be spending on fuel every week with electricity and gas prices also going up. We need to see a plan as to how we are going to deal with this and help households. Go raibh maith agat.

Senator Aisling Dolan: I have three points. First, I welcome the announcement yesterday of the Minister, Deputy Foley, and that of today that antigen testing will be extended to schools from Monday, 29 November. It is also very hopeful to see that there will be extra substitute teachers which is a very significant issue on the supply panels. I thank the higher education institutions, HEIs, that are engaging with us in order to release students to be able to support school. The Minister, Deputy Foley, has noted that there will be more than 680 substitute teachers. She has acknowledged an additional 100 have been added. It is thanks to the HEIs that we are able to do that and I thank them for that. I also highlight that retired teachers will also be able to work unrestricted with no impact on their pensions. That is a very important point because those who are retired and would like to participate in supporting their local schools are welcome to do that.

The Minister, Deputy Harris, also noted the new name for our brand-new university, the Atlantic Technological University, Ollscoil Teicneolaíochta an Atlantaigh, which is anticipated to open its doors on 1 April next year. That is very exciting news and brings together Galway, Mayo, Sligo and Letterkenny institutes of technology. We are so looking forward to this as we know what this means for our regional campuses. This will be completely phenomenal and very exciting from Castlebar down to Mountbellew. It is also very good that a survey has shown that all of the institutes have agreed to and are very happy with this brand-new name. This branding is going to be a way to join all of these groups together so that it will be a force to be reckoned with in the west. I look forward to many people talking about the Atlantic Technological University both at a national and international level.

Finally, I wish to mention West Doc. We need HSE funding for nurse triage for West Doc to support GPs in the Ballinasloe area who are really struggling in recruitment and retention. Gabhaim buíochas.

Senator Victor Boyhan: Last night we had a debate about scoliosis and the terrible scandal in scoliosis waiting lists. I do not intend to discuss this issue for any length now but I ask that the Deputy Leader or the Leader's office consider writing to the Minister for Health, Deputy Donnelly to request that he meet with the advocacy groups on that issue. That is their request. Early this morning I received an email from Scoliosis Awareness & Support Ireland. In summary it states: "thank you so much for your continued support, your fire, your passion for our families." I had to think about that and to ask myself was I too fiery and severe, which I would not like to think. We had a laugh and a bit of a banter with the Minister of State, Deputy Feighan, this morning. He knows that he has a job to do as have I. I would like to think that that fire and passion was across the House. Everyone who spoke did so with conviction and determination in a good and meaningful debate. I appreciate that the Minister of Health is also busy but this group's ask today is to meet directly with him and it wants a timeline as to what is going to happen for their children.

I welcome the long-awaited Wool Feasibility Study and acknowledge the enormous work

that the Minister of State, Senator Hackett has done. This is something that has been called for and is very important. For the first time the Minister of State, Senator Hackett, has called upon and convened experts in the field, and others, to put together a working group on the feasibility and commercial realisation that we can derive from wool. The Deputy Leader will be aware, being someone from the west, that this is a very important industry and that we need to support sheep farmers. I welcome that study.

Finally, on the Horticultural Peat (Temporary Measures) Bill 2021, I am aware that there is a briefing on this Bill this afternoon which is very important. It is divisive, particularly within the Government, but also across the House. It is an important measure and I urge members to attend that briefing if they can. I will certainly be there. I thank the Deputy Leader and her co-sponsor, Senator Gallagher, for that important piece of legislation.

Senator Ollie Crowe: I raise this morning the issue of jail sentences given to those convicted of burglary. There was a case recently in my own constituency in Galway where the Director of Public Prosecutions, DPP, appealed the sentence given to a man who had committed multiple burglaries including one in the home of an 83-year-old woman when she was present, which happened in mid-2020. The Court of Appeal agreed and added a year to the sentence. The man will now serve six years with the final 12 months suspended. In my opinion, this is a sentence of five years for multiple burglaries but, potentially, significantly less because we are all aware of reductions due to good behaviour, etc. Despite the increase in the sentence by the Court of Appeal this seems to be a very light sentence and not appropriate.

An Cathaoirleach: I must remind the Senator of the issue of the separation of powers between the Houses of the Oireachtas and the Judiciary and ask him to be mindful of that.

Senator Ollie Crowe: I thank the Cathaoirleach. As we are all aware, burglaries are one of the most horrific crimes, given the impact that they have on the victims. The home is sacred for our people and is a place of comfort and security and is a person's castle. That can be wiped out very quickly by such burglaries. This has a crippling and chilling impact on the victims of these crimes, reducing the quality of their lives for many years. It also has an impact on communities beyond that of the direct victim. It causes fear and terror for other members of the community, particularly those who are vulnerable and living alone. I am convinced that the current sentences being handed out need to reflect the damage caused by the criminal acts and these sentences certainly do not appear to act as a deterrent, especially given the number of repeat offenders. I would be grateful if the Deputy Leader would raise this matter with the Minister for Justice.

Senator John Cummins: Two weeks ago I expressed my disappointment at the leader of Sinn Féin and of some Opposition Deputies in objecting to 1,592 rental properties in north Dublin. I called out the warped logic that said building 1,592 rental properties, at a time when we have such a shortage of rental accommodation, was going to make the situation worse.

I genuinely did not think that we would be back in such short order having to call out politicians for an absolute abject failure to support 100% social and affordable housing-----

Senator Erin McGreehan: Hear, hear.

Senator Malcolm Byrne: Hear, Hear.

Senator John Cummins: ----- on public land, which is the mantra we hear in this House

and the Lower House every single day of the week. A target of 100% social and affordable housing on public land is what was voted against by Sinn Féin, three Labour Party councillors, Social Democrats, People Before Profit and some independent councillors in Dublin City Council this week, where they opposed the Oscar Traynor Road site. Thankfully, common sense was applied and we will see 853 housing units provided, 40% social, 20% affordable purchase and 40% cost rental.

12 o'clock

It is a shameless attempt by the Opposition to say one thing when they are on social media and the media, which is that they support housing, when the reality is that at every single turn they oppose it and are trying to block the Government from providing much-needed housing for individuals and families throughout the State. They need to come clean with the public and admit what they are trying to do is to exacerbate the problem of housing for electoral gain. It is an absolute disgrace that this is ongoing in the country and that at a time of such crisis people are getting away with opposing and blocking houses at every turn. It is about time they were called out on it.

Senator Malcolm Byrne: Hear, hear.

Senator Paddy Burke: I call for a debate at some stage in the near future with the Minister for Transport, Deputy Ryan, on roads infrastructure. I welcome the new contract awarded for the road from Frenchpark to Scramogue in the west. I hope that parts of the road will have a two and one design, where traffic can overtake safely on single lane roadways. A significant number of other single lane roads throughout the country, particularly the road from Castlebar to Frenchpark, have certain parts where second lanes could be put in for short stretches to allow traffic to overtake in a safe manner. This is crucial on single lane roads throughout the country. It would be an easy and inexpensive way to upgrade many single lane routes to allow traffic to progress at maximum speed, whether that is 80 km/h or 100 km/h. It is an area we should look at. I would welcome an opportunity to discuss this with the Minister, Deputy Ryan, in the House.

Senator Eugene Murphy: I should not mention Christmas because it is a little bit early, and I certainly should not mention “Silent Night”.

An Cathaoirleach: There are a few lights up.

Senator Eugene Murphy: On a very serious note, I should not be mentioning “Silent Night” but for many politicians and entertainers there will be many silent nights. Musicians are facing a second season of cancellations. These cancellations are piling up with the new Covid-19 restrictions on hospitality and social gatherings. A recent survey by the Music and Entertainment Association of Ireland found that almost 75% of its members have experienced cancellations of events for the month of December. This is resulting in a significant drop in income. Almost half of those surveyed are worried about whether they will be able to afford Christmas. The results of an Amárach public opinion survey conducted for the Department of Health that was released recently show that 45% of people have cancelled social events between now and Christmas. We can understand this given the concern out there.

The MEAI survey also discovered that almost 40% have had to take up work outside the industry, with 47% saying they may have to leave music and entertainment for good to earn a living. The long lockdown followed by the latest setbacks for musicians and entertainers is

taking its toll on their health, with 40% saying they are not in a good place and 20% saying they need to seek help for their health. The survey also shows that almost 80% of musicians, DJs, entertainers and stage crews have experienced a return to less than half of their pandemic work.

This is all happening against a background of cuts to supports and the withdrawing of supports for musicians and other entertainers. We can argue the pandemic unemployment payment was probably not the right vehicle for every sector. We can understand there were serious shortages in other sectors, such as hospitality, and there were many complaints. People in entertainment do appreciate all of the supports being put in place. We need to look at the new scheme proposed in September by the MEAI to the Government. Perhaps we can contact the Taoiseach and the Minister, Deputy Catherine Martin, to see whether they could put this scheme in place. It would really be a help to these people. Nothing will be happening in the entertainment sector until next spring.

Senator Tim Lombard: I rise to speak about the Covid vaccination programme and where we are with the booster for those who received the Janssen vaccine. It was rolled out for the younger cohort in society and administrated mainly through GP practices. They were encouraged at the time to get involved at a very early stage. Science has moved on and the Janssen booster has not come. It is a huge issue, particularly for these young people who are socialising. One of the key issues we need to start talking about is how we can engage with products such as Janssen so that a booster is available. There is a gap in the market. The booster programme is working with the vulnerable and a certain age bracket. Younger people in particular who got this drug are now very vulnerable. Science has shown that the vaccination wears off at a much earlier stage. It is important that in the coming weeks we have a real debate about where we will run with our vaccination programme and how we will tie in the young people and how they will be a part of it. We see numbers that are frightening every day. Young people need to be looked at with regard to how those who received Janssen can get a booster shot. There seems to be no conversation about this. It is a gap in the market that we have to look at. I ask the Deputy Leader to use her offices to contact the Minister to bring a note on how he believes the Janssen product and booster can be looked at so we can have a vaccination programme that can help young people.

Senator Maria Byrne: I often give out about what is happening at University Hospital Limerick but there was a very good occasion yesterday, which was the retirement of Bonnie the therapy dog. She has worked with the paediatric unit in the Children's Ark over many years and brought great joy to the children. She has been involved in calming the children and playing with them. This is a programme that should be rolled out across many hospitals. Therapy dogs bring great benefit to children, especially at a time of need when they are in hospital and not feeling well. They have done wonderful work. Bonnie certainly deserves a great retirement. Rolling out the programme in other hospitals is something we should look at.

At the An Post Book Awards Keith Earls was awarded best sports book for *Fight or Flight: My Life, My Choices*. I congratulate him. He is in the public eye quite a bit and came onto the pitch last weekend for the big win against Argentina. A sports star who goes public and speaks about mental health issues is due a great compliment. It is a book I suggest people read. It is a very good read. It speaks about his whole life history. He started in Moyross and went on to play for Ireland, the Lions, Munster and Young Munster. It is a great tribute to a sports star and a young family man to be able to speak about issues he has had along the way with mental health. It encourages all of us to speak about the issue.

Senator Mary Seery Kearney: In March 2000, the then Minister for Health and now Taoiseach, Deputy Micheál Martin, launched the commission on assisted human reproduction, which reported. In 2009, we had a decision in the Supreme Court regarding assisted human reproduction with regard to surrogacy. In 2012, the then Minister, Alan Shatter, produced guidelines for international surrogacy. In 2015, we had the publication of the Child and Family Relationships Act and all the hoo-ha that led up to it, which resulted in surrogacy having to be severed from the Bill to be brought forward later. In 2017, the assisted human reproduction Bill went through the heads of Bill and pre-legislative scrutiny. The report on it came forward in July 2019. That resulted in the commissioning of a report from the special rapporteur, Conor O'Mahony, regarding the rights of the child in cases of surrogacy, in particular international surrogacy. That report was published in March of this year. It has resulted in three Departments coming together and Ministers meeting on several occasions. Ministers from all three Government parties have shown a will to ensure that children have equality in the relationship with their mothers in this State.

I was very disappointed to hear that there might be a delay in the publication of this memo. Somewhere in all of this there is reluctance to move forward. There are children in the State who are exceeding 18 years of age and who will never have the right to a legal relationship with their mothers. Right now, there are children who do not have a legal relationship with their mothers. Right now, there are children whose parents have not resolved the matter of guardianship and who are relying on a will giving testamentary guardianship to the mother of that child.

There can be no more delays and we need political will. It has been 21 years since the then Minister, and now Taoiseach, commissioned a report into assisted human reproduction. It is time this was published and it is outrageous that there would be any further delays. We have three parties and three Ministers on board. We have political will and it needs to happen. I ask the Leader to write to the Taoiseach asking for this as a matter of urgency.

Senator Jerry Buttimer: I support Senator Seery Kearney in her demand for the issue to be dealt with as a matter of urgency.

I have repeatedly asked about this matter and I am tempted to table an amendment to the Order of Business that we would have a debate in this House on Covid. It is of such importance that we cannot just have commentary by media and sound bites. As Members of the Upper House, we need a substantive debate on what is happening in our country now. For example, in the hospitality sector, the employment wage subsidy scheme should be retained. If that is to happen, how will it be continued?

This morning, 14 counties, including those containing the capital and the second city, have no testing facilities available. The HSE is giving mixed messages. It is important for us to have a debate on how we can continue to beat Covid-19 because our vaccination programme has worked. I would like the Ministers for Health and for Enterprise, Trade and Employment to come to the House to debate the impact and import of Government decisions on Covid. I hope this can happen next week. I will table a motion calling for an amendment to the Order of Business. We are legislators of the upper House and we should have an input into the debate on what is happening with Covid.

Senator Garret Ahearn: I welcome the comments of the Taoiseach yesterday in reply to a question from Deputy Richmond on the roll-out of antigen testing for use in early childhood settings, Montessori schools and crèches. In his response he said there should be some fine

tuning. I ask that we get the detail of the fine-tuning for that sector as a matter of urgency. All they are asking is that they be treated the same as those in school education. In recent days we have heard of the challenges in getting substitute teachers. The same challenges apply to crèches missing staff through Covid. They face the same challenges with children as schools do. I welcome that they are being treated the same as primary and secondary schools, but they need that detail as quickly as possible.

The challenge for those managing crèches and early childhood providers is that the decisions they make need to be supported by the HSE. A week ago, I welcomed that it is going to be done. When they make the decision to close pods or crèches, it is important that they have the backing of the HSE and have the backing of antigen testing for their employees. It gives more reassurance to the parents and to the providers that they are making the right decision.

Senator Micheál Carrigy: I support the comments of Senator Ahearn on childcare. It is important for it to be treated the same and given the same backup as our school sector.

I welcome the Tánaiste's comments yesterday clarifying the position of the country and refuting all the social media lies and mistruths out there. Yesterday, I spoke about businesses not knowing whether to purchase goods ahead of the Christmas rush and whether they would be closed or open. I am glad it was cleared up that that is not on the agenda. The incidence of positive cases is levelling off and hopefully no major further restrictions will need to be imposed.

I raise the issue of transport. I left home slightly later this morning to avoid getting caught up in a traffic jam. Senators coming into the city will have seen the disruption that was caused, understandably so, because the transport sector is on its knees. My family is involved in a bus company. I know the significant extra cost they have with petrol and diesel. They cannot claim back the VAT which Northern Ireland-registered bus companies can. They are in a difficult situation even competing for work.

While there is a rebate scheme, it only applies up to a maximum point. That needs to be extended because the price has gone way beyond what it was. I know the owner of a transport company whose fuel bill has increased by €20,000 a month. The industry is suffering. I have a small station at home and I see the prices first-hand. The average price is now €1.726 for petrol and €1.633 for diesel, which equates to a 27% increase in petrol and a 28% increase in diesel. Those are the highest prices since the AA start recording figures in 1991. We need to look at introducing some support measures.

An Cathaoirleach: I call on the Leader to respond to the Order of Business.

Senator Malcolm Byrne: I have a point of order. A Chathaoirligh, I ask you to provide clarity on your interpretation. When Senator Crowe raised the issue of a sentence, you said that members should not comment on a sentence that is handed down. I can fully understand if a court case is ongoing that we should not comment in this House. However, when a decision has been handed down, I think, as Members, we should be free, if we believe that a sentence is inappropriate, to comment on it. Members of the Judiciary will often comment on actions or inactions of Members of the Oireachtas; I appreciate that it is separate. However, in this case a decision has been handed down.

You will note that last week when Senator McDowell and I raised the statement of the Advocate General of the Court of Justice of the European Union, I was very appreciative that you allowed us to proceed when criticising the interpretation there. I would like some clarity on

what we are allowed. When a sentence that we feel is inappropriate has been handed down, I think it is appropriate that Members should be allowed to express our views.

An Cathaoirleach: Under the Constitution, the European courts are not under our jurisdiction. Therefore, what Members say about courts in other countries does not come under my remit. I am taking the precedent from rulings of the Chair in respect of policy. This is the important part. This House is about debate and about people discussing the issues of the day. Members may and should talk about issues in a general sense even on judicial policy and judicial rulings. However, when it becomes specifically identifiable, because of the separation of powers, the rulings from previous Chairs have been that those specific criticisms should not be entered into in the House. As the Senator outlined, his criticism related to the policy. He said he was concerned about lenient sentences for people, which is general comment that is quite legitimate, who had committed multiple crimes and seemed to get off with light sentences. That is a policy issue and it is quite legitimate to discuss it in the House. However, it is the rulings from previous Cathaoirligh. It is not in Standing Orders, so it is a precedent set by previous Cathaoirligh. If it relates to particular sentences that relate to particular judges, the rulings from previous Cathaoirligh have been that it would not be appropriate. However, I am open to Members changing the Standing Orders if they wish to put it to the committee on procedure, but it would bring us into a number of other more difficult areas. I am conscious of the separation of powers. The Senator was quite right to raise the issue but, obviously, he was raising a particular case and I am just going by the ruling of previous Cathaoirligh and rulings in the Dáil.

Senator Malcolm Byrne: I appreciate that. I do not believe it is appropriate that we should necessarily criticise the judges, but if we feel that a sentence was inappropriate, and I am sure Members can think of such instances, I believe that once it has been handed down we should be entitled to comment on that.

An Cathaoirleach: Thank you. By the way, this is a forum for debate so I am quite happy to engage on the issue of a point of order. I call Senator Crowe.

Senator Ollie Crowe: I thank my colleague, Senator Malcolm Byrne, for the support. I am a little confused. As you outlined, a Chathaoirligh, I was referring to the leniency of the particular cases. I did not refer to a specific case, but said it in general. It is an issue in Galway city and county, as you are aware, but it is also an issue across the country. I am still not clear about why I was not allowed to make the full contribution. In what way was it not right or appropriate to discuss it in the House, as Senator Malcolm Byrne mentioned? There is separation from the Judiciary, and that is fine. Naturally, we cannot get into individual specific cases. We accept that, but that is not what I was saying. With respect, I seek clarification from you, a Chathaoirligh, or from the Clerk of the Seanad.

An Cathaoirleach: That is why I made the clarification. The issue is if you make somebody or a case identifiable. When Members bring out the detail of a case, for example, an 83-year-old lady, that would stray into the area where it would make the individual case identifiable. However, for the benefit of the House I will circulate the ruling from previous Cathaoirligh and from the Chair in the Dáil. I want debate in this House. I want Members to be able to raise the issues of the day that people are talking about on the street. If we cannot talk about them here when everybody else is talking about them, it does not make this House as relevant as it should and needs to be. Yes, by all means every debate and issue should be brought to this House, but I am conscious of the separation of the Judiciary, the rulings of previous Cathaoirligh and making particular instances identifiable, which could bring us into a situation. Bear in mind that

we have introduced new Standing Orders on foot of the Kerins case which define further what Members have a right to talk about in the House, to protect Senators from spurious accusations.

Senator Mary Seery Kearney: I rise to support you, a Chathaoirligh. It began with a specific instance where, perhaps, a specific victim might have been referenced. I listened carefully and agreed with Senator Crowe's statement to the House, to be fair. He moved it to the policy issue. I would extend that to say that perhaps we need mandatory requirements regarding specific categories, home invasions and so forth. However, the Director of Public Prosecutions always has the opportunity to appeal the severity or lack of severity of a sentence, and for us to comment on any individual would undermine that and undermine the hearing of that case. We must be fastidious in keeping that very strict boundary in respect of the possibility of us interfering with the operation of the courts and being seen to criticise a judge. That is what distinguishes us from other countries that appear to interfere. The separation of powers is what distinguishes our democracy and holds it above many others, much to my pride. I support you, a Chathaoirligh.

An Cathaoirleach: Thank you. I am glad Senators raised the issue because it is helpful to every Member to understand. The issue here is making sure that anything that is said in this House is not used to prevent some victim in the future getting justice because something that is said here is used by a criminal as a defence in an appeal case or it prevents the DPP from pursuing a more appropriate sentence. However, I will circulate the ruling. The problem is that it is a fine line. I want every Member to be aware that policy and the issues of the day should be discussed in this House. I want them to be discussed here because that is what this House and the Order of Business are about, but I want us to be careful where it gets into that area where we could end up interfering with future judicial action.

I thank the Senator for raising the point of order. I call the Deputy Leader.

Senator Lisa Chambers: I thank Members for their contributions on the Order of Business. Senator Malcolm Byrne started the debate by raising the funding of higher education into the future and, in particular, the Cassells report. I have made a request for that debate to the Minister, Deputy Harris, at the earliest opportunity. I concur with the Senator's remarks about third level examinations and the clarity regarding what institutions are doing for their students in that regard. That clarity is certainly needed as quickly as possible. With regard to the CE supervisors, perhaps the Senator could submit a Commencement matter to find out the current position. I agree that there is a solution on the table that can be brought to a conclusion.

As regards the position of secretarial assistants, that issue has been ongoing for some time. It was also raised by Senators Craughwell, Joe O'Reilly, Wall and McGreehan, and I am sure it is shared by all Senators. Clearly, secretarial assistants of Senators do the work of parliamentary assistants because we only have one member of staff. Their workload is not commensurate with their level of pay. Even the title of the role does not do justice to the work they do. In fact, it is quite offensive.

Senator Mary Seery Kearney: Hear, hear. Well said.

Senator Lisa Chambers: They are not just doing secretarial work. They are doing research, drafting policy, helping with legislation and doing everything a parliamentary assistant does. They are doing even more because they are also doing the secretarial work. Their work is much larger, and that issue must be resolved. I look forward to the briefing being held by Ms

Samantha Long and all those working on the issue. I am sure many of us will attend and support as best as we can. I will raise the issue again with the Minister, Deputy Michael McGrath, to see if we can get it advanced in this term to the benefit of those working in that role. It is also important to address the issue for people coming into the role in the future.

Senator Craughwell raised the RACO biannual conference he attended. He expressed his frustration and said it was a very depressing engagement because of the many issues in the Defence Forces. In particular, he raised the need to appoint the conciliation and arbitration adjudicator and said the Minister, Deputy Coveney, is having difficulty getting that over the line. It is an issue for the Government and I am sure the Minister for Defence can bring the issue to a conclusion as quickly as possible. However, there are many issues in the Defence Forces with regard to recruitment and retention and how they have been treated in general over the years. I agree with the Senator's remarks, and I know Senator Wall shares the concerns about the Curragh. Senator Craughwell referred to it as our flagship military installation and spoke about the state of disrepair into which it has been allowed to fall. I stayed in the Curragh many times in many of the billets and I can attest to the poor quality of the accommodation. It has not seen an upgrade in many years and it is long overdue.

Senator Craughwell also raised the booster vaccination programme, as did other Senators, and the need to roll it out. That is appreciated. The Minister is working hard to get that up and running as best he can and to get it implemented as quickly as possible. We are working within the constraints of when people can get the vaccine.

Senator Pauline O'Reilly discussed the peat extraction Bill, the issues regarding its compatibility with EU law and also the illegal extraction, as she put it, that is happening across the country and which needs to be stamped out. I share her concerns about that. It is something that must be addressed. I hope that tabling legislation, no matter where it eventually goes, might bring the issue to the top of the agenda in the Cabinet, because there are issues with peat supply in the country for small horticultural businesses, companies such as Monaghan Mushrooms, those working in north County Dublin and the many food producers around the country. There is a lot of stuff going on with that issue; it is not black and white. Perhaps this might bring it to the top of the agenda so we will get Government action as quickly as possible to resolve the situation for those horticultural industries.

Senator Boylan raised the student protests and the Cost of College campaign. I share her concern about the cost of going to college for many students. It is a real issue. I am sure all of us will stand in solidarity with those students. It is a very expensive time to go to college. We pride ourselves on having access to third level for all students across the country, regardless of financial means, but that does not always happen in practice and it has become very expensive to go to college if a student must pay for accommodation because of the housing issues. I wish those students well and hope we can see some action on that issue.

The Senator raised a particular issue about a Dublin City University lecturer. I am not fully up to speed on that matter, bar what I have read in media reports, so I do not want to comment any further. I am sorry to hear the difficulties that she had as a student on that campus. Nobody should have to put up with that.

Senator Wall referred to the episode of "Prime Time" that dealt with Naas General Hospital. We were all floored by it. I do not know what to say about it. I cannot imagine what it must be like to get that phone call. We send our best wishes to those victims of abuse. We need to see

action on that now. I know the Minister is taking the issue extremely seriously. Everyone was upset by what they saw in the programme. I commend “Prime Time” and RTE for bringing this important issue to light.

Senator McGreehan referred to fuel security and fuel cost in the context of the haulage protest. We share the frustration of many of those dealing with the rising cost of fuel. It is a concern for many families. The Government is putting a lot of resources into ensuring that those who can avail of fuel supports through social welfare are getting them and additional moneys have been put into that scheme. However, I appreciate the cost of fuel is an acute problem for the haulage sector. As we know, our shelves would not be filled every day if it was not for those bringing food and other supplies in on trucks. It is a pressing issue.

Senator Dolan raised the issue of antigen testing and welcomed the response from the Minister of Education, Deputy Foley, about its use in the education sector. She also welcomed the fact that additional substitute teachers will be brought on stream very soon. That will, hopefully, alleviate some of the issues around getting substitute teachers in many of the schools across the country. Retired teachers will be allowed to return to the workplace to help in that sector with no impact on their pensions. The Senator also welcomed the new name for the technological university in the north west, the Atlantic Technological University. I concur with her remarks. It is a fantastic name and it is great that every campus can get in behind that name and support it. It represents the region, which is important. The Senator also called specifically for funding from the HSE for nurse triage in Westdoc. I support that call.

Senator Boyhan spoke briefly about the scoliosis debate that happened in the House last night. He asked for the Minister for Health, Deputy Stephen Donnelly, to meet with the advocacy groups. I know that request has gone to him. The Senator also raised an issue around a feasibility study announced by the Minister of State at the Department of Agriculture, Food and the Marine, Senator Hackett, around wool. I support that. It is welcome and I am sure it will be appreciated by sheep farmers across the country.

Senator Crowe raised an issue that has been articulated by other Senators about the fact that sentencing for burglary cases can, in general, be quite lenient. That would be the view of many citizens. There are particularly aggravating factors when the homes of people of a certain mature age and elderly people are burgled while their are there. It is aggravated assault in such cases because the impact on the victims is so severe. We would hope that the sentences in such cases reflect that aggravating factor. I hope the lady the Senator mentioned is doing well and is okay following her ordeal.

Senator Cummins raised the Oscar Traynor Road site in Dublin and said that a certain number of councillors voted against that housing development. It is worth reflecting on all housing developments that have not been supported across the country. I know there can be specific language issues in a locality or circumstances where the mix of tenure is not to the liking of everybody. However, we must always remind ourselves that we are in the middle of a housing emergency. Every unit that is brought on stream is another person, couple or family who is housed. That is important. It does not need to be perfect but we need housing. The housing development in question has 853 units and will, thankfully, go ahead. It will transform the lives of many people and families. I am glad to see that it has progressed despite many of the Opposition councillors not supporting it. It is regrettable because we need these units to be built.

Senator Burke raised an issue around transport and road infrastructure. I share his concerns.

Roads are still important for many parts of the country and will be forever more. We are pushing electric vehicles so people will still be using roads. We need a debate with the Minister for Transport, Deputy Eamon Ryan, on that matter to discuss his plans and those of his Department for road infrastructure right across the country. We will request that debate.

Senator Murphy referred to the ongoing difficulties facing musicians and those in the entertainment sector. The Senator is right that the sector that has been particularly hard hit and is unlikely to see a return to full income in the short term. It could be well into next year before that happens. It is a difficult time for those families, particularly as we head into Christmas. We need to see specific supports for that sector. I urge the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, to sit around the table, as I am sure she will and she has done over the past year and a half, to try to find a specific solution for that sector. The issue in that sector is acute.

Senator Lombard raised a matter relating to the Janssen vaccine, which I know has been a particular issue for the many younger people who got the one-shot vaccine and are waiting for a second dose. We will have the Minister for Health in next week to update on Covid-19 mitigation measures. That will be an opportunity to raise issues around vaccines with him.

Senator Maria Byrne raised an issue around University Hospital Limerick and had a good-news story for us, which was nice to hear. Bonnie the therapy dog is retiring. We wish her and the team well. It sounds like she did a fantastic job over the years with the children in the paediatric unit of University Hospital Limerick. It is a fantastic initiative.

Senator Seery Kearney spoke passionately about the 21-year campaign to bring modern and progressive laws around surrogacy into this country. I share her frustration about the delays. I know how heartbreaking it is for the families and mums who are still waiting for that legislation. At the end of the day, Ministers can deliver this.

Senator Mary Seery Kearney: And they want to.

Senator Lisa Chambers: That is their job. It is a part of the responsibility and burden of being in Cabinet, although it is a privilege to be there. These are the kinds of issues that if Ministers can get around the table, and it sounds like they are doing that, hopefully they can bring this to a resolution that is long overdue. It brought the issue home when the Senator said this all kicked off in the year 2000. That is a long time ago and it has been a long time coming.

Senator Buttimer raised the issue of a debate on Covid, as he has on many occasions. I am happy to confirm to the Senator that there will be a debate next week with the Minister for Health. The Minister for Education, Deputy Foley, will also be before the House to discuss education. On 7 December, the Tánaiste will be before the House to discuss Covid and issues around business. We will have full debates across education, health and business before the House comes to recess and that is welcome.

Senator Ahearn raised an issue around crèches and welcomed that they will now be treated the same as schools. I share the concerns about that sector. Crèches have not had the loudest within the education sector but they are part of that sector. That is important to say. I appreciate how difficult it is for that sector as it tries to deal with the logistics of Covid and managing all of that.

Senator Carrigy finished off the Order of Business by welcoming the Tánaiste's remarks

about addressing Covid misinformation. That is important and we all have a role to play in that regard. He also acknowledged that the Government is not looking to introduce any major restrictions because the National Public Health Emergency Team has not advised it to. We are trying to steady the ship as we go, which I think is happening. People and citizens are taking personal responsibility and doing a great job in adjusting their behaviours to try to keep things steady and maintain the openness that we have achieved to date.

The Senator also raised the issue of transport and the haulage protest that is happening today. There should be a little bit of focus on the rebate scheme. There might be some flexibility in that regard. I do not agree with the calls to reduce State taxes on fuel because that would go against our climate policy. I do not think that is on the table. The rebate scheme is probably where we can assist the sector, which is under severe pressure. It keeps the show on the road for this country. We are an island nation and rely on imports to keep the shelves stocked. I hope some sort of a solution can be found through that scheme for that sector and all of those workers in the haulage sector.

Order of Business agreed to.

Sitting suspended at 12.39 p.m. and resumed at 1.06 p.m.

1 o'clock

Companies (Emission Reporting) Bill 2021: Second Stage

Senator Lynn Ruane: I move: “That the Bill be now read a Second Time.”

I thank the Minister of State for joining us. I thank my colleagues in the Civil Engagement Group for their support and for allowing this business to be taken in our group Private Members’ time, particularly in the context of the recent COP26 climate conference. I also thank Sebastian McAteer, who drafted the Bill and has been involved in every stage of its journey to date. I also thank my secretarial assistant, Tadhg Browne, for his ongoing support in preparation for today. Finally, I thank the Minister of State and the officials in his office for their constructive engagement with this Bill as well as for meeting with me in my office on three occasions over the past year to discuss the Bill’s provisions.

My motivation for introducing the Bill before us today is rooted in my belief that our long-term climate policies are not sustainable if the State’s response continuously focuses solely on the targeting of individual emission consumption. This belief arises from the 2017 Carbon Majors report, which found that just 100 companies had been responsible for over 70% of global greenhouse gas emissions since 1988. Two things are clear for me. First, corporations are making significant contributions to global carbon emissions on a scale unmatched by individuals. Second, they must be accountable and transparent in reporting these emissions if we are to combat the climate crisis properly.

This should not just be viewed as an abstract, global problem to be left to our international counterparts or promised EU legislation. This is a pattern we find repeated across the world at national level and Ireland is no exception. In 2018 Ireland’s 200 largest energy consuming corporations collectively used 21% of the total national primary energy and accounted over 50% of

the total industrial energy use. Considering that the European business registry records 181,000 companies as ‘live’ in Ireland, this translates to less than 1% of Irish companies consuming 21% of the national primary energy. As I said, Ireland is not exceptional in these figures but we have an opportunity today to be exceptional in how we respond to them. The Bill I am progressing would ensure private companies operating in Ireland would have to make mandatory public disclosures on their greenhouse gas emissions every year. The idea is to require companies to publish their emissions and promote a culture of public scrutiny, allowing us to hold companies to account. It ensures corporations make decisions based on proper environmental considerations and adopt company policies that will reduce their emissions in line with national targets. For this Bill to be effective, we cannot wait. I want to comment on the 12-month delay the Government will propose for the legislation. It is difficult to understand how such a move can be justified considering the extraordinary time pressure we are under to use every moment of the next decade to prevent the collapse of the climate and irreversible damage to the planet. At COP26, Mia Mottley, the Prime Minister of Barbados, spoke of how, without a fundamental change of approach to climate policy, island nations such as hers could simply cease to exist within a few short years. That is the scale of the existential crisis we face and it is this reality that must animate every single debate in these Houses on climate change. We have a moral responsibility to hold large companies to account rather than burden marginalised people in the global south who have contributed the least to climate change. We will be able to count every day we delay important climate change legislation in every metre of rising sea level faced by people in countries such as Bangladesh and Fiji as their land disappears before their eyes. Delay is not an option. Since when has Ireland needed to wait for the European Commission to do the right thing? We must act today.

This Bill should be viewed by the Government as an opportunity for Ireland to become the benchmark in company emission reporting policy. If the Government chooses to support and implement the Bill, it would see us immediately join France as the only two EU member states with emissions reporting legislation. Ireland would be a continental leader in corporate climate legislation. The Bill would offer the Government a platform to promote good practice already present in the commercial sector through schemes like Business in the Community Ireland. For example, Kingspan already engages in emission reporting as part of the RE100 programme under which it committed to 100% renewable energy by 2020. The Bill offers the Government an opportunity to see which specific sectors and companies are struggling to meet emission targets. This will offer the Government a chance to further promote schemes such as excellence in energy efficient design, EXEED and the accelerated capital allowance scheme for energy-efficient equipment. It will also allow the Government to tailor future schemes to the needs of specific sectors that are struggling to meet the agreed climate targets with the benefit of clear, accurate and regular data. I count at least a dozen actions in the section of the climate action plan relating to the Department of the Minister of State that would be made easier with this information and the incentives required of businesses under the Bill.

I stress that the Bill should not be viewed as unachievable or idealistic. There is already a level of emissions reporting taking place in the Irish economy at both an EU level under the non-financial reporting directive and the emissions trading scheme and at local authority level for businesses seeking to access various licences under the Air Pollution Act 1987. In effect, the Bill would standardise the reporting that is already taking place.

This is a relatively short Bill. Section 3 sets out the main reporting obligation on companies operating in Ireland. Such companies will be required to disclose the volume of their green-

house gas emissions annually to the Minister for Enterprise, Trade and Employment. Section 4 sets out certain important parameters in applying these obligations to companies. It is important to note that any company with fewer than 50 employees will be excluded from reporting. Reporting will then be introduced on a phased basis which is based on the size of the company. The intentional focus on large companies first is expected to create a standardised framework for reporting greenhouse gas emissions which can later be matched by smaller and medium-sized companies.

Section 5 sets out the type of information the Bill requires to be disclosed in companies' annual reports. This includes a breakdown of emission scopes into three distinct categories. The first category is the direct combustion of fuel, scope 1; the second is the operation of any facility, such as powering an office building, scope 2; and scope 3 relates to the measurement of greenhouse gas emissions created in the company's supply or value chain.

The Bill creates several other important environmental requirements for companies. Disclosures must set out the measures being taken by businesses to ensure their future plans are in line with the principles of a just transition and to limit global warming to 1.5° Celsius required by the Paris Agreement. It should be noted that much of section 5 is directly reproduced from the European Commission's revised non-financial reporting directive to ensure this legislation is completely aligned with the expected new European requirements on companies. The section also requires that company disclosures be independently audited by a statutory auditor to ensure accountability.

Section 8 is the central public transparency mechanism of the Bill which will allow us to hold companies to account. The section also compels the Minister to publish the report online to ensure public access. Sections 9 to 11, inclusive, set out enforcement provisions. If companies do not comply with the law, they will be fined and prosecuted by the Office of the Director of Corporate Enforcement. Insufficient progress in achieving reductions will also incur a penalty.

Having laid out the Bill, I will finish with this. When it comes to climate policy, there are neither rewards nor punishments, only consequences. The Bill represents an opportunity for us to shape what those consequences will look like. I urge the Minister of State to reconsider the proposed delay and I look forward to working with him in the future.

An Cathaoirleach: I call the seconder of the Bill, Senator Higgins.

Senator Alice-Mary Higgins: I know the Minister of State has been engaging very constructively with my colleague, Senator Ruane, and I commend her and both Tadhg Browne, her current assistant, and, of course, Sebastian McAteer, who has done really important work in developing this legislation. I am very proud to have this Bill brought forward in the name of the Civil Engagement Group. In the short time I have, I will focus a little on why this represents best practice, some of the strengths within the Bill, and why we need it now. I urge the Minister of State to reconsider the proposed delay of one year in moving forward on this issue.

As regards some of the strengths of the Bill, the measurements are based on the United Nations Environment Programme greenhouse gas, GHG, indicator guide, which is best practice as put together by the United Nations, and the standards put forward by the Global Reporting Initiative, which is an independent international organisation. An important aspect of the Bill relates to its supplementing of some of the areas in which measures are already in place. For example, it adds to the measures under the emissions trading scheme or the non-financial re-

porting directive. It is important that the Bill accounts for scope 1, involving direct emissions from under control sources, scope 2, involving indirect emissions from the generation of purchased electricity, and, crucially, scope 3, which looks at other indirect emissions in the supply or value chain. This is the direction of travel. Scope 3 emissions are crucial to measuring and understanding the real impact in terms of emissions. That means that every part of the chain is considered, including transport, inputs, materials and further outcomes. That is what I would call real world reporting on carbon emissions.

We know that, in the end, one cannot argue with science or the reality of emissions. The problem at the moment is that a large amount of emissions are not being measured, captured or tracked. That is why global practice now is to look at scope 3. The emissions trading scheme will need to move to chart 3. The Minister of State will be aware that the EU corporate sustainability reporting directive that is currently being developed will also, crucially, address scope 3 emissions. This is a chance for Ireland to be ahead of the curve on this.

To be clear, this is something that many businesses really want. Good businesses want to be recognised for having quality supply chains and properly tracking their emissions. Members need not take my word for it. I refer to annexe 5 of the European Commission's impact assessment on corporate sustainability reporting. A survey carried out for the Commission by the Enterprise Europe Network with small businesses right across Europe found that more than half of them were already getting requests for environmental, social and corporate governance, ESG, reporting. SMEs in particular were finding reporting to be of great importance in the context of being able to access the supply chain. It was also important for larger corporations and companies in the context of being able to be part of supply chains, while larger companies found it to be crucial so that they could account for their supply chain. Some 68% of them stated that what they wanted were clear standards.

What is offered in the Bill is a clear standard on corporate emissions reporting that will stand up and can be put into practice. This legislation should progress through the Oireachtas this year in order that by next year Ireland will be in a position to have teased out any issues that exist in order to ensure we have best practice in terms of corporate emissions reporting. That would mean that we would be positioned to be ahead of the curve. The climate action committee is currently considering the Circular Economy Bill. When the circular economy directives kick into effect and we really start tracking supply chains, when the arrangements concerning environmental and social governance, ESG, supply chains come through and when the directives on corporate sustainability reporting come through, Ireland would be in a position to have put in place good practice and to have skilled up its companies to make them ready to lead in driving best practice across the EU and in accessing contracts in respect of ESG. This is because the companies would have a clear mechanism. There would not be an *ad hoc* approach. At present, some companies are tracking things in their own way. It is *ad hoc* in that the companies are tracking using different mechanisms. We do not have a clear State role in that regard so we do not have clear marking of how emissions are tracked in the State. This relates to those who are trying to make crucial choices within companies. There is a lot of focus on the consumer choice. Sometimes there is an excessive focus on the consumer choice point, but we really need to think about choices within company management and boards of governance. Those in company management do not have consistent information about their own company, nor do they have, crucially, comparator information they can look to across the sector so they can learn from best practice. Since being held to account is not being anticipated, it is harder for companies and individuals on boards of governors who want to prioritise these issues to

push them up the agenda and make the case internally for better and best practice and for more environmentally sustainable practice.

I wanted to highlight that this is an opportunity. By delaying for one year, we are not only delaying the opportunities that would flow from this Bill and from Ireland leading on this matter but we are also creating jeopardy. There can be a danger if emissions are not to be tracked for another year or two. It will take time, even after the Bill passes, to put the arrangements in place. We could end up with companies recognising at the last minute that they are required by Europe to do reporting and not having what they need in place. When this happens, it results in the kinds of situations we are seeing now, whereby individual sectors are saying they cannot comply because what is required is too hard for them, and that they cannot make the changes. It results in the kind of crisis-framing that is being introduced inappropriately on peat and haulage. It is crisis-framing rather than opportunity-framing.

I appreciate that the Minister of State has engaged constructively but I urge him to look to how we can move forward on this legislation. I wish it were not being delayed for a year. If it is to be delayed for a year, I ask that Government time be allowed when it comes back so it can speedily move through Committee and Report Stages. We have heard a lot about Ireland being a leader. The objective is to make Ireland a leader in this area rather than having it dragging along behind the requirements and doing what it did in the past, that is, making excuses sector by sector rather than embracing compliance and higher standards and leading the way.

The Bill is very clear. It is positive in that it contains offences for those who do not comply, even though I believe they are quite weak. I would like to see them strengthened. It is important that the Bill allows for public bodies to show leadership in this area.

Senator Eugene Murphy: I acknowledge the role of Senator Ruane in introducing this legislation and allowing us to have what I would call a very important debate. I am sure it is in everybody's interest to have this matter discussed and make progress where we can. However, I am inclined to support the Government's proposal to wait 12 months in respect of this Bill. I do not believe this is a delaying tactic whatsoever. I very much share the view that we are making a huge effort to bring Irish society with us to make massive changes in this area, particularly regarding emissions.

I support a lot of what the Senators are doing. I have always said that while it is important to introduce Bills such as this, we cannot browbeat people. The number of people who engage with me regularly on making environmental changes is extraordinary, be it in agriculture or industry. I could name 20 companies straight away that are coming forward saying they are going to do something for environmental reasons. They may have a half an acre of ground on which they want to plant trees. Many companies are progressing with the planting of trees.

With regard to agriculture, I recently visited with the Taoiseach a plant called Easyfix, near Ballinasloe, County Galway. I would recommend a visit to see the technology that is being produced there to help farmers to reduce emissions from slurry and everything else. It is just extraordinary. Companies like this will represent a complete game changer as we move forward.

There is a huge debate in every sector of our society on acknowledging that we have to react to global warming. We all accept that but we should not fail to underscore the massive voluntary effort being made. People are not being pushed and they are listening to the debate. They are listening to all the politicians talking about climate change and looking at new rules brought

in by the current Government. We now have targets in law that will have to be met. Many companies will have to adhere to those targets. Many companies, under EU law, will have to come up trumps in respect of their emissions.

The enterprise sector is responsible for 13.3% of Ireland's total greenhouse gas emissions. Sixty-eight percent of this proportion is accounted for by large energy-using companies operating in the EU emissions trading system, EU ETS. The EU ETS is a cap-and-trade system whereby a defined number of emissions allowances is allocated to each installation annually. Companies are required to have an approved plan for monitoring and reporting annual emissions, administered by the Environmental Protection Agency, EPA. This plan is also part of the EPA permit to operate required for industrial installations. The emissions report data for a given year must be verified by an accredited verifier by 31 March of the following year. Once verified, operators must surrender the equivalent number of allowances by 30 April of that year. Failure to surrender allowances currently leads to penalties. The system is EU wide and ensures that Ireland's enterprises are on a level playing field with their European counterparts from a competition perspective, with the subsequent incentivisation of emissions reductions in a market-based system. Currently in the EU ETS, there are 105 Irish installations, consisting of Ireland's largest public bodies and enterprises. EU ETS emissions in Ireland have been steadily declining, having reduced by 20% between 2016 and 2019. Under the EU Fit for 55 package, EU ETS sector targets are expected to be revised to involve a reduction in the order of 61% by 2030 compared to 2005 levels, representing a significant increase on the current target, 43%. Additional proposed changes to the EU ETS include the expansion of the scheme into the maritime sector and the phasing out of free emissions allowances for aviation to align with the UN global carbon offsetting and reduction scheme for international aviation.

There is much more I could say but my time is limited. I do not want to give the impression I am against what the Senators are trying to do today, but I genuinely believe the one-year process will involve a year of consultation, with all of us working together so we do not come across as browbeating, particularly to smaller businesses, which are quite good environmentally-----

Senator Lynn Ruane: Small businesses are not included.

Senator Eugene Murphy: It states "fewer than 50 employees".

Senator Lynn Ruane: It refers to more than 50.

Senator Eugene Murphy: My apologies. A company employing 50 is still very small. I am not opposing what the Senators are doing but we need time. We need to have proper discussions and consult the industry more. I return to the point that Ireland has now set really solid targets for the reduction of emissions. That is what we have to do. We all acknowledge that. I am sure we can all work together on a process that will ensure we can make further progress. I am sure good will come from this Bill. There are provisions in it that I agree with, but I have a concern. Even when Senator talks about business with more than 50 employees, she should remember that if we put more pressure on many such businesses up and down the country, they might say there are going to get out of employing people in this country. We, therefore, need the correct balance.

As for trucks and all the emissions they produce, yes, we have to make huge improvements, but it should always be remembered that we are an island country and we will always need

transport.

Senator Garret Ahearn: I thank the Minister of State for being present for this debate. I acknowledge the work done by Senators Ruane and Higgins on the Bill and the Minister of State's constructive engagement on it, which Senator Higgins acknowledged. Like Senator Murphy, I agree with the Government's proposal of a 12-month timed amendment. It would give us an opportunity to discuss this more.

I think a great many of us agree with the spirit of the Bill of driving the reduction in the level of greenhouse gas emissions by companies and public bodies. A series of targeted measures is in place to achieve this objective, largely EU-driven, such as the emissions trading scheme, the energy efficiency directive and the sustainable finance agenda that includes a proposal for a corporate sustainability reporting directive, which is currently being negotiated. Given the scale of the climate challenge, the interconnectedness of economies and the global nature of enterprise, it makes sense to work with the EU on this rather than going on our own.

It is welcome that action in each of these policy areas is ongoing. The 12-month timed amendment will allow for progress at EU level on the corporate sustainability reporting directive in particular. That will achieve the goals of this Bill on an EU-wide basis rather than just in Ireland. Irish enterprises will be required to implement a detailed agenda of transition and change to ensure our sectors are climate-resilient and can remain competitive in a decarbonising world. The new climate action Bill includes an acceleration of measures to achieve the level of decarbonisation now required in the industry sector. The target is for a reduction of 7.9 million tonnes of CO₂ equivalent in 2018 to about 5 million tonnes in 2030. Under the Government's Climate Action Plan 2021, an increase in energy efficiency in Irish enterprises of 50% by 2030 will be sought. That is an increase on the previous action plan target, which was 33%. Irish enterprises will be required to implement a detailed agenda of transition and change to ensure they are climate-resilient and can remain competitive in a decarbonising world, including improving the energy efficiency of processes, buildings and transport. The enterprise sector is responsible for 13.3% of Ireland's total greenhouse gas, GHG, emissions, 68% of which are accounted for by large energy-using companies operating in the EU emissions trading scheme.

In April 2021, the European Commission published a proposal for a new corporate sustainability reporting directive to revise substantially the existing non-financial reporting rules. It is currently being negotiated at Council working party level. The main elements of the proposal relate to environmental and social matters, as in the existing directive, with the addition of governance. The proposal aims to extend the scope to large companies, that is, those with at least 250 employees and all companies listed on the regulated markets. It requires the audit of reported information and introduces more detailed reporting requirements and a requirement to report according to mandatory EU sustainability reporting standards. It also requires companies to digitally tag the reported information so that it is machine-readable and feeds into the European single access unit envisaged in the capital markets Union action plan. It is expected that the new obligations will be phased in in order that companies will publish their first reports according to the mandatory standards in 2024. That will cover the financial year 2023. That will coincide with the proposed introduction of the requirements in the Bill.

As legislators, we need to map out a clear and constant path in order that Irish enterprises can make the right decisions on investment for the future. Proceeding with national legislation ahead of EU developments at this time would be very costly and confusing.

Senator Pauline O'Reilly: I welcome Senator Ruane's Bill and I also welcome the Minister of State. The Bill would require companies operating in Ireland to make annual disclosures of greenhouse gas emissions caused by their activities within the State. As many have said, that is not unusual, and there is already a directive in that regard, but this Bill would go further than the directive, and that is important to point out. Whereas the directive refers to 250 employees, this Bill refers to 50 employees as the starting point. Disclosures would have to include plans to bring the company in line with the Paris Agreement commitments. There would be fines of up to €50,000 for companies not complying with the Bill, and a log would be kept of those fines. The Bill is modelled on the gender pay gap legislation, which has a similar model of reporting and which also has such a phased approach to companies to help small and medium-sized companies to put in the investment to get the returns.

As I said, I welcome the Bill. We made a submission as a party to the consultation on the directive. A lot of the work on that was done by Senator Garvey and several other party members. We argued then that, while the directive was an improvement, the EU should push for much more than it was initially proposing, including metrics having a clear focus on absolute emissions reductions, a much wider focus on social sustainability and natural capital metrics. Companies would have to show how they were preparing for a just transition, for instance, and statements on the climate literacy of the company's board would be required. This Bill is timely in light of the directive and I hope it will influence the EU in drafting its own directive. That is what is important about bringing the Bill to the floor of the Seanad.

I wish to address some of the commentary on emissions reporting generally, where the focus tends to be negative and on what companies have to pay. However, reporting of emissions is a huge opportunity for companies. It allows those already leading the way to show their customers that they are greener choices. While it is envisaged that complying with the new directive will require investment, the costs of corporate climate inaction are far greater. We think we could run the risk of SMEs becoming uncompetitive if they do not report and change their business practices and leave them unprepared for climate risk and the transition. Of course, they need to be supported to do this by Government policy. I believe they are but I also believe that the directive and this Bill would be part of that support. We on the Joint Committee on Climate Action considered this in the context of regulations in respect of the circular economy. It is important we have regulations in place because, unless we do, there will not be a level playing field for all companies. If not, companies that are ethically responsible and greener will put investment in and those that are not will not. That is why it is important for everyone to be on the same pitch, and that is why this Bill and what the Government is doing in this regard are important. That is, in substance, what we say in our submission on the directive. Companies tell us this would support them to meet these regulations because it would allow them to compete with others.

The Greens are supportive of the Bill. It is on the record that we have already put in a submission. The Minister of State should have a look at it.

Senator Lynn Boylan: Cuirim fáilte roimh an Aire Stáit. I too welcome the Bill and commend the Senators in the Civil Engagement Group, Senators Ruane and Higgins, on their work on it. Many of us who campaign on climate issues have seen that the focus on individual actions is far too strong on encouraging the use of keep cups and other tiny efforts. The hypocrisy of that approach is made clear by the ongoing data centre debacle. We have a Government encouraging ordinary people to use less electricity while it offers massive tax incentives to tech companies to ramp up consumption through data centres. We also know that the focus on car-

bon footprints of calculating the carbon cost of every purchase is playing right into the hands of the fossil fuel industry, which has spread the idea because it has deflected attention away from their activities. We are aware from the carbon inequality report that not every individual's emissions is the same. The top 10% of earners generate the same emissions as the bottom 50% of earners. Even the focus on high-emission lifestyles pales in comparison to the emissions by companies. The Carbon Majors report pinpointed how just 100 companies are responsible for 71% of emissions since 1988.

This is where this Bill comes in to compel companies to report their emissions and plan how they are going to reduce them. It places the burden of the climate crisis closer to where it should be, which is on the companies responsible.

The transparency and accountability measures in the Bill go a long way to tackling the avalanche of green washing and spin from companies that are doing very little for the climate but which are trying to convince us otherwise. I raised the issue previously in this Chamber of greenwashing in the electricity sector, where energy companies market their energy as 100% renewable when in reality it is generated from fossil fuels. This sort of greenwashing is difficult to tackle because it has the sanction of the EU and the energy regulator, and it is backed up with complex reporting obligations. I raised this with the Minister, I raised it with the Competition and Consumer Protection Commission, and I have raised it with the Advertising Standards Authority for Ireland. Despite the fact that these institutions are supposed to protect citizens from greenwashing, it continues unabated. The problem with climate action is too often we are guilt-tripping people into trying to do their little bit when the system around them is designed to mislead them or force them in the direction of carbon intensive activity.

I believe there is a lesson there with regard to implementation of this legislation because even with the best will in the world, companies can ensure that it is watered down as much as possible when it comes to implementing it. We must stay vigilant about this if the Bill progresses. I read in the *Business Post* that the Minister of State does not plan to oppose the Bill in principle but that he will not advance it because EU legislation is forthcoming. Again, we have heard from others that the EU legislation is for much bigger companies. If the EU legislation is weaker than this Bill, which is too often the case, the EU's ambition will be a ceiling but a floor. There are reports that the EU proposals will apply to much larger companies, but I believe there is no reason Ireland cannot do this on a national level and lead as a country, rather than always having to rely on the EU to do everything for us when it comes to the environment.

Another example of corporate greenwashing is Amazon, which claims to be going 100% renewable. Again, it is based on the same wishy-washy offsets that allows for greenwashing in the energy sector. If someone googles the Amazon web service, they actually say that they are doing their bit for climate action by helping fossil fuel companies extract oil and gas faster and to transport it across the world faster, thereby reducing their emissions. That is the kind of twisted logic of some of the corporations we are trying to deal with. I take this opportunity to express solidarity with the Make Amazon Pay campaign where workers and activists are rising up with strikes and protests against the activities of Amazon.

On voluntary reporting, some companies do make voluntary efforts to report their emissions, but again it goes back to the lack of transparency and the obligation to complete a full assessment of scope 1 to scope 3 emissions. It is very difficult to hold the companies to account. This Bill would go some way to addressing that. I will quote Ali Sheridan, who recently highlighted the damaging impact of voluntary climate reporting. Ms Sheridan refers to it as the

“black hole theory” of corporate sustainability and states:

The company continues to contribute to climate change, pressure grows for the company to respond, the company releases strategy focused on offsets and future technologies, the company then receives high ratings based on these stated intentions and receives more investment, investment then flows to business-as-usual operations, small actions are championed to give the perception of progress, and alternative sustainable models of transformation are actually inhibited. The company delays climate action and continues to contribute to climate change.

And on and on it goes.

The provisions in this Bill will be welcome in the ongoing battle against this sort of greenwashing by standardising how the emissions are reported so that we can compare them, and by revealing what reductions are being delivered year-on-year instead of just relying on vague promises based on offsets. The Bill will bring some welcome transparency and accountability to emissions reductions by companies. I am very happy to support the Bill, and my Sinn Féin colleagues also support it.

Minister of State at the Department of Business, Enterprise and Innovation (Deputy Robert Troy): I welcome the opportunity to be in the Seanad today to discuss the Bill, and to have the opportunity to hear the contributions of a number of Senators.

I thank Senator Ruane for bringing forward this legislation. As previous speakers have said, it is timely and important legislation. I very much share her ambition for positive change in this space.

Initially, the Government had said it would like to bring forward an amendment to read the Bill in 12 months. That was not in any way a stalling tactic and Senator Ruane will know this as we have spoken on this issue. This amendment was to facilitate the ongoing work at EU level on corporate sustainability reporting, which will result in a new EU law next year that will have to be transposed into Irish law shortly thereafter. It was not by any manner or means a stalling tactic; it was to refrain from duplication. We are not delaying. We are simply saying that we need more time. In fairness to the Senator, we have met on a number of occasions and she said that she was prepared to give more time. Perhaps we are just in disagreement about the time that is needed. I certainly intend to continue working Senators Ruane and Higgins, and with any Senator who wants to work with me, to ensure that the best laws are in place for the economy and society to tackle climate change. This Bill is important. Not only does it allow us an opportunity to discuss sustainability reporting, it is also well timed to maintain the momentum and the focus on the urgent need for action on climate change following COP26 in Glasgow.

I will now turn to the Bill. I have a particular interest in the area of sustainability reporting. Senator Ruane and I have met on a number of occasions to discuss this important issue. I acknowledge the Senator’s positive and constructive engagement to date and I want to ensure that this positivity and constructive debate and engagement continues.

On my appointment as Minister of State with responsibility for company regulation, one of my first actions was to consider how we could address the need for more robust environmental reporting measures by companies. At that time I was informed that the work was under way by the EU Commission on the revision of the non-financial reporting directive. The outcome of this work is the proposal for a corporate sustainability reporting directive, which was published

in April of this year.

Earlier this year, more than 100 participants attended a stakeholder webinar I hosted on the new proposal in May. At the webinar, Commissioner Mairead McGuinness, who holds the policy responsibility for sustainability reporting under the remit of her directorate-general DG FISMA, congratulated Ireland on taking the initiative in holding the webinar to inform stakeholders of the contents of the proposals. The responses to the public consultation launched that day showed broad support for the revision of the rules on non-financial reporting and good support for the main elements of the proposed directive. Since then, much work has taken place at EU level. Ireland, along with other member states, has met regularly at EU Council working party level to progress the negotiations with a view to agreeing the text of the directive. Discussion is also under way on the proposal in the European Parliament, which is a co-legislator.

I met Commissioner McGuinness in September to discuss sustainability reporting further. She also spoke about the importance of the file in respect of the EU actions under the European Green Deal. In parallel, the European Financial Reporting Advisory Group, EFRAG, has commenced the process of developing EU mandatory standards for sustainability reporting. Along with other EU ministers, I am going to hear an update from the representatives of Slovenia, which holds the Presidency of the EU, tomorrow at the Competitiveness Council, COMPET, in Brussels. I will be making the point that Ireland wants to see continued momentum in the discussions in the first half of 2022 under the incoming Presidency of France.

Overall, given the scale of the climate challenge, the interconnectedness of economies and the global nature of enterprise, it makes sense to work with the European Commission and other member states on the legislative requirements concerning sustainability reporting. Therefore, while the Government agrees with the policy enshrined in this Bill to deliver the reduction in the level of greenhouse gas emissions by companies and public bodies, we require more time for further consideration and analysis of this Private Members' Bill. I again reassure Deputies that this is not a stalling or pausing tactic. This is to enable the work that has already commenced and will continue to ensure we will hit the right balance in this regard.

We want to include a regulatory impact assessment, RIA, in respect of how the Bill will achieve its objectives and to consider developments at EU level regarding the proposal for a corporate sustainability reporting directive, which will be adopted across EU member states and will introduce mandatory EU sustainability reporting standards. It is worth pointing out there are many commonalities between the Senator's proposal and the proposal for the corporate sustainability reporting directive. The directive will include mandatory reporting on environmental, social and governance, ESG, matters and will require all large companies and all companies listed on regulated markets, except microenterprises, to report annually as part of the companies' directors' reports. It will also introduce more detailed reporting requirements and a requirement to report according to mandatory EU sustainability reporting standards. In addition, the directive will require the auditing of reported information and that companies digitally tag that reported information so that it is machine readable and can be fed into the European single access point envisaged in the capital markets union, CMU, action plan. The proposed directive will also contain financial and other sanctions for companies that do not comply with their obligations under the requirements. As published, it is expected the new requirements will be phased in, that companies will publish their first reports according to mandatory standards in 2024, and that those reports will cover the financial year of 2023.

As it stands, the EU proposal has struck the correct balance by targeting large companies

with more than 250 employees initially, before an envisaged expansion to include listed SMEs after three years. On scope, the Senator's legislation proposes a wider scope of entities for inclusion. Following further analysis and regulatory impact assessment, I believe this can be assessed in tandem with the text of the directive, once it is confirmed. Therefore, this is useful in respect of feeding into the Irish position and into what ultimate position we will take in respect of the directive.

Turning to having the greatest impact on climate change at national, EU and global levels, it is right that a focus should be placed on large multinationals, given the reach of their operations and their contributions to greenhouse gas emissions. I agree wholeheartedly, therefore, with the Senators who made that point. Nonetheless, many companies are keen to develop their reporting in this area and wish to differentiate themselves based on their responsibility in respect of the environment and climate change. The principle of "think small first" is essential to EU and Government policymaking, and the SME test is used in this context. There is a cost to providing this information. Requirements and standards for listed SMEs should be proportionate and relevant. While it is not proposed that the provisions of the directive will be extended to non-listed SMEs, those companies are also exposed to climate risks and may wish to implement listed standards voluntarily. As Senator Ruane pointed out, having a blueprint established will assist those SMEs that wish to differentiate themselves and to embark on this journey voluntarily.

As well as proportionality, the sustainability standards being developed by EFRAG will take into account best practice internationally as well as international agreements such as the Paris climate agreement. EFRAG has also recently launched a call for expressions of interest from potential new member organisations. The organisation wants to have a balanced representation of all stakeholders with an interest in corporate reporting and its new sustainability reporting pillar. EFRAG is seeking expressions of interest from NGOs, academics, trade unions and national authorities as well as from industry and the accounting profession. Overall, there is a level of ambition and vision in keeping with the proposals in this legislation.

I turn now to other aspects of the Government's plans to deliver the action needed to respond to the challenge of climate change. We have set ambitious targets, and the Government is determined to deliver the required change. The programme for Government commits to reducing our greenhouse gas emissions by 51% by 2030. The Climate Action and Low Carbon Development (Amendment) Act 2021 now includes a commitment in law to pursue and achieve our national climate objective, by not later than the end of the year 2050, of transiting to a climate-resilient, biodiversity-rich, environmentally sustainable and climate-neutral economy.

The new climate action plan 2021 contains measures to ramp up significantly Ireland's approach to climate change. This includes an acceleration of measures to achieve the level of decarbonisation required in the industrial sector. The target for the enterprise sector is a reduction from 7.9 million tonnes of carbon dioxide equivalent in 2018 to approximately 5 million tonnes in 2030. Business must implement a detailed agenda of transition and change if it is to ensure sectors are climate resilient and can remain competitive in a decarbonising world. The agenda will include enterprises improving the energy efficiency of their processes, buildings and transport; replacing fossil fuels with renewables in their processes, buildings and transport; improving the way in which resources are used in their supply chains to reduce emissions and conform to the principles of the circular economy; being innovative across production, distribution and marketing to realise the opportunities arising in those areas; developing new skills and techniques as necessary; and developing metrics on climate and environmental impacts from

activities which will become more widely expected in the marketplace.

My Department will shortly be launching a new website called *climatetoolkit4business.ie*. Businesses will be able to input some simple information to get an estimate of their carbon footprint and a tailored plan to reduce it. The plan will point users to grant funding available through, for example, Enterprise Ireland's climate enterprise action fund and the Sustainable Energy Authority of Ireland, SEAI, to help those businesses to make the required changes to their buildings and the way they use energy. The Government wants to ensure enterprise contributes to the transition to a low-carbon economy and benefits from the resilience and competitiveness this can bring.

The principle of a just transition is embedded in the new climate action plan. Delivering a just transition is based on recognising the transformational level of change required to meet our ambitious targets. It refers to having a shared understanding that the transition is fair and just and that the costs are shared equitably. It is only right that our climate policies should seek to protect the most vulnerable. A just transition commission will be established to support Government policy development in this area. In addition, all increases in carbon tax receipts, amounting to €9.5 billion out to 2030, are earmarked for targeted social protection measures and an expansion of retrofitting, particularly for social, low-income and agri-environment projects.

I accept, therefore, what the Senators said in their contributions. We can work together. I genuinely believe I have shown my willingness, sincerity and commitment in this area in the past 12 months, as I accept the Senator has too.

2 o'clock

I would like to think we can park this Bill today not as a delaying tactic but to give us an opportunity to carry out a regulatory impact assessment and work with the EU directive which will be coming through. We are interconnected. We are not an island on our own and cannot do this on our own. If the Senator is happy to do that, I pledge to work with her in the coming months to ensure when the directive comes through it is fit for purpose and it is something on which we can jointly agree.

Senator Lynn Ruane: I thank the Minister of State for his very considered response. I acknowledge and am thankful an official amendment has not been tabled to delay the legislation by 12 months and that the relationship is built on trust on the basis of the way we have collaborated to date on it. I and my Civil Engagement colleagues have no interest in ever rushing legislation through that would be voted down at some stage unnecessarily when we can engage with each other with live legislation that can be brought back to the House at any time. Sometimes when legislation is not timebound to 12 months it acts an incentive for us to more actively engage in it rather than saying it cannot be read again until the end of 2022, which means it feels somewhat dead in terms of our feeding into it. That fact that it will not be officially delayed by an amendment means we can continue to work together collaboratively on active legislation on the floor of the House. That allows for a better and more robust engagement between ourselves and the Minister of State's Department. I am glad there has not been an official delay. I signal my intention not simply to retable the Bill within a few months without engaging constructively with the Minister of State and on the EU directive that is due.

I will make a few comments on the Bill. With due respect to Senator Murphy, I did not like the use of the word "browbeat" in terms of it meaning intimidation. We cannot really intimidate

large firms.

Senator Eugene Murphy: I did not mean that. That is a fair point.

Senator Lynn Ruane: It is that type of language I do not accept. We have introduced legislation, which is fair and well thought out, and can act as an incentive and tool for our accountancy firms. If we are first out of the traps on developing the way we report emissions, that is a skills set and a resource for the rest of Europe that will support us in introducing reporting. Our companies can export that level of skills and the building of the system and framework, which will be required to report emissions. We ensured the requirement for companies of the largest scale to report would be implemented in the first phase and the requirement for smaller companies to do so would not be implemented until phase two and phase three. There is a phasing in. We hope the system would be built on the back of the largest firm with the best and biggest capacity to resource the building of the systems to report emissions. We did that bearing in mind the pressures companies are under to ensure there was a phased system of implementation. The Bill can act as that blueprint.

We made sure the legislation followed what is provided in the gender pay gap legislation. The framework in this legislation is already replicated in Government legislation and companies are already required to feed into that. It is something they will be used to. We stayed as close to that legislation as possible in this Bill to make it as easy as possible for people to engage with it.

I thank the Minister of State and his officials. I look forward to continuing to engage on this over the next 12 months especially as France takes on the EU Presidency next year. As I said in my opening contribution, France is the only other country to have legislation on reporting emissions. In our past conversations on the Bill we spoke about the fact it is ideal France is in that position, as it will hopefully see this as a priority, and that our timeline for this legislation should match very well the timeline within the EU. If there are parts of the EU legislation that need to go into this legislation we will always be open to amending it. As I stated in the past, I am not overly precious about having to own legislation. If the Government introduces legislation in the meantime that reflects these same principles, that would be brilliant and we would fully support, welcome and encourage that. I thank the Minister of State and his officials for all their work on this to date. I also thank all the Members for their engagement on the legislation today.

Acting Chairperson (Senator Mark Wall): The Minister of State wants to make a further contribution.

Deputy Robert Troy: I reiterate I have ambitions of sustainability reporting and want to see Ireland taking a lead role in this area. I cannot speak in much detail about the member state negotiations but I can say they are under way and are being attended by officials both from Dublin and Brussels. As a member of the EU, Ireland plays its part in developing these laws for all member states and for the whole of the Internal Market. I genuinely believe this Bill will feed into those negotiations. I am not saying this in any way condescendingly but I acknowledge what the Senator and those in her office have done during the past 12 months. I acknowledge she has not brought this legislation to the House on a whim. She has put a lot of time and effort into making sure it is good legislation and that will feed into the work we are doing.

The challenge for the co-legislators of the European Union is to introduce these new and

far-reaching proposals in a timely, clear and consistent way, to give the maximum relevant information possible to investors, consumers and other stakeholders and minimise any unnecessary burden on companies. We need to map out a clear and consistent path in order that Irish enterprise can make the right decisions on investment for the future. If we are aligned in our ambition for change, proceeding with national legislation ahead of EU developments would not be right at this time and could be counterproductive. This directive will be coming through very quickly. We have a major opportunity to influence and shape what is coming from Europe. As I said, that is something we will do.

The Government has set ambitious climate goals for Ireland over the coming decades and those are goals we must meet. They are enshrined in legislation and there is no getting away from them. The new corporate sustainability reporting requirements, along with other measures outlined in the new climate action plan, will help us achieve those goals.

While initially I was putting forward an official amendment, I took on board the Senator's bona fides. When she rang last night she said she would not be pushing this legislation without consultation and working with us on it. We want to get it right. Hopefully as I said to the said to her on the phone, it is not my intention she would have ever had to read this Bill a second time in 12 months. We want to have so much work done that she would feel it was an unnecessary use of her coveted Private Members' time in the Seanad. We will work together collaboratively over the next 12 months to ensure we have reached our ultimate ambition. I have no doubt we will agree on a lot and disagree on some things but, ultimately, working together is a better way to progress this forward. I thank the Acting Chairperson for his flexibility in allowing me in a second time.

Question put and agreed to.

Acting Chairperson (Senator Mark Wall): When is it proposed to take Committee Stage?

Senator Lynn Ruane: Next Tuesday.

Committee Stage ordered for Tuesday, 30 November 2021.

Sitting suspended at 2.09 p.m. and resumed at 2.30 p.m.

Residential Tenancies (Amendment) (No. 2) Bill 2021: Committee Stage (Resumed)

Debate resumed on amendment No. 8:

In page 6, between lines 22 and 23, to insert the following:

“(c) in the Table—

(i) by deleting paragraph 3, and

(ii) in paragraph 5, by substituting “, no reasonable measures can be taken to maintain the dwelling fit for human habitation during the refurbishment or renovation” for “in a way which requires the dwelling to be vacated for that purpose”,

and”.

- (Senator Marie Sherlock)

Acting Chairperson (Senator Erin McGreehan): Does Senator Mark Wall have anything more to add?

Senator Mark Wall: No.

Senator Fintan Warfield: I wish to make a point on behalf of Senators Ruane and Black, who could not be here. I wanted to note that they hope to table an amendment for Report Stage. They are concerned about people occupying a dwelling in the course of or following renovations in respect of disability access in particular and retrofitting. They said tenants should not fear eviction because they have requested essential disability access improvements or proper insulation. They hope to bring amendments related to that forward on Report Stage. I do not know if the Minister of State received a reply yesterday.

Acting Chairperson (Senator Erin McGreehan): He did.

Senator Fintan Warfield: Gabh mo leithscéal.

Acting Chairperson (Senator Erin McGreehan): Does the Minister of State want to speak on the amendment?

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Malcolm Noonan): No, it is okay.

Amendment put:

| The Committee divided: Tá, 5; Níl, 24. | |
|--|--------------------|
| Tá | Níl |
| Gavan, Paul. | Ahearn, Garret. |
| Keogan, Sharon. | Ardagh, Catherine. |
| Ó Donnghaile, Niall. | Blaney, Niall. |
| Wall, Mark. | Burke, Paddy. |
| Warfield, Fintan. | Buttimer, Jerry. |
| | Byrne, Malcolm. |
| | Byrne, Maria. |
| | Carrigy, Micheál. |
| | Cassells, Shane. |
| | Conway, Martin. |
| | Cummins, John. |
| | Daly, Paul. |
| | Doherty, Regina. |
| | Dolan, Aisling. |
| | Fitzpatrick, Mary. |
| | Gallagher, Robbie. |
| | Horkan, Gerry. |

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| | Kyne, Seán. |
| | Lombard, Tim. |
| | Martin, Vincent P. |
| | McGreehan, Erin. |
| | O'Reilly, Joe. |
| | O'Reilly, Pauline. |
| | Seery Kearney, Mary. |

Tellers: Tá, Senators Fintan Warfield and Mark Wall; Níl, Senators Robbie Gallagher and Seán Kyne.

Amendment declared lost.

Senator Lorraine Clifford-Lee has advised the Cathaoirleach that she has entered into a voting pairing arrangement with Senator Eileen Flynn for the duration of Senator Flynn's maternity leave and accordingly has not voted in this division.

Amendment No. 9 not moved.

Government amendment No. 10:

In page 6, line 24, to delete "*subsection (3)*" and substitute "*subsections (3) and (4)*".

Amendment agreed to.

Government amendment No. 11:

In page 6, line 26, after "section" where it secondly occurs to insert "and *section 6*".

Amendment agreed to.

Government amendment No. 12:

In page 6, to delete lines 27 to 33 and substitute the following:

"(3) (a) A landlord under a tenancy of a dwelling—

(i) created, or that came into being, under the Principal Act before the commencement of this section, and

(ii) in existence on such commencement,

may, by notice, in writing and in such form as shall be specified by the Board, inform the tenant under the tenancy that the landlord consents to the tenancy continuing in existence for a period of unlimited duration and, upon receipt by the tenant of such notice, that tenancy shall, subject to Chapter 3, continue in existence for a period of unlimited duration from the date of the notice, and accordingly Part 4 of the Principal Act

as amended by *paragraphs (b) and (c) of subsection (1) and section 6* shall have effect in relation to that tenancy.”.

Amendment agreed to.

Government amendment No. 13:

In page 6, between lines 36 and 37, to insert the following:

“(4) Where a Part 4 tenancy or further Part 4 tenancy of a dwelling—

(a) was created, or came into being, before the commencement of this section,
and

(b) expires on or after such commencement,

then, upon its so expiring and unless a valid notice of termination in respect of the tenancy was served under paragraph (a) or (b) of section 34 or section 36 of the Principal Act before its so expiring, a new tenancy of that dwelling shall stand created and that new tenancy shall, subject to Chapter 3, continue in existence for a period of unlimited duration.”.

Amendment agreed to.

Section 5, as amended, agreed to.

NEW SECTIONS

Government amendment No. 14:

In page 6, after line 38, to insert the following:

“Amendment of Principal Act consequent upon section 5

6. (1) The Principal Act is amended—

(a) by the substitution of the following section for section 29:

“29. For the purposes of this Act, each of the following is a Part 4 tenancy:

(a) a tenancy that continues in existence by virtue of subsection (1) (inserted by *subsection (1) of section 5 of the Residential Tenancies (Amendment) Act 2021*) of section 28;

(b) a tenancy that continues in existence in accordance with *subsection (3) of section 5 of the Residential Tenancies (Amendment) Act 2021*;

(c) a new tenancy referred to in *subsection (4) of section 5 of the Residential Tenancies (Amendment) Act 2021*.”,

(b) in section 30, by the substitution of the following subsection for subsection (1):

“(1) Subject to subsections (2) and (3), the terms of a Part 4 tenancy shall—

(a) in the case of a tenancy that continues in existence by virtue of subsection (1) (inserted by *subsection (1) of section 5 of the Residential Tenancies (Amendment) Act 2021*) of section 28, be those of the tenancy of which it is a continuation,

(b) in the case of a tenancy that continues in existence in accordance with *subsection (3) of section 5 of the Residential Tenancies (Amendment) Act 2021*, be those of the tenancy of which it is a continuation, and

(c) in the case of a new tenancy of a dwelling referred to in *subsection (4) of section 5 of the Residential Tenancies (Amendment) Act 2021*, be those of the tenancy of that dwelling immediately preceding the new tenancy.”,

and

(c) in section 64B, by the insertion of the following subsection:

“(1A) (a) For the purposes of this Chapter—

(i) a new tenancy referred to in *subsection (4) of section 5 of the Residential Tenancies (Amendment) Act 2021* of a dwelling created immediately following the expiration of a relevant Part 4 tenancy of that dwelling, and

(ii) that relevant Part 4 tenancy,

shall be treated as one tenancy, and references in this Chapter to duration of tenancy shall be construed accordingly.

(b) For the purposes of this Chapter—

(i) a new tenancy referred to in *subsection (4) of section 5 of the Residential Tenancies (Amendment) Act 2021* of a dwelling created immediately following the expiration of a relevant further Part 4 tenancy of that dwelling,

(ii) that relevant further Part 4 tenancy, and

(iii) any Part 4 tenancy or further Part 4 tenancy of the dwelling concerned immediately preceding that relevant further Part 4 tenancy,

shall be treated as one tenancy, and references in this Chapter to duration of tenancy shall be construed accordingly.

(c) In this subsection—

‘relevant Part 4 tenancy’ means a Part 4 tenancy that—

(a) came into being before the commencement of *section 5 of the Residential Tenancies (Amendment) Act 2021*, and

(b) expired on or after such commencement; and

‘relevant further Part 4 tenancy’ means a further Part 4 tenancy that—

(a) came into being before the commencement of *section 5* of the *Residential Tenancies (Amendment) Act 2021*, and

(b) expired on or after such commencement.”.

(2) This section shall come into operation on the day that *section 5* comes into operation.”.

Deputy Malcolm Noonan: This amendment, if passed, will insert a new section 6 into the Bill to provide for consequential amendments to the Residential Tenancies Acts to reflect the provisions of section 5 of the Bill, as now amended. The proposed new section 6(1)(a) inserts a substitute section 29 of the principal Act to define a Part 4 tenancy. For the purposes of the Residential Tenancies Acts, each of the following will be considered a Part 4 tenancy: where a person has been in occupation of a dwelling under a tenancy for a continuous period of six months and no notice of termination giving the required period of notice has been served in respect of the tenancy before the expiry of the period of six months; a tenancy that continues in existence where the landlord has consented under the amended section 5(3) of the Bill to the tenancy continuing for an unlimited duration; and a new tenancy of unlimited duration that continues in existence under the amended section 5(4) of the Bill in direct succession to a Part 4 tenancy or further Part 4 tenancy in existence before the commencement of section 5 and due to expire thereafter, and in respect of which no valid notice of termination has been served in line with paragraph (a), dealing with grounds for termination by a landlord, or paragraph (b), dealing with the termination of a Part 4 tenancy or a further Part 4 tenancy, or section 34 or section 36, which relates to termination by the tenant.

The proposed new section 6(1)(b) inserts a new subsection (1) into section 30, relating to terms of a Part 4 tenancy, of the principal Act. This amendment, if passed, will provide that the terms of a Part 4 tenancy shall, where a person has been in occupation of a dwelling under a tenancy for a continuous period of six months and no notice of termination giving the required period of notice has been served in respect of the tenancy before the expiry of the period of six months, be those of the tenancy of which it is a continuation. The amendment further provides that the terms of a Part 4 tenancy shall, where a tenancy that continues in existence where the landlord has consented, under the amended section 5(3) of this Bill, to the tenancy continuing for an unlimited duration, be those of the tenancy of which it is a continuation and, in the case of a new tenancy of unlimited duration that continues in existence under the amended section 5(4) of this Bill in direct succession to an existing Part 4 tenancy or further Part 4 tenancy, and where no valid notice of termination has been served, be those of the tenancy of that dwelling immediately preceding the new tenancy.

The proposed new section 6(1)(c) provides for the existing amendment to section 64B of the principal Act, as provided for in section 6 of the published Bill. Section 64B of the principal Act is amended to provide that the duration of tenancy under any tenancy of unlimited duration and under any preceding Part 4 tenancy and-or further Part 4 tenancy would be treated as one tenancy in calculating any termination notice period to be given to a tenant.

The proposed new section 6(2) provides that section 6 will come into operation on the same day as section 5 of the Bill, which will commence on the day that falls six months after the passing of the Bill.

Amendment agreed to.

Amendments Nos. 15 and 16 not moved.

Acting Chairperson (Senator Erin McGreehan): Amendment No. 17 has already been discussed with amendment No. 8.

Senator Fintan Warfield: I move amendment No. 17:

In page 6, after line 38, to insert the following:

“Amendment of section 34 of Principal Act

6. Section 34 of the Principal Act is amended by the deletion of paragraphs 3 and 4 of the Table to that section.”.

May I speak to the amendment?

Acting Chairperson (Senator Erin McGreehan): It has already been discussed with amendment No. 8.

Senator Fintan Warfield: Are you serious? May I speak to the amendment, with the indulgence of the Acting Chairperson?

Acting Chairperson (Senator Erin McGreehan): It has already been discussed. Does the Senator wish to comment generally?

Senator Fintan Warfield: Yes, if I may. I thank the Acting Chairperson. I appreciate that. This amendment is very important. I am sorry I missed the grouping. I made the point on Second Stage of the Bill, and to the Taoiseach when he was before the House last Thursday for statements, that the term “tenancies of indefinite duration” should not be used if sufficient protection is not provided to tenants. Doing so is disingenuous and dishonest. Essentially, how can the Government use the term “tenancies of indefinite duration” when it refuses to protect renters in the overwhelming majority of eviction cases and cases of notices to quit?

3 o'clock

We all know what they are. According to the RTB, 70% of all notices to quit are for sale of the property and for use of the property by a landlord or a family member. If the Government wants tenancies of indefinite duration and if we are serious about protecting renters, we must get rid of those paragraphs in the table to which we refer in the amendments. We must remove paragraph 3, that is, on the sale of property, and paragraph 4, which relates to the use of property by a landlord or a landlord’s family member. Paragraph 3 is the biggest cause of homelessness, especially family homelessness. It has been driving the numbers of homeless people back up since the ban on evictions was ended. In that context, the amendment proposes to get rid of the sale-of-property and use-by-family-member provisions. I thank the Acting Chair for indulging me.

Amendment put:

| The Committee divided: Tá, 7; Níl, 22. | |
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| Tá | Níl |
| Boylan, Lynn. | Ahearn, Garret. |
| Gavan, Paul. | Ardagh, Catherine. |

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|----------------------|--------------------|
| Higgins, Alice-Mary. | Blaney, Niall. |
| Keogan, Sharon. | Burke, Paddy. |
| Ó Donnghaile, Niall. | Buttimer, Jerry. |
| Wall, Mark. | Byrne, Malcolm. |
| Warfield, Fintan. | Byrne, Maria. |
| | Carrigy, Micheál. |
| | Cassells, Shane. |
| | Conway, Martin. |
| | Cummins, John. |
| | Daly, Paul. |
| | Dolan, Aisling. |
| | Fitzpatrick, Mary. |
| | Gallagher, Robbie. |
| | Horkan, Gerry. |
| | Kyne, Seán. |
| | Lombard, Tim. |
| | Martin, Vincent P. |
| | McGreehan, Erin. |
| | Murphy, Eugene. |
| | O'Reilly, Pauline. |

Tellers: Tá, Senators Fintan Warfield and Lynn Boylan; Níl, Senators Robbie Gallagher and Seán Kyne.

Amendment declared lost.

Senator Lorraine Clifford-Lee has advised the Cathaoirleach that she has entered into a voting pairing arrangement with Senator Eileen Flynn for the duration of Senator Flynn's maternity leave and accordingly has not voted in this division.

Section 6 deleted.

Senator Mark Wall: I move amendment No. 18:

In page 7, after line 36, to insert the following:

“Private residential tenancies register: publication of certain details

7. Section 128 of the Principal Act is amended by the substitution of the following subsection for subsection (4):

“(4) The published register—

(a) shall not contain any information, as respects a particular dwelling, that discloses or could reasonably lead to the disclosure of the identity of the landlord or the tenant of the dwelling,

(b) shall disclose, as respects every dwelling—

(i) the number and duration of any previous tenancies in respect of the dwelling,

(ii) the date and duration of any works of refurbishment or renovation that were the subject of a notice under paragraph 5 of the Table to section 34,

(iii) the date and duration of any works causing a substantial change in the nature of the accommodation provided under the tenancy in relation to which the landlord sought to rely upon section 34(5), and

(iv) the amount of the rent payable under the current tenancy and any previous tenancies of the dwelling.”.”.

This is an attempt to form a register to protect renters. We have all heard stories about people saying they could have told us what the previous rent was or that some work needed to be done on an apartment or house before people moved in. I have heard stories on a daily basis over the years, and I am sure the Minister of State has heard them as well. What we are trying to do here is to create a register whereby any works carried out and the costs would be available to the renter before they move into an apartment or a house. I have heard of cases where people have come to renters after the event to say that a house needed work or the work was not completed on a house. This is about protecting renters. It is something we believe should be inserted into the Bill. I look forward to hear what the Minister of State will say in reply.

Deputy Malcolm Noonan: Amendment No. 18 seeks to amend section 128 of the Act of 2004 to include the amount of rent payable under a tenancy in the published register. This proposal was debated previously during the passage of the Residential Tenancies (Amendment) Act 2019 and during Private Members' time. Section 29 of the 2019 Act amends section 151 of the principal Act to require the Minister to request the RTB to provide to him specific information relating to rent levels in the private rental sector. The Minister is required to make such a request of the RTB at an appropriate time during the three months' time frame immediately after the first year of the operation of the annual registration of tenancies. The Minister will be required to provide the RTB with no more than three months to comply with the request. The RTB will be legally required to comply with that request. In turn, the Minister will be legally required to report on the prevailing private rents in the Houses of the Oireachtas within three months of the date on which the RTB is to provide him with the requisite information. I accept that the provision is less impactful than our collective wish in 2019 for a full published rent register, but as legislators we must operate within the legal framework. The Minister will report to the Oireachtas on rent levels. To be useful, I do think that a minimum of one year's worth of rental data collected via annual registration by the RTB would be required to inform a meaningful report on the matter. Once the RTB has sight of the annual rental data, a sense can be developed of what might be possible in terms of enhancing rent transparency at a local level.

It is the Minister's intention to commence the provisions relating to annual registration of tenancies in quarter 1 2022 just as the RTB's ICT infrastructure is ready. For this reason I can-

not accept amendment No. 18.

Amendment put:

| The Committee divided: Tá, 8; Níl, 27. | |
|--|--------------------|
| Tá | Níl |
| Boyhan, Victor. | Ahearn, Garret. |
| Boylan, Lynn. | Ardagh, Catherine. |
| Gavan, Paul. | Blaney, Niall. |
| Higgins, Alice-Mary. | Burke, Paddy. |
| Keogan, Sharon. | Buttimer, Jerry. |
| Ó Donnghaile, Niall. | Byrne, Malcolm. |
| Wall, Mark. | Byrne, Maria. |
| Warfield, Fintan. | Carrigy, Micheál. |
| | Casey, Pat. |
| | Cassells, Shane. |
| | Chambers, Lisa. |
| | Conway, Martin. |
| | Crowe, Ollie. |
| | Cummins, John. |
| | Daly, Paul. |
| | Dolan, Aisling. |
| | Dooley, Timmy. |
| | Fitzpatrick, Mary. |
| | Gallagher, Robbie. |
| | Horkan, Gerry. |
| | Kyne, Seán. |
| | Lombard, Tim. |
| | Martin, Vincent P. |
| | McGreehan, Erin. |
| | Murphy, Eugene. |
| | O'Reilly, Pauline. |
| | Ward, Barry. |

Tellers: Tá, Senators Fintan Warfield and Mark Wall; Níl, Senators Robbie Gallagher and Seán Kyne..

Amendment declared lost.

Senator Lorraine Clifford-Lee has advised the Cathaoirleach that she has entered into a voting pairing arrangement with Senator Eileen Flynn for the duration of Senator Flynn's mater-

24 November 2021

nity leave and accordingly has not voted in this division.

Amendment No. 19 not moved.

Question proposed: “That section 7 stand part of the Bill.”

Senator Alice-Mary Higgins: I had hoped that the sensible amendment tabled by the Labour Party Senators might have been accepted as it is better than the current section 7 in that it addressed the issues of the duration of tenancy and sequential tenancies.

It is important that we recognise Part 4 and recognise that there is a duration issue beyond the question of simply qualifying as a Part 4 tenancy. For example, we may and should look to having longer periods of notice and I know the option already exists to an extent. I want to indicate my intention to table amendments that seek longer periods of notice as they relate to the longer periods of Part 4 tenancies, which is a grid within the legislation. I may table amendments at Report Stage because I am concerned about the 28-day notice period that was mentioned and I know that amendment was not moved. Plus I am particularly concerned at the length of notice periods for people who may have extremely long tenancies.

Question put and agreed to.

Section 8 agreed to.

Title agreed to.

Bill reported with amendment.

Acting Chairperson (Senator Pauline O'Reilly): When is it proposed to take Report Stage?

Senator Mary Fitzpatrick: Tomorrow.

Report Stage ordered for Thursday, 25 November 2021.

Sitting suspended at 3.40 p.m. and resumed at 4.55 p.m.

Bille na dTeangacha Oifigiúla (Leasú), 2019: Céim an Choiste

Official Languages (Amendment) Bill 2019: Committee Stage

An Leas-Chathaoirleach: Is cúis áthais dom fáilte go dtí an Seanad a chur roimh an Aire Stáit, an Teachta Chambers. Táimid ag súil le díospóireacht fhiúntach agus le tráthnóna fiúntach dearfach, le cúnamh Dé.

Aontaíodh alt 1.

ALT 2

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 1:

I leathanach 7, idir línte 24 agus 25, an méid seo a leanas a chur isteach:

“ciallaíonn ‘inniúlacht’ i gcomhthéacs na Gaeilge san Acht seo, agus in aon reachtaíocht eile, líofacht de leibhéal B1 nó níos airde ar an gCreat Comhchoiteann Tagartha Eorpach le haghaidh Teangacha;”.

Is iontach an rud é go bhfuil sprioc sa Bhille seo go mbeidh 20% d’earcaithe nua sa Státseirbhís inniúil sa Ghaeilge faoi 2030. Gabhaim buíochas leis an Teachta Ó Snodaigh agus a chomhghleacaithe Dála ó Shinn Féin agus ó pháirtithe eile as é sin a bheith daingnithe sa Bhille anois, rud nach raibh ann ag tús an phlé. É sin ráite, níl aon sainmhíniú ann faoi céard is brí le “inniúlacht”. An leor go mbeidh 20% d’earcaithe in ann “Dia duit” a rá faoi 2030 nó an bhfuil muid dáiríre faoin 20% seo a bheith in ann feidhmiú trí Ghaeilge agus seirbhísí a sholáthar do Ghaeilgeoirí? Tá seans ann nárbh fhiú an Bille seo muna bhfuil sainmhíniú soiléir ar cad atá uainn. Is é sin an fáth go bhfuil an leasú seo á mholadh ag Sinn Féin. Fuair sé a lán tacaíochta ó Theachtaí de chuid gach páirtí sa Dáil agus tá sé bunaithe ar dhea-chleachtas Eorpach, is é sin, go gcuirtear bunchaighdeán riachtanach sa dlí. Ní mór d’aon duine a earcófar de bharr an Ghaeilge a bheith aige nó aici a bheith in ann an bunchaighdeán seo, ar a laghad, a léiriú. D’fhéadfadh an Rialtas caighdeán níos airde a lorg i gcás post éagsúla ach, ar a laghad, beidh an bunleibhéal seo ag 20% d’earcaithe nua.

Roghnaigh muid leibhéal B1 ar an gcreat comhchoiteann tagartha Eorpach le haghaidh teangacha toisc gurb é sin an creat a úsáidtear go forleathan ar fud na hEorpa chun cumas an duine i dteanga a mheas. Baineann an tSeirbhís um Cheapacháin Phoiblí leas as freisin cheana féin i gcásanna áirithe. Is éard is brí le leibhéal B1 ná úsáideoir neamhspleách, is é sin, daoine atá ábalta: na príomhphointí a thuiscint i gcaint chaighdeánach shoiléir maidir le ceisteanna aithnidiúla a ndéantar tagairt dóibh san obair, ar scoil, i gcaitheamh aimsire agus araile; déileáil le formhór na staideanna a thitfeadh amach agus iad ag taisteal i gceantar ina labhraítear an teanga; téacs simplí ceangailte a scríobh ar thopaicí atá aithnidiúil nó ar spéis leo iad go pearsanta; cur síos a dhéanamh ar thaithí agus ar imeachtaí, ar a mianta, ar na rudaí a bhfuil súil acu leo agus ar a n-uaimhianta; agus cúiseanna agus mínithe achomair a thabhairt ar thuairimí agus ar phleananna. Muna bhfuil daoine in ann na nithe seo a dhéanamh, níl siad inniúil sa Ghaeilge agus ní cóir dóibh a bheith glactha laistigh den 20%. Má tá leibhéal níos ísle Gaeilge acu nó Gaeilge fháilteach ar nós “Dia duit” agus cúpla focal eile amháin acu, ba chóir go mbeidh siad fós fostaithe, ach lasmuigh den 20%. Ba chóir dúinn Gaeilge fháilteach a spreagadh don 80% eile sa Státseirbhís.

Bhí Conradh na Gaeilge ag lorg leibhéal B2, leibhéal níos airde, mar bhunleibhéal ach tugimid go bhfuil gá éigin le solúbthacht, mar a bhí molta ag saineolaithe in Ollscoil Mhá Nuad, fad is nach bhfuil an iomarca solúbtha. Is é seo a bhí le rá ag Siuán Ní Mhaonaigh stiúrthóir Theastas Eorpach na Gaeilge i lárionad na Gaeilge in Ollscoil Mhá Nuad:

Aithnítear leibhéal B2 go forleathan ar fud na cruinne mar an bunleibhéal atá ag teas-táil ó dhuine i dteanga chun a c(h)uid oibre a dhéanamh trí mheán na teanga sin. Bíodh sin mar atá, tá riachtanais agus scileanna éagsúla ag teastáil i róil agus i gcomhthéacsanna éagsúla. D’fhéadfadh duine atá ag leibhéal B1 ard, mar shampla, déileáil le fiosrúchán an-bhunúsach ar an nguthán nó teachtaireacht shimplí a thógáil. B’fhéidir gur leor é sin a róil nó i gcomhthéacsanna áirithe.

É sin ráite, ní bheadh na scileanna teanga ag an duine sin le mórán cúraimí eile a láimhseáil trí Ghaeilge, mar shampla, déileáil le comhrá casta nó achrannach le baill den phobal, miontuairiscí a scríobh, nó comhfhreagras scríofa a láimhseáil. I mbeagán focal, ní bheadh an duine sin in ann seirbhís shásúil leanúnach a chur ar fáil trí Ghaeilge. Ba chóir don chóras 20% a bheith ag freastal ar an dualgas sin agus seirbhís shásúil leanúnach a chur ar fáil trí Ghaeilge. Ghlac an tAire Stáit le tábhacht an cheist seo nuair a dúirt sé go scrúdódh sé conas an fhoráil faoin gcreat comhchoiteann tagartha Eorpach le haghaidh teanga a láidriú agus go dtiocfadh sé ar ais le moladh ar Chéim na Tuarascála chun é a fheabhsú. Níl sé sin déanta aige. Ag an bpointe seo, ba mhaith liom a fháil amach cén fáth. Mar a dúirt an Teachta Ó Cuív, gan an fhoráil seo, tá dainséar ann go gceapfar 20% d'earcaithe nua don Státseirbhís le Gaeilge ach nach mbeadh aon Ghaeilge acu.

Minister of State at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Jack Chambers): Maidir le leasú Uimh. 1, aontaím go mbeadh sé tairbheach míniú a thabhairt ar “inniúlacht” ach ní shílím gurb í an reachtaíocht an áit chuí lena leithéid. Ar bhonn praiticiúil, ní céim chun cinn a bheadh ann bac a chur ar dhaoine le togha Gaeilge labhartha ach gan an cumas céanna scríofa ag leibhéal B2 cur isteach ar chuid de na poist seo. Is é sin a tharlódh dá ndéanfaimis míniú a thabhairt ar céard is inniúlacht ann sa Bhille féin, mar atá molta sa leasú seo. Aithnítear leibhéal B2 go forleathan ar fud na cruinne mar an bunleibhéal atá ag teastáil ó dhaoine i dteanga chun a gcuid oibre a dhéanamh trí mheán na teanga sin. É sin ráite, tá riachtanais agus scileanna éagsúla ag teastáil i róil agus i gcomhthéacsanna éagsúla. Caithfear a thógáil san áireamh go bhfuil daoine a bhfuil Gaeilge iontach scríofa acu ach nach bhfuil Gaeilge labhartha chomh maith sin acu agus a mhalairt ann. Tá riachtanais dhifriúla de dhíth ó thaobh Gaeilge labhartha agus scríofa i bpoist éagsúla. Tá an méid seo deimhnithe ag Ollscoil na hÉireann, Má Nuad, atá i mbun an chóras Theastas Eorpach na Gaeilge a reáchtáil. Tá an t-íosleibhéal seo de leibhéal B2 i bhfeidhm cheana mar chreat cáilithe do go leor de na comórtais oscailte náisiúnta a reáchtálann an tSeirbhís um Cheapacháin Phoiblí don Státseirbhís.

Sílím gurb é an cur chuige is ciallmhaire sa chás seo ná aghaidh a thabhairt ar an gceist seo sna caighdeáin, áit gur féidir idirdhealú a dhéanamh idir na riachtanais éagsúla do phoist éagsúla seachas sainmhíniú amháin a chur isteach sa phríomhreachtaíocht a chuirfeadh daoine as an áireamh ón tús gan aird ar riachtanais an phoist. Mar is eol don Seanadóir faoin tráth seo, tá na caighdeáin a bheidh i bhfeidhm clúdaithe faoin mBille. Táthar ag iarraidh aghaidh a thabhairt ar chaighdeán na seirbhísí atá á gcur ar fáil trí Ghaeilge do mhuintir na Gaeltachta faoi láthair mar ábhar práinneach a chlúdódh réimse leathan seirbhísí. Mar atá ráite agam go minic, caithfimid a bheith réalaíoch faoi cé atá ar fáil chun na poist seo a líonadh. Táim ag iarraidh go n-éireoidh linn agus go dtiocfadh feabhas ar na seirbhísí trí Ghaeilge atá ar fáil sa Gaeltacht agus ar fud na tíre. Ar na cúinsí sin, ní féidir liom glacadh leis an leasú seo.

Senator Niall Ó Donnghaile: Ní aontaím leis an Aire Stáit maidir leis an áit is fóirsteanáí don argóint seo. Sílím go gcuireann an leasú seo leis an reachtaíocht. Ní dóigh liom gurb é mise an t-aon duine a bheidh díomá air nó uirthi maidir leis sin. Ar aon nós, tá a fhreagra tugtha ag an Aire Stáit. Brúfaidh mé an leasú seo.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Cuireadh an cheist, “Go bhfanfaidh alt 2 mar chuid den Bhille”, agus faisnéiseadh go rabhthas tar éis glacadh léi.

ALT 3

Leasú an Rialtais Uimh. 2:

I leathanach 9, líne 23, “comhalta foirne eile den chomhlacht a cheapadh” a scriosadh agus “comhalta foirne eile den chomhlacht a cheapadh, ón mbainistíocht shinsearach,” a chur ina ionad.

5 o'clock

Deputy Jack Chambers: Pléifimid leasuithe Uimh. 2 agus 3 le chéile toisc gur ar an ábhar céanna atá siad.

Tá leasú Uimh. 3 á mholadh ag Sinn Féin agus ag na Seanadóirí Kyne agus Clifford-Lee. Ba mhaith liom mo bhuíochas a ghabháil leis na Seanadóirí as an leasú a mholadh don Teach. Tá an cheist seo pléite ag oifigigh mo Roinne le Conradh na Gaeilge le seachtainí beaga anuas. Dá bharr sin, ba mhaith liom go mbeidh sé sonraithe sa Bhille gur daoine “ón mbainistíocht shinsearach” den chomhlacht a cheapfar chun formheas a dhéanamh ar chomhlíonadh oibleagáidí an chomhlachta faoin Acht agus tuarascáil a thabhairt don ionadaí, de réir mar is cuí, i ndáil le hoibleagáidí an chomhlachta faoin Acht agus lena chinntiú go ndéanfar achomharc ar aon cheann de na nithe arna dtuairisciú dó nó di de réir mhír ar áireamh i dtuarascáil bhliantúil an chomhlachta lena mbaineann. Sa chomhthéacs sin, molaim leasú Uimh. 2 don Teach. Ba mhaith liom mo bhuíochas a ghabháil leis na Seanadóirí as leasú Uimh. 3 a mholadh don Teach, ach táim ag tabhairt mo leasú féin, leasú Uimh. 2, ar aghaidh anseo. Ar an mbonn sin, b'fhéidir go mbeidh na Seanadóirí sásta leasú Uimh. 3 a tharraingt siar.

An Leas-Chathaoirleach: Ba cheart dom a rá go bhfuil baint ag leasuithe Uimh. 2 agus 3 le chéile. Is malairt fhisiceach é leasú Uimh. 3 ar leasú Uimh. 2. Féadfar leasuithe Uimh. 2 agus 3 a phlé le chéile. An bhfuil sé sin aontaithe? Tá.

Senator Niall Ó Donnghaile: Gabhaim buíochas leis an Leas-Chathaoirleach agus leis an Aire Stáit. Fáiltíonn Sinn Féin go bhfuil an tAire Stáit sásta glacadh leis an moladh seo ó Chonradh na Gaeilge. Mar sin, táimid sásta leasú Uimh. 3 a tharraingt siar agus glacadh le leasú Uimh. 2. Is é an rud céanna atá i gceist leo, mar atá ráite ag an Aire Stáit.

Bheinn buíoch as soiléiriú a fháil ón Aire Stáit mar gheall ar an alt seo. An féidir leis an t-idirdhealú idir príomhoifigeach agus ceann comhlachta poiblí a mhíniú dúinn? Ón léamh atá againn ar an leasú seo, ní cheapfar ceann comhlachta poiblí ach nuair nach bhfuil príomhoifigeach ann, mar chineál róil sealadaigh le linn folúntais. Más fíor sin, is ait é go bhfuil an dualgas atá curtha sa leasú chun formhaoirseacht teanga a roghnú ag baint leis an gceann comhlachta sealadach amháin agus gan dualgas ar bith ann ar ghnáth-phríomhoifigigh. An gciallaíonn se sin nach mbeidh daoine roghnaithe de ghnáth chun formhaoirsíú a dhéanamh ar chomhlíonadh na ndualgas teanga seachas le linn fholúntais in oifig an phríomhoifigigh?

Senator Seán Kyne: Cuirim fáilte roimh an leasú atá fógartha ag an Aire Stáit. Chuir mé leasú cosúil leis an leasú sin chun cinn de bharr moladh ó Chonradh na Gaeilge. Mar sin, cuirim fáilte roimh an leasú ón Aire Stáit.

Aontaíodh an leasú.

Níor tairgeadh leasú Uimh. 3.

Aontaíodh alt 3 mar a leasaíodh.

AILT NUA

An Leas-Chathaoirleach: Pléifimid anois leasú Uimh. 4 in ainmneacha na Seanadóirí Ó Donnghaile, Warfield, Ní Bhaoighealláin agus Ó Gábháin. Is alt nua atá le cur isteach anseo.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 4:

I leathanach 9, idir línte 29 agus 30, an méid seo a leanas a chur isteach:

“Cairt na Gaeilge

4. Leasaítear an Príomh-Acht tríd an gCuid nua seo a leanas a chur isteach i ndiaidh Chuid 1 (Réamhráiteach agus Ginearálta):

“CUID 1A CAIRT NA GAEILGE

Cairt a ullmhú don Ghaeilge

5. (1) Déanfaidh an tAire, tar éis dul i gcomhairle le pobal labhartha na Gaeilge agus le hOifig Choimisinéir na dTeangacha Oifigiúla maidir le riachtanais an phobail, agus tráth nach déanaí ná bliain ó Acht na dTeangacha Oifigiúla (Leasú), 2021 a achtú, dréacht-Chairt, ar a dtabharfar Cairt na Gaeilge, a ullmhú agus a chur faoi bhráid Thithe an Oireachtais, is cairt a bheidh bunaithe ar mhúnla Chairt na Fraincise, nó an Charte de la langue française sa Fhraincis, in Québec i gCeanada, agus lena ndéanfar bunchearta teanga cainteoirí Gaeilge sa Stát a shoiléiriú agus a threisiú ar bhonn reachtúil, le toil Thithe an Oireachtais.

(2) Sonrófar sa dréacht-Chairt a luaitear i bhfo-alt (1):

(a) amchlár ina mbeidh spriocdhátaí faoina mbeidh sé beartaíthe ag an Rialtas na forálacha éagsúla den Chairt a bheith curtha i bhfeidhm ina n-iomláine;

(b) moladh i leith ceart do gach duine go ndéanfaidh na comhlachtaí seo a leanas cumarsáid leis nó léi i nGaeilge:

(i) comhlachtaí riaracháin shibhialta;

(ii) comhlachtaí seirbhísí sláinte agus sóisialta;

(iii) cuideachtaí fónais phoiblí;

(iv) cuideachtaí Stáit;

(v) eagraíochtaí Státmhaoinithe;

(vi) corparáidí gairmiúla;

(vii) ceardchumann; agus

(viii) gach cuideachta a dhéanann gnó sa Ghaeltacht;

(c) moladh i leith ceart do gach duine Gaeilge a labhairt in aon tionól poiblí;

(d) moladh i leith ceart d'oibrithe sa Ghaeltacht a gcuid oibre a dhéanamh trí mheán na Gaeilge;

(e) moladh i leith ceart do thomhaltóirí earraí agus seirbhísí sa Ghaeltacht go gcuirfi ar an eolas iad i nGaeilge agus go ndéanfaí freastal orthu i nGaeilge;

(f) moladh i leith ceart do gach duine atá i dteideal oideachas sa Stát an t-oideachas sin a fháil trí mheán na Gaeilge;

(g) moladh i leith dhualgas an Stáit gach a dhéanamh laistigh dá raon gníomhaíochta chun an Ghaeilge, mar phríomhtheanga oifigiúil, a bhunú agus a chaomhnú ina stádas mar an teanga náisiúnta agus í a aithint mar an teanga náisiúnta chun gach críche oifigiúla.”.”.

Baineann an leasú seo le cairt a thabhairt isteach ina leagfar amach cearta teanga an duine. Is iondúil gur teanga an Stáit í agus creideann Sinn Féin gur cóir go mbeadh cearta teanga an duine comhaitheanta agus comhchosanta in Éirinn Thuaidh agus Theas, díreach is atá siad in aon tír eile. Ba chóir dea-chleachtas a chur i bhfeidhm. Dúirt an Coimisinéir Teanga i gComhchoiste na Gaeilge, na Gaeltachta agus Phobal Labhartha na Gaeilge cúpla mí ó shin gur míthuiscint atá ar an Stát go mbíonn bunchearta teanga ag brath ar acmhainní agus tosaíochtaí agus nár chóir go mbeadh aon choimhlint idir soláthar seirbhísí éigeandála agus soláthar cearta reachtúla teanga mar a bhí curtha i leith comhlachtaí Stáit go rialta le linn na paindéime.

Ní bhronnann an Stát ceart ar dhaoine. Tá cearta ag daoine mar bhunús agus is é ról an Stáit na cearta sin a shonrú sa dlí agus a chosaint. I gcás na Gaeltachta, áit a bhfuil an Ghaeilge ceaptha a bheith mar phríomhtheanga an phobail fós, ní bhíonn bunseirbhísí an Stáit ar fáil sa phríomhtheanga oifigiúil bhunreachtúil, cé gur gealladh dóibh iad in 1926. Tá masla á dhéanamh ag an Stát seo ar chearta mionlaigh agus ar chearta teanga an duine. I dtíortha eile, bíonn cearta teanga sonraithe go soiléir. Tá an Chairt Eorpach do Theangacha Réigiúnacha nó Mionlaigh i bhfeidhm ag an gComhairle Eorpach, rud a thugann meicníocht idirnáisiúnta do Ghaeilgeoirí sna Sé Chontae chun sásamh a fháil ar a gcearta teanga, mar shampla, ach níl feidhm ag an gcairt sna Sé Chontae is Fíche. B'fhéidir gur chóir don Aire Stáit machnamh a dhéanamh chun an chairt sin a shíniú.

I leasú eile níos déanaí, tá forálacha ón mBeart Breatnaise sa Bhreatain Bheag molta againn. Sa leasú seo, áfach, is múnlu Cheanada atá á mholadh againn, is é sin ceart na Fraincise i Québec. Níl mé ag iarraidh é sin a rá i bhFraincis mar níl mo chuid Fraincise chomh flúirseach sin is atá mo chuid Gaeilge. Leagtar amach bunchearta teanga sa chairt seo maidir le húsáid na Gaeilge le comhlachtaí poiblí agus cuideachtaí eile.

An Leas-Chathaoirleach: Ní aontaím leis sin mar gur ghéill an Seanadóir gan an teanga sin a labhairt.

Senator Niall Ó Donnghaile: Fágfaidh mé leis an Seanadóir Mullen an Fhraincis a labhairt.

In aonaid phoiblí, san ionad oibre, i gcás earraí a cheannach sna siopaí nó leas a bhaint as seirbhísí nó sa chóras oideachais, is é seo an dea-chleachtas idirnáisiúnta. Ba chóir dúinn foghlaim ó sin in áit pholasaí “English first” a bheith i bhfeidhm de ghnáth i ngach ceann de na hearnálacha seo. Ní féidir copy agus paste a dhéanamh ach oiread mar tá riachtanais ar leith ag pobal na Gaeilge agus na Gaeltachtaí nach bhfuil ag pobal na Fraincise i gCeanada. Is é sin an fáth go bhfuil tuairisc á lorg againn chun moltaí agus spriocanna ama réalaíocha agus pobalbhu-naithe a chur chun cinn agus ár ngealltanais mar Stát don Ghaeltacht agus do phobal labhartha na Gaeilge a chomhlíonadh agus a chur i scríbhinn sa reachtaíocht seo.

Deputy Jack Chambers: Ní fheicim go mbeadh fiúntas le leasú Uimh. 4 a chur san áireamh sa Bhille. Comhlíonann an Bille agus, go deimhin, an tAcht féin, seirbhísí Stáit. Is san earnáil phríobháideach a bhaineann go leor de na heagraíochtaí atá luaite ag an Seanadóir. Titeann go leor de na pointí atá ardaithe aige i réimsí atá taobh amuigh de scóip an Achta toisc go bhfuil go leor de na heagraíochtaí atá clúdaithe sa leasú ag feidhmiú san earnáil phríobháideach. Ní thagann sé sin le cuspóir an Bhille. Mar is eol don Seanadóir, is é príomhchuspóir an Bhille Acht na dTeangacha Oifigiúla, 2003 a leasú leis an soláthar de sheirbhísí poiblí trí Ghaeilge a mhéadú agus a fheabhsú. Is trí na forálacha atá clúdaithe sa Bhille agus na leasuithe atá mé ag moladh don Teach seo inniu a bhainfear amach na spriocanna seo. Anuas air sin, beimid ag láimhseáil go leor de na nithe atá luaite sa leasú maidir leis an earnáil phoiblí atá molta ag an Seanadóir sna caighdeáin teanga. Ar an mbunús sin, ní bheidh me ag glacadh leis an leasú seo.

Senator Seán Kyne: Maidir leis na heagraíochtaí príobháideacha, iarraim ar an Aire Stáit an bhfuil nó an mbeidh liosta fógartha leis an mBille maidir leis na coistí poiblí a bheidh i gceist anseo agus a bhaineann leis an mBille seo. Tá a fhios agam go mbeidh na comhairleoirí contae agus cathrach, Uisce Éireann agus grúpaí mar sin i gceist. Tá a fhios agam go raibh plé ann agus go raibh an Roinn chun obair a dhéanamh chun níos mó comhlachtaí nó eagraíochtaí a chur ar an liosta sin. An bhfuil an obair sin déanta nó an mbeidh sé leagtha amach in aguisín leis an mBille seo?

An Leas-Chathaoirleach: An mian leis an Seanadóir an leasú seo a bhrú nó ar mhaith leis labhairt?

Senator Niall Ó Donnghaile: Is mian liom an leasú a bhrú.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

An Leas-Chathaoirleach: Tagraím do leasú Uimh. 5 anois in ainmneacha na Seanadóirí Ó Donnghaile, Warfield, Ní Bhaoighealláin agus Ó Gábháin agus is alt nua atá le cur isteach anseo.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 5:

I leathanach 9, idir línte 29 agus 30, an méid seo a leanas a chur isteach:

“Leasú ar alt 7 den Phríomh-Acht

4. Leasaítear alt 7 den Phríomh-Acht tríd an méid seo a leanas a chur isteach i ndiaidh “teangacha oifigiúla.”:

“(a) Déanfaidh an tAire, tar éis taighde a dhéanamh ar riaráistí na nAchtanna nach bhfuil clóite agus foilsithe ach i gceann amháin den dá theanga oifigiúla go dtí sin, tráth nach déanaí ná bliain tar éis an tAcht seo a achtú, tuarascáil a chur faoi bhráid

Thithe an Oireachtais ina leagfar amach scála ama chun na riaráistí a ghlanadh a luaithe is féidir agus moltaí praiticiúla chun oibriú chun gach Bille agus gach Acht den Oireachtas a achtú, a chló agus a fhoilsiú i ngach ceann de na teangacha oifigiúla.

(b) Ní choiscfidh aon ní san alt seo Bille nó Acht a achtú, a chló nó a fhoilsiú go comhuaineach i ngach ceann de na teangacha oifigiúla.”.”.

Mí Eanáir na bliana seo chugainn, tiocfaidh deireadh le díolúine na Gaeilge mar theanga oifigiúil san Aontas Eorpach agus beidh an reachtaíocht ar fad a mholtar ag Coimisiún na hEorpa ar fáil i nGaeilge mar aon le gach teanga oifigiúil eile. Sin éacht as cuimse do phobal teanga na tíre agus tréasláim leis na gníomhaí teanga go léir, Conradh na Gaeilge ina measc, as ucht an stádais sin a bhaint amach. Mar chuid den agóid sin, rinne Feisire Eorpach de chuid Shinn Féin ag an am, Liadh Ní Riada, stailc theanga i bParlaimint na hEorpa chun aird a tharraingt ar an easpa cothromais a bhí ann do Ghaeilgeoirí. Beidh cothrom na Féinne againn i bParlaimint na hEorpa amach anseo.

Is ábhar náire é nach mbeidh an stádas céanna ag an nGaeilge sa Stát seo, in ainneoin í a bheith mar phríomhtheanga oifigiúil sa Bhunreacht. Ní hamháin nach bhfuil Billí ar fáil go dhátheangach nó i nGaeilge de ghnáth - is eisceacht an Bille seo - ach fiú tar éis dóibh a bheith achtaithe, is minic nach dtagann aistriúchán ar an bhfód ach tar éis na blianta ina dhiaidh, má thagann sé ariamh. Níl sé seo sásúil agus cuireann sé srian ar chearta Ghaeilgeoirí anseo san Oireachtas. Ní féidir linn leasuithe a thairiscint trí Ghaeilge, níl cead againn Billí a chur trí Ghaeilge agus tá an córas ag feidhmiú go hiomlán trí Bhéarla.

Níos measa ná sin áfach, bíonn impleachtaí ann don chóras dlí. Nuair nach bhfuil Achtanna ar fáil trí Ghaeilge, níl cothrom na Féinne ag Gaeilgeoirí os comhair na cúirte. Tá prionsabal ann nach féidir dlí a chur i bhfeidhm muna bhfuil rochtain ag an bpobal air, agus síleann na cúirteanna go gciallaíonn sé sin rochtain ina dteanga oifigiúil féin. Chinn na cúirteanna go bhfuil éagóir déanta ar Ghaeilgeoirí nuair nach bhfuil Achtanna ar fáil dóibh ina dteanga féin. Dúradh fiú go bhfuil seans ann nach bhféadfaí daoine a chiontú agus an dlí briste acu nó coir déanta acu amach anseo muna bhfuil fáil acu ar an dlí faoina gciontófar iad i nGaeilge. Dár leo, ní mór na riaráistí a ghlanadh faoi 2024 nó beidh impleachtaí ann do na cúirteanna.

Fuaireamar comhfhreagras ó Rannóg an Aistriúcháin i mí Aibreán ag léiriú go raibh 475 Achtanna fós le n-aistriú aige faoi 2024. Sin 3.5 Achtanna le n-aistriú in aghaidh na seachtaine, rud nach bhfuil indéanta. Anuas air sin, fuair mé comhfhreagras eile ag cur in iúl nach bhfuil ach sé cinn den 32 Achtanna achtaithe i 2020 foilsithe i nGaeilge. Tá rudaí ag dul in olcais i gcónaí mar tagann tuilleadh Achtanna anuas ar na riaráistí gach seachtain. Tá an iomarca brú ar Rannóg an Aistriúcháin. Dá ndéanfaí an rud céanna agus a dhéanann an tAontas Eorpach, is é sin leaganacha Gaeilge agus Béarla a chur le chéile agus ar fáil ó a mholtar an Bille ar an gcéad dul síos, aistrithe ag na Ranna Rialtais féin b'fhéidir, ní bheadh aon fhadhb againn le riaráistí nó ní bheadh iachall ar Ghaeilgeoirí dul chun na cúirte chun a gcearta a chosaint. Níl molta againn ach go ndéanfaí tuarascáil a ullmhú ar na féidearthachtaí a bhainfeadh le córas dhátheangach ó thús a chur i bhfeidhm ar mhúnla na hEorpa. Níor chóir go mbeadh níos mó measa ag an Eoraip ar ár dteanga náisiúnta ná mar atá againn féin, go háirithe sa Teach seo.

Deputy Jack Chambers: Ní féidir liom glacadh le leasú Uimh. 5 toisc gur ghnó é de Thithe an Oireachtais gach Bille agus gach Acht an Oireachtais a chur i gcló agus a fhoilsiú sa teanga oifigiúil. Tuigim go bhfuil iarrachtaí ar bun chun tuilleadh acmhainní a dhíriú ar an obair aistriúcháin seo agus is céim thábhachtach í seo a léiríonn don phobal go bhfuil deiseanna

fostaíochta ar fáil in earnáil na Gaeilge agus sa státchóras. Mholfaínn don Seanadóir teagmháil a dhéanamh le Coimisiún Thithe an Oireachtais chun an cheist seo a ardú freisin. Níl i gceist agam glacadh leis an leasú seo dá bharr.

Tagraím don cheist a d'ardaigh an Seanadóir Kyne cheana. Rinneadh uasdátú ar an sceideal anuraidh agus tá sé ar fáil faoi rialachán cheana féin.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 6:

I leathanach 9, idir línte 29 agus 30, an méid seo a leanas a chur isteach:

“Leasú ar alt 8 den Phríomh-Acht

4. Leasaítear alt 8 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (1):

“(1A) Déanfaidh an tAire, tar éis dul i gcomhairle leis an gCoimisinéir Teanga, agus tráth nach déanaí ná bliain tar éis an tAcht seo a achtú, tuarascáil a chur faoi bhráid Thithe an Oireachtais ina leagfar amach na féidearthachtaí atá ann chun an chosaint atá ann don cheart atá ag duine chun an Ghaeilge a labhairt in aon chúirt de réir fho-alt (1) a leathnú lasmuigh den chomhthéacs cúirte ionas go mbeidh cosaint ann don cheart atá ag gach duine chun cumarsáid a dhéanamh trí mheán na Gaeilge in aon áit sa Stát, lena n-áirítear aon tionól poiblí, ionad oibre nó comhthéacs sóisialta, agus maidir le córas pionós a d'fhéadfaí a chur i ngníomh dóibh siúd a dhéanann sárú ar an gceart sin, ar bhonn mhúnla an Bhirt Breatnaise sa Bhreatain Bheag.”.

Níl ach comhthéacs amháin ina bhfuil sonraithe sa dlí ag duine an Ghaeilge a úsáid sna cúirteanna agus tá sin de réir alt 8 d'Acht na dTeangacha Oifigiúla 2003. Luaidh mé an deachleachtas idirnáisiúnta ní ba luaithe, agus sa Bhreatain Bheag tá beart Breatnaise i bhfeidhm le tamall de bhlianta anois a shoiléiríonn go bhfuil ceart ag duine an Bhreatnaise a úsáid agus nach bhfuil cead ag duine nó eagrais an ceart sin a shárú nó úsáid na Breatnaise a chosc.

Tá samplaí feicthe againn sa Stát seo de chomhlachtaí ag cur brú ar fhostaithe stopadh ag labhairt Gaeilge. Bhí an abhcóide Dáithí Mac Cárthaigh an-sásta go raibh ionadaí ar son AA Roadwatch in ann teagmháil a dhéanamh leis trí Ghaeilge go dtí gur tháinig stop leis an gcomhrá ar an bhfón. Bhí ar an leaid ar an bhfón teacht ar ais agus a rá nach raibh cead aige Gaeilge a labhairt agus go raibh siad faoi thaifead.

Le déanaí, ghabh Randox leithscéal gur chuir sé nóta timpeall ar fhostaithe ag meabhrú dóibh gan ach Béarla a labhairt san ionad oibre, fiú go sóisialta, nóta a scaipeadh ina mhonarcha Ghaeltachta i dTír Chonaill fiú. Tá an mhonarcha sin maoinithe ag Údarás na Gaeltachta. Níor tháinig Randox siar ón nóta sin ina mhonarcha sna Sé Contae, áfach. Seo chomhlacht atá ag fáil maoiniú don Ghaeilge ón Stát seo ag déanamh dochar do chearta teanga Gaeilgeoirí in Éirinn. Níor chóir go mbeadh fostóirí nó aon duine eile ach oiread in ann bac a chur roimh úsáid na Gaeilge, seachas i gcásanna eisceachtúla ina bhfuil cúis fiorthábhachtach ann le húsáid teanga eile. Is toisc sin atá Sinn Féin ag lorg tuarascáil faoi conas múnla na Breataine Bige a chur i bhfeidhm anseo agus úsáid na Gaeilge a chosaint sa dlí.

Deputy Jack Chambers: Ní féidir liom glacadh le moladh an tSeanadóir sa chás seo mar go dtiteann an leasú seo taobh amuigh de scóip an Achta, is é sin taobh amuigh de ghnó na

hearnála poiblí. Chomh maith leis sin, is gnó don chúirt é a chinntiú go bhféadfadh aon duine éisteacht a fháil sa teanga oifigiúil is ansa don duine sin. Má tá an Stát nó comhlacht poiblí mar pháirtí in imeachtaí sibhialta os comhair na cúirte, baineann an Stát nó an comhlacht poiblí úsáid as an teanga oifigiúil, Béarla nó Gaeilge, atá roghnaithe ag an bpáirtí eile. Más rud é go bhfuil na dualgais seo á shárú ag comhlacht poiblí, ba chóir gearán a dhéanamh leis an gCoimisinéir Teanga mar go bhfuil sé de cheart ag daoine faoin Acht é sin a dhéanamh.

Anuas air sin, bheinn den tuairim go mbeadh a leithéid de leasú ag teacht salach ar neamhspleáchas ár gCoimisinéir Teanga. Tá sé rithabhachtach go mbeadh an Coimisinéir neamhspleách ina chuid feidhmeanna. Tá feidhmeanna an Choimisinéara leagtha síos san Acht cheana in alt 21. Beimid ag cur leo sin agus beidh sé de chumhacht ag an gCoimisinéir faireachán a dhéanamh ar chomhlíonadh aon achtacháin a bhaineann le stádas nó úsáid teanga oifigiúil ag comhlacht poiblí. Is dul chun cinn mhór a bheidh anseo d'Oifig an Choimisinéara. Beidh an tseirbhís trí Ghaeilge trasna an chórais Stáit i bhfad níos láidre faoi 2030, an Roinn Dlí agus Cirt agus an tSeirbhís Chúirteanna san áireamh. Ar an mbunús sin, ní bheidh mé ag glacadh leis an leasú seo.

An Leas-Chathaoirleach: An mian leis an Seanadóir Ó Donnghaile an leasú a bhrú?

Senator Niall Ó Donnghaile: Is mian, ach ba mhaith liom a chur in iúl nach n-aontaím leis an Aire Stáit arís, creid é nó na creid. Nílím ag iarraidh ón Aire Stáit ach tuarascáil a chur os ár gcomhair a amharcann ar dhea-chleachtas agus eispéireas eile i dtír ina bhfuil teanga mhionlach ag dul ó neart go neart. Ní thuigim agus tá díomá orm nach bhfuilimid sásta é sin a dhéanamh.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 7:

I leathanach 9, idir línte 29 agus 30, an méid seo a leanas a chur isteach:

“Leasú ar ailt 9, 33 agus 34 den Phríomh-Acht

4. Leasaítear an Príomh-Acht—

(a) In alt 9, tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (1):

“(1A) (a) San fho-alt seo—

ciallaíonn ‘Acht 1961’ an tAcht um Thrácht ar Bhóithre, 1961;

tá le ‘sín tráchta’ an bhrí chéanna atá leis in alt 95 (arna leasú le halt 37(a)(ii) den Acht um Thrácht ar Bhóithre, 1994) d’Acht 1961.

(b) Tá feidhm ag an bhfo-alt seo maidir le síneacha tráchta nua a chuirfear in airde tar éis theacht i ngníomh an Achta seo, nó i gcás aon athnuachan nó athchóiriú a dhéanfar ar sheansín tráchta tar éis theacht i ngníomh an Achta seo, lena n-áirítear na síneacha sin a bhfuil feidhm ag Rialacháin faoi alt 95(2) d’Acht 1961 maidir leo agus na síneacha sin a bhfuil feidhm ag ordachán faoi alt 95(16) den Acht sin maidir leo.

(c) Ní bheidh feidhm ag an bhfo-alt seo maidir le síneacha a bhí in airde roimh theacht i ngníomh an Achta seo seachas i gcás go mbeidh athnuachan nó

athchóiriú á déanamh nó á dhéanamh orthu.

(d) Faoi réir fhorálacha an fho-ailt seo, maidir le haon sín tráchta a chuirfear in airde in aon suíomh sa Stát, is i nGaeilge nó i nGaeilge agus i mBéarla a bheidh sí d’ainneoin aon achtachán eile. I gcás sín tráchta i nGaeilge agus i mBéarla araon:

(i) beidh an téacs i nGaeilge ann ar dtús;

(ii) beidh an téacs i nGaeilge chomh feiceálach leis an téacs i mBéarla nó níos feiceálaí ná é, chomh sofheicthe leis nó níos sofheicthe ná é, agus chomh hinléite leis nó níos inléite ná é;

(iii) ní bheidh na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla;

(iv) maidir leis an téacs i nGaeilge, cuirfidh sé in iúl an fhaisnéis chéanna leis an bhfaisnéis a chuireann an téacs i mBéarla in iúl;

(v) ní dhéanfar focal sa téacs i nGaeilge a ghiorrú mura rud é go bhfuil an focal sa téacs i mBéarla, arb é an t-aistriúchán air é, giorraithe freisin;

(vi) i gcás gurb ionann an téacs i nGaeilge agus an téacs i mBéarla nó gurb ionann logainm nó fuaimniú logainm i nGaeilge agus i mBéarla, is leor an leagan Gaeilge;

(vii) d’ainneoin ghinearáltacht an fho-ailt seo, féadfar síneacha tráchta a chur in airde ar síneacha iad atá de réir Chóras Idirnáisiúnta na nAonad arna ghlacadh ag an *Bureau Internationale des Poids et Mesures*, arna bhunú le Coinbhinsiún an Mhéadair a síníodh i bPáras in 1875; agus

(viii) i gcás ordú logainmneacha faoi alt 32 a bheith i bhfeidhm de thuras na huaire, déanfar an leagan Gaeilge den fhocal nó de na focail a bheidh sonraithe san ordú a úsáid in aon síneacha tráchta a chuirfear in airde.

(e) I gcás go mbeartófar sín tráchta i nGaeilge agus i mBéarla a shuíomh, agus de thoradh téacs sa dá theanga sin a bheith uirthi, go mbeadh an tsín rómhór, gur dheacair í a léamh nó gur dhócha go mbeadh sí ina bacainn, nó gur dhócha, le linn do dhaoine í a léamh, gur bhaol dóibh féin nó do dhaoine eile a bheadh inti, féadfar, ina ionad sin, dhá shín a chur ar an suíomh sin, a mbeidh an fhaisnéis lena mbaineann i nGaeilge ar cheann amháin díobh agus i mBéarla ar an gceann eile, ar choinníoll go ndéanfar na forálacha i bhfomhíreanna (c)(ii) go (viii) a chomhlíonadh.

(f) I gcás coimhlint nó díospóid maidir le logainm i suíomh ar bith sa Stát, déanfar cinneadh maidir leis an leagan oifigiúil ceart de réir ailt 31 agus 32, agus cloífidh gach comhartha bóthair lena gcinntí.”

(b) In alt 33, trí na fo-ailt seo a leanas a chur in ionad fho-ailt (1) agus (2):

“(1) Ar an agus ón 1 Eanáir 2025, ní bheidh feidhm ná éifeacht ach amháin ag an leagan Gaeilge de logainm, lena n-áirítear an síneadh fada ar ghutaí, ach

sin gan dochar d'aon ní arna dhéanamh roimh an dáta sin nó dá éis lena n-áirítear úsáid an leagain sin seachas a úsáid—

(a) in aon Acht den Oireachtas a rithfear tar éis an dáta thuasluaite nó in aon ionstraim reachtúil a dhéanfar tar éis an dáta sin faoi aon Acht,

(b) i cibé léarscáileanna a fhorordófar, is léarscáileanna arna n-ullmhú agus arna bhfoilsíú ag Suirbhéireacht Ordanáis Éireann nó le cead uaithi tar éis an dáta thuasluaite,

(c) ar chomhartha bóthair nó sráide nua nó athchóirithe arna chur suas ag údarás áitiúil nó thar a cheann tar éis an dáta thuasluaite, nó

(d) ar chomhartha nó ar fhógrán nua nó athchóirithe, nó i gcomhfhreagras nó i gcumarsáid oifigiúil arna chur suas nó arna cur suas nó arna eisiúint nó arna heisiúint i nGaeilge, i mBéarla, nó in aon teanga eile, ag comhlacht poiblí ar bith, nó ag tríú páirtí a sholáthraíonn seirbhís don phobal thar ceann comhlacht poiblí, lena n-áirítear seirbhísí iompair phoiblí, tar éis an dáta thuasluaite.

(2) Féadfaidh an tAire, tar éis dul i gcomhairle leis an gcomhlacht dá dta-gráítear in alt 31 den Acht seo de bhun iarratas ó údarás áitiúil maidir le háit nó suíomh ar leith arna riaradh ag an údarás áitiúil sin, agus i gcás eisceachtúil amháin ina bhfuil luach oidhreachta nó eacnamaíochta ar leith ag baint le feiceálacht leagain eile dá logainm, a dhearbhu le hordú gur féidir leagan den logainm i dteanga eile seachas an Ghaeilge a úsáid ar léarscáileanna nó ar chomhartha nó ar fhógrán nó i gcomhfhreagras nó cumarsáid oifigiúil eile i dteannta an logainm oifigiúil Gaeilge.

(3) Déanfaidh an tAire gach ordú lena mbaineann fo-alt (2) a chur faoi bhráid gach Tí den Oireachtas a luaithe is féidir tar éis a dhéanta agus má dhéanann ceachtar Teach acu sin, laistigh den 21 lá a shuífidh an Teach sin tar éis an t-ordú a leagan faoina bhráid, rún a rith ag neamhniú an ordaithe, beith an t-ordú ar neamhniú dá réir sin, ach sin gan dochar do bhailíocht aon ní a rinneadh roimhe sin faoin ordú.

(4) Ní cheadófar dearbhú faoi fho-alt (2)—

(a) i ndáil le haon áit i limistéar Gaeltachta, de réir Acht na Gaeltachta, 2012,

(b) i ndáil le haon logainm a bhfuaimnítear a leagan sa teanga nó sna teangacha eile mar a fhuaimnítear an logainm oifigiúil Gaeilge, nó

(c) i ndáil le haitheantas stáit a thabhairt do logainm Béarla a cruthaíodh mar chuid d'iarrachtaí na Suirbhéireachta Ordanáise béarlú a dhéanamh ar logainmneacha dúchasacha idir 1824 agus 1846.

(5) I gcás go ndéanfaidh an tAire dearbhú faoi fho-alt (2), beidh an logainm oifigiúil Gaeilge scríofa i gcló atá níos mó agus níos feiceálaí ná an teanga nó na teangacha eile.

(6) I gcás coimhlint nó díospóid maidir le logainm i suíomh ar bith sa Stát, déanfaidh an comhlacht dá dtagraítear in alt 31 den Acht seo, cinneadh maidir leis an leagan oifigiúil ceart, agus cloífidh gach comhlacht poiblí lena chinntí.”,

(c) In alt 34, trí “agus i dteangacha eile de réir mar is cuí de réir Acht na dTeangacha Oifigiúla, 2003” a chur in ionad “nó i mBéarla agus i nGaeilge”.”.

Dúirt Dúbhglas de hÍde, sular ceapadh é mar Sheanadóir nó mar chéad Uachtarán an Stáit, i léacht an-cháiliúil dar teideal “The Necessity for De-Anglicising Ireland” in 1892, bliain sular bhunaigh sé Conradh na Gaeilge, “I hope and trust a native Irish Government will be induced to provide for the restoration of our place-names on something like a rational basis.” Beagnach 100 bliain tar éis native Irish government a bhunú, fós níl an sprioc seo bainte amach. Ní hamháin nach bhfuil ath-Ghaelú déanta ar logainmneacha ach tá tosaíocht áite tugtha do logainmneacha Béarla ar chomharthaí bóithre ar fud an Stáit. Tá daoine ann a shíleann gur gnáthrud é an Ghaeilge a fheiceáil scríofa i gcló iodálach agus níos lú ná an Béarla. Sin an teachtaireacht atá tugtha; gur an Béarla ár bhfíor-theanga agus nach bhfuil sa Ghaeilge ach rud tánaisteach agus suarach atá ann mar mhaisiú.

Creideann Sinn Féin in ath-Ghaelú an Stáit. Déanann an leasú seo dhá rud a athrú, gan costas ar bith ar an Stát. An chéad athrú ná, i gcás aon síneacha tráchta nua atá curtha in airde nó aon cheann atá athchóirithe sa Stát, go mbeidh an Ghaeilge ar a laghad chomh feiceálach leis an mBéarla. Gheall an Tánaiste, an Teachta Leo Varadkar, go ndéanadh sé an méid seo agus é mar Aire Iompair ach ní dhearna.

An dara moladh, seachas i gcás eisceachtúil, ná nach mbeidh feidhm sa dlí ag leagan Béarla de logainm ó 2025 ar aghaidh. Nílimid ag déanamh logainm Béarla a chosc. Beidh cead ag daoine a rogha téarma a úsáid ach i gcás an Stáit ní bheidh feidhm oifigiúil ach ag logainmneacha Gaeilge. Rinneadh é seo tráth i gcásanna áirithe ar nós Dún Laoghaire, mar atá molta ag an Seanadóir Barry Ward go minic, Port Laoise agus Cóbh. Ba chóir aitheantas a thabhairt go raibh éagóir déanta ar mhuintir na hÉireann nuair a rinne an tSuirbhéireacht Ordanáis Béarlú coilíneach ar logainmneacha na tíre, mar atá sonraithe sa dráma *Translations* de chuid Brian Friel. Ar nós tíortha eile a bhain saoirse amach, ón India go dtí Buircíne Fasó, tá sé de dhualgas orainn an éagóir sin a chur ina cheart agus ár logainmneacha dúchasacha a chur chun cinn arís. Níl ach litriú gan ciall sna leaganacha Béarla don chuid is mó ar aon nós. Cén fáth an mbeadh Oola scríofa in áit Úlla, nó fiú Drogheda in áit Droichead Átha? Briseann na logainmneacha seo ár nasc leis an timpeallacht agus le brí na bhfocal a chuimsíonn stair ár sinsir.

Sna Sé Chontae bíonn orainn fós troid chun Gaeilge a fháil ar chomharthaí. Nuair a éiríonn linn, áfach, bíonn comhstádas ag an nGaeilge leis an mBéarla. Tá sé náireach nach bhfuil a leithéid fiú i bhfeidhm anseo, áit a bhfuil an Ghaeilge mar phríomhtheanga. Ní bheidh feidhm ag an leasú seo ach ar rudaí atá déanta sa todhchaí, agus mar sin níl aon chostas i gceist seachas toil an Rialtais agus na Seanadóirí eile anseo. Tá sé orainn mar Sheanadóirí aisling an Chraoibhín Aoibhinn a chur i bhfeidhm.

Deputy Jack Chambers: Ní thagann an tAcht um Thrácht ar Bhóithre, atá faoi scáth na Roinne Iompair, faoi scoip an Bhille seo nó scoip an phríomh-Achta. Tuigtear dom, áfach, gur chuir an Roinn Iompair scéim phíolótach ar bun ar an ábhar atá ardaithe ag an Seanadóir roinnt blianta ó shin ach níor leanadh ar aghaidh leis sin. Is féidir liom deimhniú don Seanadóir gur phléigh mé an cheist seo leis an Aire píosa siar agus d’iarr mé air athbhreithniú a dhéanamh air.

Leagtar amach sa Bhille na cumhachtaí atá ag an Aire maidir le hordú logainmneacha. Glacadh le leasuithe breise a mhol mé sa Dáil maidir le logainmneacha ar Chéim na Tuarascála sa Teach sin. Leis na leasuithe sin, leagtar amach foráil maidir leis an gcoiste logainmneacha a bhunú mar choiste reachtúil. Déantar foráil maidir le rúnaíocht a bheith á sholáthar ag an Aire agus déantar foráil maidir le saineolaithe i réimse na logainmneacha Gaeilge, stair na hÉireann agus Gaeilge a bheith ina gcomhaltaí den choiste. Ina theannta sin, tugtar feidhm don choiste comhairle a thabhairt don Aire maidir le logainmneacha. Anuas air sin, tabharfaidh an Bille éifeacht do leasuithe a bhfuil gá leo mar gheall ar dheireadh a chur leis an gCoimisiún Logainmneacha, mar a fhoráiltear sa phlean don athchóiriú ar an tseirbhís phoiblí 2011. Tá coiste logainmneacha á chur in ionad an Choimisiúin Logainmneacha agus tabharfaidh an coiste sin comhairle don Aire maidir le horduithe logainmneacha a dhéanamh. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 8:

I leathanach 9, idir línte 29 agus 30, an méid seo a leanas a chur isteach:

“Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (3):

“(4) Cuirfidh comhlacht poiblí an pobal ar an eolas, trí thairiscint ghníomhach, faoi na seirbhísí a fhéadfaidh daoine a fháil uaidh trí mheán na Gaeilge.”.”.

Nuair a foilsíodh ceannteidil an Bhille seo in 2017, luaigh siad tairiscint ghníomhach ach níl aon tairiscint ghníomhach luaite sa Bhille anois. Dúirt Julian de Spáinn ó Chonradh na Gaeilge ag an am:

Mura [g]cuirtear an pobal ar an eolas go leanúnach agus go gníomhach go bhfuil ceart acu agus go bhfuil fáilte rompu na seirbhísí Gaeilge atá ar fáil a úsáid, ní chuirfear go suntasach le húsáid na seirbhísí sin agus leanfar a rá nach bhfuil éileamh ar na seirbhísí céanna.

Tá an Stát tar éis seirbhísí as Gaeilge a dhiúltú do Ghaeilgeoirí le fada an lá agus tá tairiscint ag daoine gan fiú seirbhís a lorg trí Ghaeilge toisc nach mbíonn sí ann nó go mbíonn sí lochtach. Má táimid dáiríre faoi dhaoine a iompú ar ais ar an nGaeilge agus a spreagadh chun an Ghaeilge, nó ar a laghad stop a chur leis an iompú ar an mBéarla atá ag tarlú go forleathan sa Ghaeltacht fiú, ba chóir dúinn cinntiú go ndéanann aon soláthraí seirbhíse an tseirbhís trí Ghaeilge a thairiscint ón tús. In áit an rogha Béarla a bheith uathoibrioch, ba chóir go mbeadh ar dhaoine seirbhísí trí Ghaeilge a dhiúltú ar dtús. Más in oifig, ar mheaisín nó ar líne atá siad, ba chóir go mbeadh orthu cnaipe speisialta a bhrú don Bhéarla, ní a mhalairt, mar ba chóir go mbeadh sé chomh héasca agus is féidir an tseirbhís Ghaeilge a fháil. Ar a laghad ba chóir go gcuirfear daoine ar an eolas i gcónaí go bhfuil rogha Gaeilge ann. Dúirt an tAire Stáit le linn Céim an Choiste sa Dáil go mbeadh tagairt don tairiscint ghníomhach sna caighdeáin teanga atá geallta ach táimid fós ag fanacht ar dhréacht de na caighdeáin sin. Cá bhfuil siad? Má tá an tAire Stáit ag geallúint go mbeidh tairiscint ghníomhach lárnach sa phróiseas seo go léir, cén fáth an bhfuil sé ag diúltú tairiscint ghníomhach a chur isteach sa bhunreachtaíocht?

Deputy Jack Chambers: Tá tábhacht ar leith ag baint leis an tairiscint ghníomhach, go

háirithe chun daoine a spreagadh le seirbhísí Gaeilge a éileamh agus a úsáid. Tuigim go bhfuil an tairiscint ghníomhach mar chuid lárnach den chur chuige ó thaobh cúrsaí teanga de sa Bhreatain Bheag. Ba mhaith liom cinntiú go ndéanfaimid amhlaidh anseo in Éirinn agus dá bhrí sin táim ag súil go mbeidh an tairiscint ghníomhach luaite go sonrach sna caighdeáin teanga atá á réiteach agus atá le teacht in áit córas na scéimeanna teanga. Tá oifigigh mo Roinne i mbun oibre ar na dréachtchaighdeáin i láthair na huaire agus táim dóchasach go mbeidh siad ar fáil go luath. Ar an mbonn sin, ní féidir liom glacadh leis an leasú seo.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

ALT 4

Leasú an Rialtais Uimh. 9:

I leathanach 9, líne 32 a scriosadh agus an méid seo a leanas a chur ina hionad:

“(a) i bhfo-alt (1)—

(i) trí “nó fógrán” a scriosadh gach áit a bhfuil sé, agus

(ii) trí “stáiseanóireachta nó comharthaí” a chur in ionad “stáiseanóireachta, comharthaí”,

(b) tríd an bhfo-alt seo a leanas a chur in ionad fho-alt (2):”.

Deputy Jack Chambers: Leis an leasú teicniúil seo, bainfear an focal “fógrán” ó alt 9(1) den phríomh-Acht. Tá an leasú de dhíth mar go dtagann an fhoclaíocht mar atá sí faoi láthair salach ar an bhfoclaíocht nua atá beartaithe don Bhille in ailt 9(2) agus 9(3) maidir leis an bhfógraíocht. Molaim an leasú seo don Teach.

Senator Niall Ó Donnghaile: De réir mar a thuigim, faigheann an leasú seo réidh leis an deis atá againn rialacháin a dhéanamh maidir le hábhar agus leagan amach fógráin, cé go bhfuil forálacha molta sa Bhille anois, toisc gur éist an tAire Stáit le hargóintí Shinn Féin sa Dáil, maidir le hábhair mhargaíochta, rud a chuimseoidh fógráin a bheith clúdaithe faoin Acht ionas go mbeidh dátheangachas i gceist. Níl aon rud sa Bhille faoi leagan amach na cumarsáide sin. D’fhéadfadh sé go mbeadh an Béarla chun tosaigh i gcló mór agus píosa beag bídeach Gaeilge ar chúl ag an mbun i gcló beag iodálach. Is é sin an fáth go bhfuil leasú Uimh. 10 molta aige ag Sinn Féin, chun a chinntiú go mbeidh an Ghaeilge chun cinn. Tá tacaíocht traspháirtí ag an leasú seo, atá bunaithe ar mholadh Chonradh na Gaeilge. An mbeidh an tAire Stáit in ann tacaíocht a thabhairt do leasú Uimh. 10? Gan an tacaíocht sin, bheadh sé an-doiligh tacaíocht a thabhairt don leasú seo, leasú Uimh. 9.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis glacadh leis.

Senator Seán Kyne: Tairgim leasú Uimh. 10:

I leathanach 11, líne 6, an méid seo a leanas a chur isteach i ndiaidh “a bheidh an chumarsáid.”:

“I gcás gur i nGaeilge agus i mBéarla a bheidh an chumarsáid, cinnteoidh an comhlacht poiblí:

(a) go mbeidh an téacs i nGaeilge ann ar dtús,

(b) go mbeidh an téacs i nGaeilge chomh feiceálach, chomh sofheicthe agus chomh hinléite céanna leis an téacs i mBéarla agus sa chlófhoireann chéanna agus den chló céanna agus den stíl chéanna,

(c) nach mbeidh na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla,

(d) maidir leis an téacs i nGaeilge, cuirfidh sé in iúl an fhaisnéis chéanna leis an bh-faisnéis a chuireann an téacs i mBéarla in iúl,

(e) nach ndéanfar focal sa téacs i nGaeilge a ghiorrú mura rud é go bhfuil an focal sa téacs i mBéarla, ar aistriúchán air é, giorraithe freisin.”.

Tá an leasú seo ag teacht ó Chonradh na Gaeilge. Tá sé mar atá scríofa ansin. Déanann sé an-chiall, maidir le cúrsaí cumarsáide, go mbeidh aon chumarsáid dhátheangach a dhéanfaidh comhlacht poiblí leis an bpobal cothrom ó thaobh leagan amach agus ó thaobh mhéid an téacs Gaeilge agus Béarla de. Déanann sé an-chiall mar atá scríofa agus tá súil agam go mbeidh an tAire Stáit glacadh leis an leasú seo.

Deputy Jack Chambers: Gabhaim buíochas leis an Seanadóir as ucht an leasaithe seo a leagan síos. Mar is eol don Seanadóir, de réir leasú a mhol mé ar Chéim Thuarascála na Dála ar alt 9(2), leathnaíodh oibleagáid ar chomhlachtaí poiblí i gcás ina ndéanfaí daoine cumarsáid leo i scríbhinn nó le ríomhphost i dteanga oifigiúil freagra a thabhairt sa teanga chéanna chuig cásanna ina ndéanann daoine cumarsáid le comhlacht poiblí trí na meáin shóisialta. Faoi Alt 9(3) den Acht, cinnteoidh comhlacht poiblí i gcás ina ndéanann sé cumarsáid i scríbhinn nó le ríomhphost leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne ar mhaithe le faisnéis a thabhairt don phobal nó don aicme go bhfuil an chumarsáid sin i nGaeilge, nó i nGaeilge agus i mBéarla. Leathnófar an oibleagáid sin chuig cásanna ina bhfuil ábhar margaíochta á eisiúint ag comhlacht poiblí chuig an bpobal chun comhlacht poiblí nó a chuid seirbhísí a chur chun cinn.

Is fiú a lua freisin go bhfuil oifigigh mo Roinne ag obair ar an dréachtchaighdeán i láthair na huaire agus bheinn den tuairim gur chóir na moltaí sonraithe atá sa leasú seo a bheith luaite sa chaighdeán. Ar an lámh eile, sílim go bhfuil fiúntas leis an moladh seo agus go bhfuil sé i gcomhréir le huaillmhian bheartas foriomlán an Stáit maidir le tacú leis an nGaeilge agus maidir leis an nGaeilge a chur chun cinn. Sa chúinse sin, tá mé sásta an moladh atá déanta a athbhreithniú agus teacht ar ais le moladh ar Chéim na Tuarascála. Sa chúinse sin, b’fhéidir go mbeidh na Seanadóirí sásta an leasú seo a tharraingt siar.

Senator Niall Ó Donnghaile: Tá a lán tábhachta ag baint leis an leasú seo. Le bheith ionraic, bhí sé ar intinn agam é a bhrú chun vóta mar gheall ar an méid sin tábhacht a bhaineann leis. Tá súil agam, mar atá geallta ag an Aire Stáit inniu, go dtiocfaidh sé ar ais le leasuithe ar an gcéad Chéim eile a bheidh sáite i gcuspóirí agus aidhmeanna an leasaithe seo agus na cuspoirí atá againn ar bhonn traspháirtithe, mar atá aitheanta ag an Seanadóir Kyne. Táimid go léir ag iarraidh iad a bhaint amach. Ní domsa amháin atá sé an leasú seo a tharraingt siar inniu mar gheall go n-aithním fosta gur tháinig sé ó Chonradh na Gaeilge agus gur rud iontach tábhachtach é dóibh siúd. Déarfainn go bhfágfainn an cinneadh sin faoin Seanadóir Kyne.

Senator Seán Kyne: Tá mé sásta an leasú a tharraingt siar agus é ráite ag an Aire Stáit go mbeidh sé ag teacht ar ais ar an gcéad Chéim eile lena leasú féin.

Tarraingíodh siar an leasú faoi chead.

Aontaíodh alt 4 mar a leasaíodh.

ALT 5

Senator Seán Kyne: Tairgim leasú Uimh. 11:

I leathanach 11, líne 14, “féadfaidh an tAire, tar éis dul i gcomhairle le cibé Aire (más ann) den Rialtas is cuí leis an Aire, ag féachaint d’fheidhmeanna an chomhlachta phoiblí, an comhlacht a fhorordú chun críocha an ailt seo.” a scriosadh agus an méid seo a leanas a chur ina ionad: “déanfaidh an tAire, tar éis dul i gcomhairle le cibé Aire (más ann) den Rialtas is cuí leis an Aire, ag féachaint d’fheidhmeanna an chomhlachta phoiblí, gach comhlacht a fhorordú chun críocha an ailt seo faoin 31 Nollaig 2024.”.

Tá an leasú seo ag teacht ó Chonradh na Gaeilge agus bunaithe ar an obair atá déanta acu agus a dhéanann siad i gcónaí maidir leis an nGaeilge ach go mórmhór leis an mBille seo. Tá siad ag moladh go sonrófar spriocdháta ionas go mbeidh uasdátú ar an gcóras faisnéise agus eile déanta chun a chinntiú gur féidir glacadh leis na hainmneacha agus seoltaí i nGaeilge le síntí fada san áireamh. Tá sé mar atá scríofa ansin. Sílim go ndéanfaidh sé ciall arís. Fanfaidh mé le smaointe an Aire Stáit maidir leis an leasú seo.

Senator Niall Ó Donnghaile: Cinnteoidh an leasú seo go ndéanfaidh comhlachtaí poiblí a gcóras IT a uasdátú chun an síneadh fada a éascú agus an ceart úsáid ainmneacha agus seoltaí i nGaeilge a chinntiú. San alt seo faoi láthair, níl aon dualgas ar an Aire faic a dhéanamh. Féadfaidh Aire comhlachtaí a fhorordú ach féadfaidh Aire gan aon chomhlacht a fhorordú agus níl aon spriocdháta faoinar gá na comhlachtaí poiblí go léir a fhorordú.

Faoin leasú seo, baintear an tsolúbthacht sin den alt trí “déanfaidh” a chur in ionad “féadfaidh” agus spriocdháta daingean, an 31 Nollaig 2024, a chur isteach san alt. Sa chaoi sin, beidh dualgas ar an Aire gach comhlacht a fhorordú faoi dheireadh 2024 agus beidh dualgas ar gach comhlacht ainmneacha Gaeilge le síntí fada iontu a úsáid i gceart as sin ar aghaidh.

Ba chóir go dtuigfeadh an tAire Stáit, mura bhfuil forálacha daingean sa Bhille, go bhfuil gach seans ann go leanfaidh an státhóras ag diúltú do chearta bunúsacha an duine dá ainm. Is é sin an chomhairle atá faighte againn ón Choimisinéir Teanga, ó Chonradh na Gaeilge agus ó gach dream eile a labhair leis an gcoiste Gaeilge nó a chur aighneacht isteach ar an mBille seo.

Má tá an tAire Stáit dáiríre faoin ainm agus seoladh Gaelach a chosaint, glacfaidh sé leis an moladh atá déanta ag na Seanadóirí Lorraine Clifford-Lee agus Seán Kyne, agus agam féin, agus cuirfidh sé an leasú seo i bhfeidhm. Má tá mo chomhghleacaithe sa Seanad dáiríre faoi thacaíocht a thabhairt do Chonradh na Gaeilge, seasfaidh siad an fód faoin leasú seo freisin. Tá súil agam go mbeidh an tAire Stáit in ann glacadh le leasú Uimh. 11.

Deputy Jack Chambers: Is mian liom buíochas a ghabháil leis na Seanadóirí as ucht leasú Uimh. 11. Baineann an fhoráil seo le cearta an duine an leagan Gaeilge dá ainm nó dá hainm a úsáid chun seoladh nó teideal Gaeilge a úsáid. San alt seo sa Bhille, leasaítear alt 9 den phríomh-Acht agus tugtar isteach le halt 9A dualgas ar chomhlachtaí poiblí forordaithe a éascú go príomha trí choigeartú a dhéanamh ar an gcóras teicneolaíochta faisnéise chun go ndéanfar ainm, lena n-áirítear foirm athartha nó foirm mháthartha an ainm, seoladh nó teideal i nGaeilge a úsáid. Tá tábhacht chultúrtha ag baint leis an bhforáil seo i limistéir Ghaeltachta ina gnách

an fhoirm athartha nó an fhoirm mháthartha d’ainm pearsanta aonair a úsáid i nGaeilge. Mar a dúirt an Seanadóir Ó Donnghaile, tá sé an-tábhachtach na hainmneacha seo a chosaint.

Tá sé i bhfad níos éifeachtaí an t-ábhar seo a láimhseáil trí na caighdeáin atá á ndréachtú ag oifig mo Roinne. Faoin phlean náisiúnta, déanfar próiseas comhairliúcháin chun a chinntiú go mbeidh ionchur ag príomhpháirtithe leasmhara sna spriocdhátaí a leagfar síos. Dar ndóigh, leagfar síos spriocdhátaí éagsúla sa chaighdeán le haghaidh grúpaí éagsúla ag brath ar an leibhéal idirghníomhaíochta leis an bpobal, agus le himeacht ama feictear an-dul chun cinn sa státchóras. Creidim go láidir go mbeidh dul chun cinn suntasach déanta againn leis na spriocdhátaí roimh dheireadh na bliana agus ní theastaíonn uaim an spriocdháta sin a bheith sonraithe san Acht. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

An Leas-Chathaoirleach: Conas mar a sheasann an leasú?

Senator Seán Kyne: Tá mé sásta é a tharraingt siar.

Senator Niall Ó Donnghaile: Dúirt an tAire Stáit go raibh sé ag dul chun glacadh leis.

An Leas-Chathaoirleach: An aontaítear go dtarraingeofar siar an leasú?

Senator Niall Ó Donnghaile: Ba mhaith liom soiléiriú a fháil. Mar a dúradh mar gheall ar an leasú deireanach, an bhfuil an tAire Stáit ag tabhairt coimítmint arís go dtiocfaidh sé ar ais ar an chéad Chéim eile chun déileáil leis an gceist seo? Tuigim a dúirt an tAire Stáit faoin dáta ach tá na bunprionsabail atá sa leasú seo tarraingthe ar réiteach. Bheadh sé iontach tábhachtach dúinn a thairg an leasú seo, ach níos tábhachtaí fós dóibh siúd atá ag breathnú ón taobh amuigh agus nach bhfuil an ceart acu a n-ainmneacha fíor a úsáid sna cásanna seo, dá dtiocfadh leis an Aire Stáit a shoiléiriú an mbeidh sé ag teacht ar ais le leasú eile ar an chéad Chéim eile.

Deputy Jack Chambers: Mar a dúirt mé, déanfar sin sna caighdeáin a bheidh foilsithe leis an bplean náisiúnta. Tá sé i bhfad níos éifeachtaí an t-ábhar seo a láimhseáil tríd na caighdeáin nua a fhoilseofar agus beimid ag déanamh an próiseas seo tríd na caighdeáin nua a fhoilseofar.

An Leas-Chathaoirleach: Cá seasann an leasú?

Senator Seán Kyne: Tá mé sásta é a tharraingt siar.

An Leas-Chathaoirleach: An bhfuil sé sin aontaithe?

Senator Niall Ó Donnghaile: Níl.

Cuireadh an cheist: “Go dtugtar cead leasú Uimh. 11 a tharraingt siar.”

Question put: “That leave be given to withdraw amendment No. 11.”

| The Committee divided: Tá, 25; Níl, 7. | |
|--|----------------------|
| Tá | Níl |
| Ahearn, Garret. | Boylan, Lynn. |
| Ardagh, Catherine. | Gavan, Paul. |
| Blaney, Niall. | Higgins, Alice-Mary. |
| Burke, Paddy. | Keogan, Sharon. |
| Buttimer, Jerry. | Ó Donnghaile, Niall. |

| | |
|----------------------|-------------------|
| Byrne, Maria. | Wall, Mark. |
| Carrigy, Micheál. | Warfield, Fintan. |
| Casey, Pat. | |
| Cassells, Shane. | |
| Chambers, Lisa. | |
| Conway, Martin. | |
| Crowe, Ollie. | |
| Cummins, John. | |
| Doherty, Regina. | |
| Dolan, Aisling. | |
| Fitzpatrick, Mary. | |
| Gallagher, Robbie. | |
| Horkan, Gerry. | |
| Kyne, Seán. | |
| Lombard, Tim. | |
| Martin, Vincent P. | |
| McGreehan, Erin. | |
| O'Reilly, Pauline. | |
| Seery Kearney, Mary. | |
| Ward, Barry. | |

Tellers: Tá, Senators Robbie Gallagher and Seán Kyne; Níl, Senators Lynn Boylan and Niall Ó Donnghaile.

Question declared carried.

Faisnéiseadh go rabhthas tar éis glacadh leis an gceist.

Senator Lorraine Clifford-Lee has advised the Cathaoirleach that she has entered into a voting pairing arrangement with Senator Eileen Flynn for the duration of Senator Flynn's maternity leave and accordingly has not voted in this division.

6 o'clock

Senator Lynn Boylan: Tairgim leasú Uimh. 12:

I leathanach 11, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“(1A) Aithnítear leis an Acht seo nach gá go mbainfeadh leagan ainm i dteanga oifigiúil amháin le leagan ainm sa teanga oifigiúil eile, agus go bhfuil sé de cheart ag gach duine a ainm féin nó a hainm féin, déanta d’aon litreacha nó síntí fada atá in aibítear an dá theanga oifigiúla, a úsáid agus a bheith aitheanta in aon ghnó atá ar bun aige nó aici sa Stát.”.

Gabh mo leithscéal, my Irish is not as good as my colleagues'. The reason we have this amendment is mar nach bhfuil aon cheart níos tábhachtaí ná ceart an duine a ainm nó a hainm féin a bheith acu. Táim bródúil as an obair atá déanta ag Sinn Féin chun an ceart sin a láidirú sa Bhille seo. Ní raibh aon tagairt nó cosaint don síneadh fada sa Bhille nuair a thosaigh plé sa Dáil ach d'éirigh leis an Teachta Ó Snodaigh athrú poirt a fháil ón Aire Stáit sa deireadh. Tá fadhbanna fós san fhoclaíocht áfach agus tá an próiseas fós róchasta. Sin an fáth go bhfuilim ag moladh an leasú seo. It is clear as day that it is the right of every person to use his or her own name and to have that name recognised in any business he or she is conducting in the State. With this amendment, the right would not be restricted only to public bodies, as is the case in the Bill now. Private businesses such as Aer Lingus or Bank of Ireland must also recognise Gaelic names.

Aithníonn an leasú seo freisin nach ionann leagan ainm i nGaeilge agus an leagan i mBéarla. Ar nós a lán daoine in Éirinn, bainim úsáid as leagan Béarla agus leagan Gaeilge de m'ainm - Lynn Boylan sa Bhéarla agus Lynn Ní Bhaoighealláin sa Ghaeilge. I got a shock when I looked at this amendment in Irish mar feicfidh tú Lynn Ní Bhaíolláin scríofa air. Ní sin m'ainm. Like the song says, "that's not my name". Níl anseo ach sampla beag den litriú mícheart ach níl sé sásúil go dtarlódh sé sin san Oireachtas.

Tá fadhb i bhfad níos measa ann le hainmneacha Béarla. Leis na blianta, tá ainmneacha na nGael aistrithe go Béarla gan aon bhunús seachas coilíneachas. Bhí ar Éireannaigh anseo, i Sasana nó i Meiriceá "Ó" a athrú go "O", leis an apostrophe. Ní chóir go mbeadh sé sin fós ar siúl i Stát neamhspleách, ach tá. We heard recently about Ciarán Ó Féinneadha, who went looking for his birth certificate and was told that Ciarán Ó Féinneadha did not exist. Fuair sé amach go raibh a shonraí athraithe go Ciaran Feeney, ainm nár úsáid sé riamh. Tá sé sin náireach agus léiríonn sé an gá atá leis an leasú seo. Ní saoirse go saoirse ár n-ainmneacha. I hope the Minister will accept this amendment and respect the right of somebody to have their name recognised as they use it in any business they conduct in the State.

Deputy Jack Chambers: Is mian liom buíochas a ghabháil leis na Seanadóirí as ucht an leasú seo. Mar a luaigh mé nuair a phléigh muid leasú Uimh. 11, baineann foráil 9(1) le ceart an duine leagan Gaeilge dá ainm nó dá hainm a úsáid, chomh maith le seoladh nó teideal Gaeilge. Ceanglófar ar chomhlachtaí poiblí éascú do dhaoine a n-ainmneacha agus a seoltaí a úsáid i nGaeilge agus iad ag dul i dteagmháil le comhlachtaí poiblí, agus ceanglófar ar gach comhlacht poiblí nua ainmneacha agus lógónna Gaeilge nó dátheangach a bheith acu.

Díríonn leasú Uimh. 12 ar ní nach bhfuil ag luí isteach le sprioc an Bhille, sé sin, nach gá go mbainfidh leagan ainm i dteanga oifigiúil amháin le leagan ainm sa teanga oifigiúil eile. Creidim go mbeadh muid ag dul lasmuigh de scóip an Bhille dá nglacfainn leis an leasú seo. Táim sásta go bhfuil na forálacha atá molta ag an Rialtas i leith ainmneacha agus seoltaí Gaeilge sásúil, agus ar an mbonn sin ní féidir liom glacadh leis an leasú seo.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

An Leas-Chathaoirleach: Tá leasú Uimh. 13 as ord ós rud é nach bhfuil baint aige le hábhar an Bhille, agus tá leasú Uimh. 14 as ord de bharr muirear ar an ioncam.

Níor tairgeadh leasuithe Uimh. 13 agus 14.

An Leas-Chathaoirleach: Tá baint ag leasuithe Uimh. 15 agus 16 le chéile agus pléifear le chéile iad.

Senator Seán Kyne: Tairgim leasú Uimh. 15:

I leathanach 15, líne 32, “nó i nGaeilge agus i mBéarla araon” a scriosadh.

Arís, seo leasú a tháinig ó Chonradh na Gaeilge. Chinnteodh sé go mbeadh na lógónna ag comhlachtaí poiblí nua as Gaeilge amháin, le spreagadh breise a thabhairt don teanga. Tá a fhios agam go bhfuil moltaí ann do chomhlachtaí atá againn faoi láthair go mbeadh na lógónna dátheangach ach táimid ag moladh anseo go mbeadh lógónna comhlachtaí poiblí nua as Gaeilge amháin. Ceann de na comhlachtaí poiblí a chuala muid faoi le deireanaí ná Uisce Éireann. Is mór an náire nach n-úsáideann sé an t-ainm sin amháin, seachas a bheith ag úsáid Irish Water. Tá tuiscint ag chuile dhuine ar Uisce Éireann. Tá sé simplí é a úsáid agus ní gá dhá ainm a úsáid.

Senator Niall Ó Donnghaile: Mar atá ráite ag an Seanadóir Kyne, baineann na leasuithe seo le lógónna a bheith i nGaeilge amháin, mar atá molta ag Conradh na Gaeilge, chun spreagadh eile a thabhairt don Ghaeilge. Feictear go minic fiú nuair atá lógónna dátheangach agus tá an dá theanga in úsáid ann go mbíonn an Béarla úsáidte de ghnáth. Baineann sé seo le cumarsáid an Rialtais freisin. Chonaiceamar an tseachtain seo gur fógraíodh go mbeidh Atlantic Technological University bunaithe an bhliain seo chugainn nó “Ollscoil Teicheolaíochta an Atlantaigh” mar a bhí scríofa in aice leis i bpreasráiteas an Rialtais. Ní hamháin go raibh botún litríochta sa Ghaeilge ar an bpreasráiteas sin ón Aire, an Teachta Harris, ach léirigh sé nach mbeidh an Ghaeilge sa teideal ná ar an lógó ach ina maisiú. Ba chóir go mbeadh teideal Gaeilge mar bhunteideal sa ghnáthúsáid. Is é seo an meon nach dtuigeann an Rialtas. Níl gá leagan le Béarla.

D’éirigh le Córas Iompar Éireann, CIÉ, gan aon leagan Béarla. D’éirigh le Bord na Móna gan aon leagan Béarla. D’éirigh leis An nGarda Síochána gan leagan Béarla, cé go mbíonn fotheidil Béarla in úsáid go minic aige anois gan chúis. Tuigeann gach duine cé hiad CIÉ, Bord na Móna agus na gardaí. Ní gá le Senate Ireland a thabhairt ar an Seanad seo ach is cosúil go mbeidh sé sin scríofa ar aon lógó againne seolta ag an Rialtas seo. Is leor “Seanad” agus táimid bródúil as a bheith inár Seanad. Ba chóir go mbeadh an meon seo ag an Stát arís agus muinín aige sa Ghaeilge agus ba chóir don Seanad é sin a chur in iúl don Rialtas tríd an leasú seo a ghlacadh.

An Leas-Chathaoirleach: Iarraim ar an Aire Stáit freagra a thabhairt ar an ngrúpa.

Deputy Jack Chambers: Pléifidh mé leasuithe Uimh. 15 agus 16 le chéile toisc go mbaineann siad leis an ábhar céanna. Déanann alt 9C cur síos ar dhualgas comhlachtaí poiblí maidir le lógónna nua, go príomha, go gcaithfidh an téacs atá le húsáid ag comhlachtaí poiblí na lógónna a bheith i nGaeilge nó i nGaeilge agus i mBéarla. Thóg mé leasú chun cinn ar Chéim Thuarascála na Dála ag deimhniú gur i nGaeilge a bheidh ainm aon chomhlacht reachtúil a bhunófar. Tá sé tábhachtach go mbeidh dátheangachas ann freisin maidir le comhlachtaí reachtúla nuabhunaithe. Ba mhaith liom a threisiú nach mbeidh aon chúlú ann ó thaobh na Gaeilge de ach go mbeidh an fheiceálacht chéanna an teanga agus atá ag an mBéarla. Dá bhrí sin, tá mé muiníneach go bhfuil an fhoclaíocht, mar atá sé, sásúil agus ní bheidh mé ag glacadh leis na leasuithe seo.

An Leas-Chathaoirleach: Ar mhaith leis an Seanadóir Kyne an leasú a bhrú?

Senator Seán Kyne: Tá mé sásta é a tharraingt siar.

An Leas-Chathaoirleach: An bhfuil sé sin aontaithe?

Senator Niall Ó Donnghaile: Ní aontaím.

An Leas-Chathaoirleach: Níl tú i bhfabhar é a tharraingt siar.

Senator Niall Ó Donnghaile: Níl mé i bhfabhar.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Senator Seán Kyne: Tairgim leasú Uimh. 16:

I leathanach 15, línte 33 go 43 a scriosadh.

An Leas-Chathaoirleach: Pléadh leasú Uimh. 16 in éineacht le leasú Uimh. 15.

Senator Seán Kyne: An bhfuaireamar na moltaí ón Aire Stáit faoi leasú Uimh. 16?

An Leas-Chathaoirleach: Pléadh é cheana.

Senator Seán Kyne: Tá mé sásta é a tharraingt siar.

An Leas-Chathaoirleach: An bhfuil sé sin aontaithe?

Senator Niall Ó Donnghaile: Tá mé sásta é a tharraingt siar.

Tarraingíodh siar an leasú faoi chead.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 17:

I leathanach 17, idir línte 15 agus 16, an méid seo a leanas a chur isteach:

“Dualgas comhlachtaí poiblí maidir le seirbhísí ar líne agus idirghníomhacha

9F. Déanfaidh an tAire, tar éis dul i gcomhairle leis an gCoiste Comhairleach, agus tráth nach déanaí ná bliain tar éis an fhoráil seo a achtú, tuarascáil a chur faoi bhráid Thithe an Oireachtais ina leagfar amach moltaí praiticiúla a fhéadfar a chur sna caighdeáin atá le forordú de réir alt 19A chun a chinntiú, maidir le gach faisnéis a chuirfear ar fáil ar shuíomh idirlín nó ar sheirbhís idirghníomhach de chuid comhlacht poiblí, gur i nGaeilge nó i nGaeilge agus i mBéarla araon go comhuaineach a chuirfear ar líne í tar éis spriocdháta a mholfaidh agus a shonróidh an tAire.”.

Is é an rud atá in easnamh den chuid is mó sa Bhille seo ná tagairt de shuíomhanna Idirlín agus seirbhísí idirghníomhacha, in ainneoin go bhfuil tábhacht as cuimse acu seo sa lá atá inniu ann, nach raibh acu nuair a achtaíodh an príomh-Acht in 2003. Le linn na paindéime ach go háirithe, agus daoine srianta ina dtithe féin gan fáil ar oifigí fisiciúla, bhí siad ag brath go hiomlán ar sheirbhísí Stáit ar líne. Is minic nach raibh eolas cruinn agus suas chun dáta curtha ar fáil i nGaeilge ag an Roinn Sláinte ná an HSE ar líne, cé gur ansin a bhí an t-eolas riachtanach maidir le srianta Covid-19, rud atá soiléirithe ag mo chomhghleacaí, an Seanadóir Clifford-Lee, go rímhinic.

Tá deis anseo againn rud a dhéanamh faoi sin trí thuarascáil a lorg laistigh de bhliain ó achtú an Bhille seo faoi conas a chinntiú go ndéanfar faisnéis a fhoilsiú go comhuaineach sa dá theanga oifigiúil ar líne, nó ar sheirbhísí idirghníomhacha ar nós na tairsí cláraithe vacsaíne nó na

meaisíní sin a fhaightear sa Revenue nó in oifigí eile Stáit ar a bhfuil sé molta gnó a dhéanamh in áit labhairt le freastalaí. Ba chóir go cuireadh áiseanna nua-aimseartha ann arbh fhéidir leagan Gaeilge a chur iontu, chomh maith le Béarla, leis na seirbhísí atá ar fáil le Gaeilgeoirí in áit go mbeadh duine brúite ó dhuine le Gaeilge go meaisín Béarla amháin. Baineann an rud céanna leis an Idirlíon - tá deis iontach ann chun seirbhísí Gaeilge a chur ar fáil lasmuigh den Ghaeltacht fiú agus ar bhonn uilíoch.

Deputy Jack Chambers: Baineann alt 19A leis an gcóras teanga. Tá sé i gceist é a thabhairt isteach in ionad chóras na scéimeanna teanga. Tá córas na scéimeanna teanga atá ann faoi láthair ag brath ar chomhlachtaí san earnáil phoiblí atá liostaithe i Sceideal 1 a ghabhann leis an bPríomh-Acht chun na bearta a leagan amach. Is beart é atá beartaithe acu a ghlacadh chun a chinntiú go soláthróidh siad seirbhísí don phobal trí Ghaeilge agus chun leibhéal na seirbhísí sin a mhéadú ar bhonn breisiúla in imeacht ama. Glactar leis go forleathan nár éirigh le córas na scéimeanna. Tá an córas sin cáinte ag an gCoimisinéir Teanga, a léirigh na heasnamh sa tuarascáil de chuid tráchtairachta ar chóras na scéimeanna teanga a foilsíodh in 2016.

Cuireadh córas na scéimeanna ar bun chun cur le líon agus caighdeán na seirbhísí trí Ghaeilge a bheadh á chur ar fáil ag comhlachtaí poiblí don phobal. Tá próiseas daingnithe na scéimeanna dúshlánach agus tá dul chun cinn déanta ó thaobh seirbhísí de ó cuireadh na scéimeanna ar bun, ach tá sé aitheanta go raibh agus go bhfuil go leor deacrachtaí sa chóras. Mar sin, tá sé i gceist córas na gcaighdeán a thabhairt isteach anois.

Faoin gcóras seo, bheadh rangú le déanamh ar chomhlachtaí poiblí ag baint úsáide as rialachán chun caighdeán a leagan síos leis na comhlachtaí sin. Ar an mbealach seo, beimid in ann a chinntiú go mbeadh na caighdeáin is airde ó thaobh úsáid na Gaeilge de bainteach leis na heagraíochtaí a bhíonn ag soláthar seirbhíse don phobal, pobal na Gaeilge agus na Gaeltachta san áireamh. Táthar ag iarraidh a chinntiú go n-eascróidh comhlachtaí poiblí úsáid ainmneacha agus seoltaí sa dá theanga oifigiúil. Táthar ag iarraidh a chinntiú freisin go mbeidh ainmneacha agus lógónna Gaeilge ag comhlacht Stáit nuabhunaithe as seo amach.

Tá sé tábhachtach go mbeidh an Stát ag léiriú meas ar ár dteanga agus is modh díreach agus simplí é seo le seo a dhéanamh. Beidh an tAire in ann rialacháin a fhorordú ionas go mbeidh na mionsonraí a bhaineann le doiciméid a eisítear agus faisnéis a chur ar fáil ar shuímh Idirlín clúdaithe sa chaighdeán a bheidh le foilsiú. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

An Leas-Chathaoirleach: Tá leasú Uimh. 18 as ord mar nach bhfuil baint aige le hábhar an Bhille.

Níor tairgeadh leasú Uimh. 18.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 19:

I leathanach 17, idir línte 15 agus 16, an méid seo a leanas a chur isteach:

“Dualgas gan mímhiseach a chur ar dhuine maidir leis an teanga náisiúnta

9F. Ní fhéadfaidh aon chomhlacht poiblí nó eintiteas atá maoinithe go páirteach nó go hiomlán ag comhlacht poiblí, lena n-áirítear daoine atá fostaithe ag comhlacht nó eintiteas den sórt sin, le linn dóibh a gcuid dualgas a chomhlíonadh ar son an chomhlachta

nó an eintitis, a mholadh do dhuine gan an teanga náisiúnta a fhoghlaím, ná a rá leis nó léi nach mbainfeadh sé nó sí tairbhe aisti, nó nach mbeadh sé ar a chumas nó ar a cumas inniúlacht a bhaint amach inti.”.

Leasú simplí atá anseo nach gcuireann aon chostas ar an Stát agus nach gcuireann dualgas ar aon chomhlacht poiblí aon rud a dhéanamh. Ní chuireann sé orthu ach gan rud a dhéanamh. Is é sin nár chóir d’aon chomhlacht nó eintiteas atá maoinithe ag an Stát a mholadh do dhuine gan Ghaeilge a fhoghlaím nó a chur in iúl do dhuine nach mbainfeadh siad tairbhe aisti nó nach mbeadh sé ar a chumas nó ar a cumas ag an duine sin inniúlacht sa Ghaeilge a bhaint amach. Tá prionsabal bunúsach ag baint leis seo; is é sin nach dtugann an Stát maoiniú d’aon eagrais chun daoine a dhíspreagadh ón teanga náisiúnta a fhoghlaím agus iad ag obair don Stát.

Cuimsíonn sé seo scoileanna. Níor chóir do scoileanna nó do mhúinteoirí a íoctar ag an Stát a ról a úsáid chun páistí a mholadh gan Ghaeilge a fhoghlaím nó misneach an pháiste sa teanga a scrios. Is iarracht é seo chun dul i ngleic le fás na díolúine atá feicthe againn leis na blianta. Ní chuireann sé seo aon bhac ar scoil díolúine a thabhairt do mhac léinn ar bith ach ní bheadh cead ag an scoil é sin a mholadh nó a thairiscint mar a dhéantar go minic faoi láthair. Bheadh ar an mac léinn nó an teaghlach é sin a lorg as a stuaim féin. Is léir ó thaighde Pádraig Ó Duibhir, a labhair le Comhchoiste na Gaeilge, na Gaeltachta agus Phobal Labhartha na Gaeilge cúpla mí ó shin, nach bhfuil bunús eolaíoch ag baint le díolúintí teanga. Feictear go bhfuil formhór na ndaltaí a fhaigheann díolúine ón nGaeilge fós ag déanamh staidéar ar an bhFraincis nó ar an nGearmáinis, rud a dhéanann mugadh magadh den chóras iomlán.

Ní ar mhaithe le cumas síceolaíochta an pháiste atá díolúintí á dhearbhu mar sin. I gcásanna ina bhfuil cumas nó míchumas an pháiste i gceist, ní ag múinteoir nó ag scoil atá an ról comhairle a thabhairt faoi sin ach ag síceolaithe saineolacha. Níl aon thaithí ag múinteoirí nó ag scoileanna ar mhíchumas a shonrú agus níl aon bhac ar mhac léinn nó ar theaghlach díolúine a lorg faoin leasú seo. Tá ráta na ndíolúintí imithe ó 2% sna 1990dí go dtí 10% ó shin, rud a léiríonn fadhb. In áit rogha leisciúil a ghlacadh agus páistí a choimeád amach ó ranganna Gaeilge toisc nach fhileann siad don rang, caithfear an rang a dhéanamh níos uallaí agus rochtain ní b’fhearr ar an dteanga náisiúnta a chinntiú. Ba chóir go ndéanfaidh ranganna Gaeilge freastal ar pháistí atá faoi mhíchumas nó a thagann as tíortha eile gan mórán taithí sa teanga agus is trua go bhfuil an Rialtas ag fáil réidh leis an mbunleibhéal san ardteistiméireacht de réir na sonraíochta T1 agus T2 molta ag an Roinn Oideachais. Caithfear stop a chur leis sin ar an bpointe.

Tá samplaí cloiste againn freisin de dhaoine ó mhionlaigh, ar nós páistí den lucht siúil agus díolúintí molta dóibh toisc aitheantas an pháiste, ar nós nach lán-chuid den náisiún iad. Caithfear stop a chur leis an chineál ciníochais sin i scoileanna agus in aon áit eile sa saol. Is le mionlaigh na tíre an Ghaeilge, mar aon le gach éinne eile sa tír agus ba chóir don reachtaíocht a chinntiú nach gcaithfear airgead an Stáit ar aon ní a chuireann i gcoinne na fairsingeachta sin.

Deputy Jack Chambers: Ní féidir liom glacadh leis an leasú seo mar go mbaineann sé le hábhar a thagann faoi scáth na Roinne Dlí agus Cirt. Titeann a leithéid de cheist faoin Acht um Chomhionannas Fostaíochta 1998 agus ní thagann sé faoi scóip an Bhille seo. Chomh maith leis sin, le himeacht ama táim ag súil le go mbeidh níos mó eagraíochtaí san earnáil phríobháideach faoi raon feidhme an Achta toisc go bhfuil seirbhís poiblí á sholáthar acu faoi chonradh. Bheadh sé rithabhachtach go mbeadh an tseirbhís sin ar fáil i nGaeilge. Beidh buntáiste faoi leith ag dul do na heagraíochtaí seo; beidh seirbhís dhátheangach nó ilteangach acu agus is ábhar dearfach sin a d’fhéadfadh siad a lua sna meáin shóisialta nó in ábhar margaíochta chun tuilleadh custaiméirí a mhealladh ina dtreo.

An Leas-Chathaoirleach: Ar mhaith leis an Seanadóir an leasú a bhrú?

Senator Niall Ó Donnghaile: Ba mhaith.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú do.

Senator Alice-Mary Higgins: Tairgim leasú Uimh. 20:

I leathanach 17, idir línte 15 agus 16, an méid seo a leanas a chur isteach:

“Caighdeán teanga sa tsainfháil phoiblí

9F. I gcás go ngabhfaidh comhlacht poiblí do phróiseas sainfhála poiblí lena bhféachfaidh an comhlacht poiblí le conradh a dhámhachtain as seirbhís phoiblí a shoiláthar, ní foláir don chomhlacht poiblí sin a chinntiú go ndéanfar breithniú cuí ar chumas an pháirtí faoi chonradh na caighdeán teanga do sheirbhísí pobal-inrochtana a leagtar amach in Alt 9E a chomhlíonadh, agus go dtabharfar ualú cuí don chéanna.”.

Ar an drochuair níl mo chuid Ghaeilge an-láidir. Mar sin, bheadh sé níos fearr má labhróinn i mBéarla. Given the high quality of Irish in the debate so far I have lost my nerve to try to speak in Irish but I will do so another time. My amendment is complementary to section 9E on public-facing services. I have had a lot of debate in these Houses previously on the public duty on equality and human rights and a lot of work has been done in that regard to establish that when a duty sits on a public body, it is important that this duty is carried through into the procurement process and into situations where the service might not be delivered directly but is being procured and delivered on behalf of a public body. For example, the public duty on equality and human rights has been established and my procurement Bill seeks to strengthen the reporting on this fact but it has been established by the Irish Human Rights and Equality Commission that the ultimate responsibility for a public duty being delivered sits on the public body that does the procurement. In that regard I am proposing in this amendment to make sure that if a public body is procuring a public-facing service or contracting another body to deliver a public-facing service of the kind set out in section 9E: “where a person provides a public facing service on behalf of the public body”, the body would address and provide the relevant language standards and that this will also be reflected in contracted services. With contracted services we need to ensure that in the request for design in the procurement process itself an: “appropriate consideration and weighting is given to the capacity of the contracted party to meet the language standards for public-facing services”.

There is an important principle here that echoes what we know to be generally understood about other duties that sit on public bodies and services. There is also a practical matter and I have a sad example of where this does not happen, namely in the contracting out of regional employment services. There was a pilot for a request for tender earlier this year for employment services from the Department of Social Protection which did not include any weighting for capacity to deliver services in Irish. These are public-facing services and in many cases they provide services to vulnerable persons who may have been in long-term unemployment or who may be seeking training or employment supports. Not reflecting that when deciding who might deliver these services is a real gap but I know that a new request for tender is in preparation.

I am not talking about the Committee on the Irish Language, Gaeltacht and the Irish-speaking Community but the following example points to the same issue. The Committee on Social Protection, Rural and Community Development and the Islands has requested that the new

requests for tender on employment services would not go out before December because it has a number of concerns with the process. I will not talk about all the other concerns, but one of them is that it looks as though the new request, the contract for delivering employment services to the public, which is very much public-facing and will be covering places such as Galway, where Senator Kyne and I are from, as well as Connemara and the islands, will not have a weighting given to employment services or contracting parties that can show they are able and have the capacity to deliver those public-facing services around employment in Irish too, if that is the preferred language of a member of the public. That is a practical example of how this directly impacts Gaeltacht areas, although the right to be able to access a public-facing service in one's national language is not confined to Gaeltacht areas. However, it makes the issue of why this needs to be a weighting and a consideration more acute. Can the Minister of State clarify his interpretation of section 9E? Does it incorporate procurement? If not, I hope he would be amenable to considering accepting my amendment to insert a new section 9F, which would clearly specify that the provisions under section 9E include the procurement process and specifically spell out that appropriate consideration or weighting would be given to the capacity of a contracting service when deciding on whom to award a contract for public services.

Acting Chairperson (Senator Eugene Murphy): Ar mhaith le haon Seanadóir eile focal a rá?

Senator Paul Gavan: Gabhaim mo leithscéal. I am afraid I have to speak in English. I want to speak in support of the point made by Senator Higgins. I am extremely concerned about the Government's rush to privatise our job services. I have been contacted by people in Galway, Limerick and throughout the west, in particular. The Senator makes a valid point. Why not take advantage of this Bill in a constructive way to give a weighting to the Irish language? It is the right thing to do. It is also a means of protecting those jobs that otherwise will be thrown to one side early in the new year. I know concerns have been expressed in the Fianna Fáil Party about this process of privatising our services, but the point Senator Higgins makes is valid and I cannot think of any constructive reason the Minister of State would not accept this amendment. I ask him to do just that.

Acting Chairperson (Senator Eugene Murphy): Senator Gavan is slightly outside the scope of the amendment, but I will leave that for the Minister of State to talk about. I take his point.

Senator Seán Kyne: If Senator Gavan was outside the scope of the amendment, I am afraid I will be outside it as well, because I wish to respond to his point and that might not be allowed.

Acting Chairperson (Senator Eugene Murphy): No.

Senator Seán Kyne: With regard to the privatisation of local employment services, to be quite clear, the advice the Minister has received from the current and previous Attorney Generals and the Chief State Solicitor's office was that under European law, these services had to go to tender. I appreciate there may be other advice, but that was the advice. There was no rush to privatisation. It was quite clear advice from the Attorney General and the Chief State Solicitor's office that we have to go to procurement for this.

Senator Niall Ó Donnghaile: Tá Sinn Féin sásta tacú go hiomlán leis an leasú seo. Rinne ár dTeachtaí Dála iarracht foráil mar seo a chur sa Bhille chun próiseas ceadúnaithe a bhain le cuideachtaí baine, fóntais agus cumarsáide a chlúdach faoin Acht, ionas go mbeadh custaimé-

irí in ann cumarsáid trí Ghaeilge a dhéanamh leis na comhlachtaí sin agus seirbhísí a fháil trí Ghaeilge, ach níor ceadaíodh ár gcuid leasuithe. Is ábhar inní é go bhfuil príobháidiú déanta agus fós á dhéanamh ar a lán bunseirbhísí poiblí agus go ndéanann sé sin dochar do na cearta teanga atá ag Gaeilgeoirí i leith na seirbhísí sin freisin. Níl aitheantas sa reachtaíocht don ról atá ag rialtóirí poiblí ó thaobh na cearta sin a chinntiú. Luaigh baill den phobal linn an fhadhb atá ann i gcás an chrannchuir náisiúnta, mar shampla, agus ní bhaineann sé le líon na liathróidí atá ann. In 2003, bhí an crannchur náisiúnta luaite i Sceideal 1 den Acht agus mar sin, bhí daoine in ann cumarsáid a dhéanamh-----

Acting Chairperson (Senator Eugene Murphy): Tá an solas imithe.

Senator Paul Gavan: It is a sign.

Senator Niall Ó Donnghaile: I have seen the light. Nuair a bhí an crannchur náisiúnta luaite i Sceideal 1 den Acht, bhí daoine in ann cumarsáid a dhéanamh trí Ghaeilge leis an gcrannchur. Ó shin, tugadh conradh do chuideachta phríobháideach chun an crannchur a rith agus cuireadh an rialtóir sa Sceideal ina háit, ach is éard a tharla i ndáiríre ná go bhfuair an Rialtas réidh le cúraimí teanga an chrannchuir. I gcomhthéacs na díospóireachta faoin gcrannchur a bheith níos deacra anois toisc an iomarca liathróidí a bheith in úsáid, is trua nár pléadh go bhfuil cearta Gaeilgeoirí, chomh maith leis an seans bua a fháil, imithe in éag. Ar a laghad sa leasú seo atá molta ag an Seanadóir Higgins, cinnteofar go bhfuil sainfháil phoiblí clúdaithe agus go mbeidh caighdeán teanga san áireamh nuair a thugtar conradh d'aon chomhlacht dá réir.

Senator Alice-Mary Higgins: I will not dwell on this amendment. I mentioned the local employment service as an example. To be absolutely factual, it is 100% the case that it does not have to go out to tender. There is very clear guidance within EU law, procurement law and the 2014 directive on that, but I will leave it aside. I want to make it clear that there is nothing in my amendment that is tied to that example. The amendment, very importantly, relates just to the principle. It is the same kind of principle that applies to the public duty on equality and human rights. When the Department of Transport was contracting out bus services and failed to account for disability access in those services, the negligence of duty was on the Department of Transport. We remember how that became a big issue because it was not reflecting its duties in that regard. I am trying to ensure that when public bodies and public-facing State services are contracting other parties to deliver public-facing services on their behalf, it is made very clear that there is a responsibility to ensure the rights of Irish speakers who want to be able to access such services in Irish are protected and reflected, much as the rights of persons with a disability were at stake in the other example,. It is very important there is a clear process to ensure that happens in any public-facing service for which the State is responsible, even one it has procured and is not directly providing.

Senator Rónán Mullen: Tacaím go huile is go hiomlán leis an méid atá á rá ag mo chomhghleacaithe anseo. Ní bheadh sé ciallmhar dá mbeadh dualgas ar an Stát leibhéal áirithe seirbhíse a sholáthar do lucht labhartha na Gaeilge ach go raibh saghas éalaithe agus cúlaithe i gceist toisc go raibh siad ag fáil na seirbhísí trí chonradh ó ghrúpa nó ó eagraíocht sheachtrach nach mbeadh an dualgas céanna orthu. Ní luíonn sé le ciall. Ba chóir go mbeadh an caighdeán céanna i gceist agus nach mbeadh bealach éalaithe ag aon eagraíocht Stáit ó chomhlíonadh a dhualgais trí sheirbhísí a fháil ó ghrúpaí lasmuigh nach mbeadh na dualgais chéanna orthu. Tá an leasú atá molta ag mo chomhghleacaí 100% loighciúil agus ba chóir go nglacfadh an tAire Stáit leis.

Deputy Jack Chambers: Gabhaim mo bhuíochas leis an Seanadóir as ucht an leasaithe seo a mholadh chuig an Teach. Tá seirbhísí pobal-inrochtana clúdaithe ag leasú a mhol mé agus a glacadh ar Chéim Thuarascála na Dála. Cinnteoidh an leasú sin gurb amhlaidh i gcás ina ndéanann comhlachtaí seirbhís a ngabhann teagmháil leis an bpobal léi a cheannach trí phróiseas soláthair phoiblí nó ar shlí eile, go mbeidh oibleagáidí áirithe teanga ar na soláthróirí seirbhísí a mhéid a bhaineann leis an tseirbhís is ábhartha don chonradh atá i gceist agus a mhéid sin amháin. Tá míniú ann freisin ar sheirbhís lena ngabhann teagmháil leis an bpobal. Is é sin a rá seirbhísí a sholáthraíonn tríú pháirtí don phobal i gcoitinne nó d’aicme den phobal i gcoitinne thar ceann chomhlacht poiblí. Cuirfidh sé seo go mór le feiceálacht na teanga in earnáil an ghnó, rud a bheidh tionchar aige ar úsáid na teanga i measc an phobail. Tá an fhoclaíocht sa Bhille mar atá sé sásúil mar sin, agus tá gach iarracht déanta ag an Rialtas a chinntiú go mbeidh an teanga á chosaint agus comhlacht poiblí ag dul i mbun phróiseas soláthair phoiblí. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo. Tá alt 9E(2) le feiceáil i mBéarla ach i nGaeilge, deir an t-alt, “ciallaíonn ‘seirbhís phobal-inrochtana’ seirbhís arna tairiscint nó arna soláthar ag duine seachas comhlacht poiblí, is cuma i gcomhair luach saothair nó nach ea, don phobal i gcoitinne nó d’aicme den phobal i gcoitinne thar ceann comhlacht poiblí.” Mar sin, tá sé soiléir go bhfuilimid in ann é a dhéanamh má bhíonn an tseirbhís pobal-inrochtana ar cheann an Stáit.

Senator Alice-Mary Higgins: I understand that the Minister is saying that it is already implied. Nonetheless, I will reserve the right to bring back an amendment on Report Stage. It is not just about the obligation being there but also the weighting. It is one thing to have the obligation there and it is another to have the mechanisms to ensure that it is given proper consideration, that it does not just pass on an assumed obligation within a contract but that proper weighting and consideration is given to the capacity of different contracting parties to deliver, and that it is thought through in terms of the quality of a service. The Minister of State will be aware that this is consistent with my engagement with other Departments in respect of quality procurement. One of the measures I have been pushing for in general in public procurement is that we give proper weighting to certain factors. We may have them in the technical qualifications for something but we need to actually give a weighting to quality of service. A quality of capacity to deliver as regards the Irish language is important.

I will withdraw the amendment at this point. It looks like the Minister of State may address the principle but the mechanism for the delivery of the principle may still merit refinement and I might bring something forward on Report Stage in respect of that.

Tarraingíodh siar an leasú faoi chead.

Aontaíodh alt 5.

ALT 6

Leasú an Rialtais Uimh. 21:

I leathanach 17, líne 17, “tríd an méid” a scriosadh agus “tríd an alt” a chur ina ionad.

Acting Chairperson (Senator Eugene Murphy): Tá baint ag leasuithe Uimh. 21, 28 agus 33 le chéile agus pléifear le chéile iad.

Deputy Jack Chambers: Pléifidh mé leasuithe Uimh. 21, 28 agus 33 le chéile toisc go mbaineann siad leis an ábhar céanna. Is leasuithe de chuid an Rialtais iad na leasuithe seo ar

fad.

Maidir le leasú Uimh. 21, is leasú riaracháin atá i gceist sa chás seo a d'eascair as Céim na Tuarascála sa Dáil. Táthar ag iarraidh an téacs a leasú ó “tríd an méid” go dtí “tríd an alt” ionas go mbeidh an téacs comhionann leis an téacs Béarla sa Bhille, a deir “of the following section”.

Is leasú riaracháin atá i leasú Uimh. 28, a d'eascair as Céim na Tuarascála sa Dáil. Táthar ag iarraidh an téacs a leasú agus an focal “ná” a chur isteach ionas go mbeidh an téacs comhionann leis an téacs Béarla, a deir “not later than 30 June”.

Maidir le leasú Uimh. 33, is leasú riaracháin atá i gceist a d'eascair as Céim na Tuarascála sa Dáil. Táthar ag iarraidh an téacs a leasú ó “Choiste Chomhairligh” go dtí “Choiste Logainmneacha”. In alt 31B(7) den phríomh-Acht, déantar tagairt don choiste chomhairligh seachas don choiste logainmneacha. Tá leasú de dhíth ionas go mbeidh an téacs comhionann leis an téacs Béarla. Molaim na leasuithe seo don Teach.

Aontaíodh an leasú.

Senator Seán Kyne: Tairgim leasú Uimh. 22:

I leathanach 17, líne 22, “d’aon fhógraíocht arna déanamh ag an gcomhlacht” a scriosadh agus “d’aon bhuiséad fógraíochta a úsáidfí an comhlacht” a chur ina ionad.

Seo arís smaoineamh ó Chonradh na Gaeilge. Tá an leasú seo ag iarraidh cinntiú go mbeidh 5% de bhuiséad fógartha comhlachta caite ar fhógraíocht ar na meáin Ghaeilge. Seachas 5% amháin a rá, déanann sé ciall an fhoclaíocht “d’aon bhuiséad fógraíochta” a úsáid, chun a bheith cinnte go mbeidh airgead mór i gceist chun an Ghaeilge a bhrú chun cinn ó thaobh fógraíochta.

Senator Niall Ó Donnghaile: Mar atá ráite ag an Seanadóir Kyne cheana féin, seo leasú simplí ó Chonradh na Gaeilge chun an fhoclaíocht sa Bhille a shoiléiriú. Is de bharr feachtasaíochta ó Chonradh na Gaeilge, lenar ghlac gach páirtí, go bhfuil an fhoráil sa Bhille faoi 5% d’fhógraíocht comhlachta phoiblí a chur sna meáin Ghaeilge. Is maith an rud é go bhfuil sé sin ann ach tá sé tugtha faoi deara ag Conradh na Gaeilge nach bhfuil sé seo soiléir. Cad is brí le 5% d’aon fhógraíocht? An sin 5% de líon na bhfógraí, 5% d’achar na bhfógraí foilsithe i gcló nó 5% den am fógraíochta ar an teilifís nó an raidió? Tá sé róchasta agus is léir nach bhfuil sainmhíniú fiú ag an Aire Stáit go dtí seo. Rud a bheadh níos deise agus a chinnteodh maoiniú do na meáin Ghaeilge, mar a bhí ann fadó ó chomhlachtaí poiblí trí mhargaíocht iontu, ná dá sonródh an reachtaíocht 5% “d’aon bhuiséad fógraíochta”.

Deputy Jack Chambers: Gabhaim buíochas leis na Seanadóirí as ucht an leasú seo a mholadh don Teach. Sílim go bhféadfadh fiúntas a bheith leis an leasú seo le cinntiú go mbeidh 5% de bhuiséad fógraíochta comhlachta á chaitheamh ar na meáin Ghaeilge. Tar éis comhairle dlí a fháil ina leith, táim ag súil le mo leasú féin a thabhairt ar aghaidh ar Chéim na Tuarascála. Ar an mbonn sin, b’fhéidir go mbeadh na Seanadóirí sásta an leasú seo a tharraingt siar.

Senator Rónán Mullen: Teastaíonn uaim tacú leis an moladh seo. Mar a dúirt mo chomhghleacaí, ní bheidh sé soiléir céard is brí leis an bhforáil seo, nó céard gur chóir go mba bhrí leis, muna ndéantar leasú den sórt seo. Cén chaoi ar féidir tomhais céard go díreach atá á dhéanamh muna bhfuil sé soiléir gur ceist airgid atá ann i ndáiríre? Tá sé tábhachtach go mbeadh 5% den chaiteachas ann don earnáil meáin chumarsáide Gaeilge agus sin an t-aon rud dáiríre gur fiú leis. Táim ag súil le leasú an Aire Stáit a fheiceáil ar an gcéad Chéim eile agus glacaim leis go

mbeidh gach duine sásta ina dhiaidh.

Senator Seán Kyne: Tá mé sásta go mbeidh an tAire Stáit ag teacht ar ais chugainn ar an gcéad Chéim eile agus tá mé sásta an leasú a tharraingt siar mar sin.

Tarraingíodh siar an leasú faoi chead.

Aontaíodh alt 6, mar a leasaíodh.

Aontaíodh alt 7.

ALT 8

Senator Seán Kyne: Tairgim leasú Uimh. 23:

I leathanach 19, idir línte 29 agus 30, an méid seo a leanas a chur isteach:

“(5) Beidh an tAire agus an tAire Caiteachais Phoiblí agus Athchóirithe freagrach do Thithe an Oireachtais as feidhmiú agus obair an Choiste Chomhairligh.”.

Is éard atá i gceist anseo ná go mbeadh ar an Aire Caiteachais Phoiblí agus Athchóirithe - níl mé ag caint faoin Aire atá ann faoi láthair nó ag ainmniú aon duine ach ag caint faoi ról an Aire - ceisteanna Dála a fhreagairt faoin gcoiste chomhairligh maidir le cúrsaí earcaíochta. An faitíos atá orm ná go mbeidh an tAire sásta aon cheist a fhágáil faoin gcoiste chomhairligh agus cúrsaí earcaíochta laistigh den choiste chomhairligh a fhágáil don Aire Gaeltachta. Tá sé tábhachtach go mbeadh ról láidir agus lárnach ag an Aire Caiteachais Phoiblí agus Athchóirithe san earcaíocht agus go mbeadh an coiste seo ag feidhmiú go héifeachtach. Bíonn chuile Aire an-ghnóthach, go mór mór na hAirí sinsearach cosúil leis an Aire Caiteachais Phoiblí agus Athchóirithe, maidir leis an mbuiséad agus chuile rud eile. An faitíos atá orm ná go mbeadh sé nó sí sásta rudaí maidir leis an gcoiste chomhairligh, agus an ról tábhachtach atá ag an gcóras earcaíochta mar atá leagtha amach sa Bhille seo a fhágáil don Aire Gaeltachta agus a rá gur rud é sin don Ghaeilge, ní dó nó di féin nó don Roinn Caiteachais Phoiblí agus Athchóirithe.

Cruthaíonn sé fadhbanna muna bhfuil an tAire Caiteachais Phoiblí agus Athchóirithe sásta an ról lárnach atá ag an nGaeilge agus ag an gcoiste comhairleach a phlé agus muna bhfuil tuiscint aige nó aici ar an tábhacht a bhaineann leis a bheith ag casadh leis na feidhmeannaigh sa Roinn faoin dul chun cinn atá á dhéanamh, faoin gcéatadán den 20% atá bainte amach agus faoi rudaí mar sin. Táimid ag iarraidh a chinntiú sa leasú seo go mbeadh an tAire ar an eolas agus go mbeadh suim aige nó aici ann toisc go mbeadh sé nó sí freagrach don Dáil as an gcoiste comhairleach seo.

Senator Niall Ó Donnghaile: Tacaíonn Sinn Féin go huile is go hiomlán leis an leasú seo ón Seanadóir Kyne. Tá dainséar ann nach mbeidh sa choiste comhairleach ach quango nó talking shop eile gan freagracht a bheith ar Aire nó Airí as an obair atá de dhíth ar an gcoiste a dhéanamh. Is maith an rud é freisin nach bhfuil an dualgas á fhágáil ag an Seanadóir Kyne go hiomlán ar an Roinn Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán ach go bhfuil aitheantas anseo go bhfuil an Roinn Caiteachais Phoiblí agus Athchóirithe freagrach freisin as feidhmiú an choiste comhairlí seo atá le plean a chur le chéile don státseirbhís iomlán. D’fhéadfadh an státseirbhís neamhaird a thabhairt ar phlean ón Aire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán ach tá ról díreach ag an Aire Caiteachais Phoiblí agus Athchóirithe i gceannas ar an státseirbhís. Caithfidh an dá Aire a bheith freagrach as athghéilleadh an Stáit nó ar a laghad as cur chun cinn na Gaeilge agus baint amach na spriocanna don

Ghaeilge sa státseirbhís. Mar sin, tá an leasú seo riachtanach chun a chinntiú go mbeadh fiúntas ag baint le hobair an choiste comhairlí.

Deputy Jack Chambers: Gabhaim buíochas leis an Seanadóir Kyne as leasú Uimh. 23 a mholadh ach ní bheidh mé ag glacadh leis. Beidh suíochán ag oifigigh de chuid na Roinne Caiteachais Phoiblí agus Athchóirithe ar an gcoiste comhairleach agus táim muiníneach go mbeidh siad in ann tuairisciú ar ais chuig an Aire maidir leis an obair sin. Chomh maith leis sin beidh an coiste ag tuairisciú chuig an Rialtas maidir leis an dul chun cinn a dhéantar faoi chuideachta ailt 18F(4) den Bhille mar a sheasann sé faoi láthair. Tá dualgas ar an Aire san alt sin cóip de thuarascáil reatha an choiste comhairlí agus cóip den tuarascáil faireacháin a leagan faoi bhráid Thithe an Oireachtais. Tá an Rialtas tiomanta chun an Bille seo a chur chun cinn. Gheall muid anuraidh go dtabharfadh muid Bille níos láidre chun cinn, rud atá á dhéanamh againn. Tá córas faireacháin den scoth beartaithe agam leis an méid atá sa Bhille cheana a bhaint amach. Ar an mbonn sin ní bheidh mé ag glacadh leis an leasú seo.

Senator Seán Kyne: Tá díomá orm leis an bhfreagra sin. Tá sé ráite go minic agamsa go bhfuil an próiseas earcaíochta ag croílár an Bhille seo agus go bhfuil an tAire Caiteachais Phoiblí agus Athchóirithe ag croílár na hoibre sin. Má táimid chun na spriocanna atá leagtha amach a bhaint amach, ar nós an céatadán de 20% a bheidh earcaithe a bheith líofa sa Ghaeilge agus a bheith in ann Gaeilge a úsáid sa tSeirbhís Phoiblí roimh 2030, caithfear ról lárnach a bheith ag an Aire Caiteachais Phoiblí agus Athchóirithe. Caithfidh sé nó sí a bheith in ann ceisteanna a fhreagairt faoin gcoiste comhairleach, faoi cén chaoi a bhfuil an céatadán ag oibriú, faoi cúrsaí a bheith ag dul sa treo ceart nó gan a bheith ag dul sa treo ceart agus rudaí eile mar sin.

Tá díomá orm faoi fhreagra an Aire Stáit ansin. An bhféadfadh sé breathnú ar fhoclaíocht maidir leis an Aire don chéad Chéim eile? Níl mé ag rá gur cheart go mbeadh an tAire os comhair na Dála chuile sheachtain nó chuile mhí chun cúrsaí mar seo a phlé, ach mar a dúirt mé tá faitíos orm nach mbeidh aon Aire Caiteachais Phoiblí agus Athchóirithe sa todhchaí ag freagairt ceisteanna faoin gcoiste comhairleach ach go mbeidh sé nó sí ag fágáil an choiste faoi Aire nó Aire Stáit eile. An bhféadfadh an tAire Stáit smaoineamh air seo sa tréimhse roimh an gcéad Chéim eile agus b'fhéidir teacht suas le foclaíocht chun é a láidriú?

Deputy Jack Chambers: Tá cur i bhfeidhm an phlean náisiúnta mar sprioc den straitéis atá ann don státseirbhís do 2030, rud a léiríonn tacaíocht an Aire Caiteachais Phoiblí agus Athchóirithe agus an Rialtais don togra seo. Is ag mo Roinn atá an saineolas maidir le cúrsaí teanga agus beimid ag obair as lámha a chéile chun na spriocanna sa Bhille a bhaint amach. Tá an Rialtas freagrach do Thithe an Oireachtais chun an plean seo a chur i bhfeidhm. Níl Aire amháin nó Aire eile freagrach as ach tá an Rialtas freagrach as an mBille, an struchtúr nua agus an plean náisiúnta a chur i bhfeidhm. Tá sé mar an gcéanna le haon phlean eile mar sin níl aon Aire amháin freagrach as an bpróiseas seo. Beidh an tAire Caiteachais Phoiblí agus Athchóirithe an-tábhachtach tríd an bpróiseas agus beidh sprioc earcaíochta ann nuair a bheidh an Bille seo achtaithe. Beimid ag obair le chéile chun na straitéise agus an phlean nua a chur i bhfeidhm.

Senator Seán Kyne: Tá a fhios agam go mbeidh an Rialtas freagrach as an gcoiste comhairleach as ucht an céatadán ach an rud a tharlaíonn go minic ná go bhfágann an Rialtas sprioc faoi Aire amháin, agus faoi láthair fághtar chuile rud faoin Aire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán. Sin an faitíos atá orm. Níl an tAire Stáit chun glacadh leis an leasú mar sin tá mé chun é a tharraingt siar. Níl mé sásta é a tharraingt siar ach tá mé chun an méid sin a dhéanamh. Impím arís ar an Aire Stáit smaoineamh air seo idir seo agus an chéad Chéim eile.

Tarraingíodh siar an leasú faoi chead.

Senator Seán Kyne: Tairgim leasú Uimh. 24:

I leathanach 21, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“(4) Aon chomhaltaí a cheapfar faoi alt 18B(3)(a), (b) agus (c), beidh siad ag grád Príomhoifigigh Cúnta, ar a laghad, laistigh de struchtúr gráid na státseirbhíse.”.

Táimid ag caint arís faoi thaithí. Mar a leagtar amach in alt 18B(3)(a), (b) agus (c), beidh comhaltaí ainmnithe ag an Aire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán, beidh comhaltaí eile ainmnithe mar ionadaí na Roinne Caiteachais Phoiblí agus Athchóirithe, agus beidh comhalta eile ainmnithe ag an tSeirbhís um Cheapacháin Phoiblí. Níl sé scríofa cén leibhéal sa státseirbhís a bheas na hionadaithe seo nó cén sórt taithí a bheas acu. An inní atá orm ná go mbeidh feidhmeannaigh nuacháilithe ainmnithe ag na Ranna éagsúla seachas daoine ag leibhéal sinsearach le taithí san ábhar a bheidh á phlé acu. Teastaítear go mbeidh leithéidí an Ard-Rúnaí sásta éisteacht leo agus na rudaí a thagann ar ais uathu a thógáil san áireamh. Ag cén leibhéal a bheidh na daoine a bheas ainmnithe tríd alt 18B(3)(a), (b) agus (c)? Dhéanfadh sé ciall go mbeadh siad ag leibhéal níos airde ná mar atá leagtha amach ansin.

Senator Niall Ó Donnghaile: Mar is eol don Aire Stáit, pléadh go mion sa Dáil cé ar chóir a bheith ar an gcoiste comhairleach seo, agus bhí Teachtaí as gach páirtí ag lorg go mbeadh níos mó daoine neamhspleácha ó lasmuigh den státseirbhís ann agus go mbeadh gnáthphróiseas na Seirbhíse um Cheapacháin Phoiblí in úsáid chun ionadaithe a roghnú. Dhiúltaigh an tAire Stáit do na moltaí sin, ach é sin ráite, tá dainséar ann dá nglacfar leis an leasú seo go mbeidh daoine sinsearach in áit daoine saineolaithe nó daoine le suim acu i gcur chun cinn na seirbhísí Gaeilge ceaptha ar an gcoiste. Ní gá go mbeadh príomhoifigigh cúnta amháin oiriúnach chun ionadaíocht a dhéanamh ar an gcoiste agus tá gach seans ann go mbeadh príomhoifigeach cúnta frith-Ghaelacha gan Gaeilge ann fiú nár chóir a chur ar an gcoiste toisc go gcuirfeadh sé nó sí i gcoinne dul chun cinn. I gcomhlachtaí poiblí féin ba chóir go mbeadh daoine sinsearach freagrach as cur i bhfeidhm na spriocanna teanga ach ba chóir don Seanadóir Kyne a mhíniú, munar mhiste leis, cén fáth ar chóir d’ionadaithe anseo a bheith sinsearach freisin in áit daoine cáilithe, in áit saineolaithe agus daoine atá báuil don Ghaeilge.

Deputy Jack Chambers: Táim buíoch don Seanadóir Kyne as ucht an leasaithe seo ach ní bheidh mé ag glacadh leis. Ní bheidh mé ag lua go sonrach sa reachtaíocht gur duine ag grád príomhoifigigh cúnta a bheidh ceaptha sa ról atá luaite ag an gcoiste comhairleach mar nach mbeadh sé cuí a leithéid a shonrú.

7 o’clock

Is féidir liom a dheimhniú don Seanadóir, áfach, go ngnóthóidh mé air sin agus comhaltas an choiste chomhairligh á chur le chéile. Beidh mé ag lorg ionadaíocht shinsearach ó na Ranna agus eagraíochtaí éagsúla.

Senator Seán Kyne: Gabhaim buíochas as sin. Ní raibh mé ag súil go nglacfadh an tAire Stáit leis an leasú. Táim sásta é a tharraingt siar. Bhí mé ag iarraidh a chur isteach sa reachtaíocht go mbeadh daoine ann le taithí ag leibhéal sinsearach go leor ionas go mbeadh an tAire Stáit agus feidhmeannaigh shinsearach sásta rudaí mar seo a phlé leo agus a bheith dáiríre faoi na rudaí a bheadh á rá acu. Is é sin a bhí mé ag smaoineamh air ach, mar a dúirt mé, táim sásta an leasú a tharraingt siar. Mar a luaigh mé, níl a fhios agam an mbeidh Gaeilge

ag chuile dhuine ar an gcoiste seo nó an bhfeidhmeoidh sé trí mheán na Gaeilge. Níl a fhios agam an bhfuil sé sin deimhnithe. Bíonn sé deacair uaireanta, mar atá a fhios againn. Is é sin an fáth go bhfuilimid anseo agus ag déileáil leis na rudaí seo. Bíonn sé deacair daoine le Gaeilge a fháil. Is ceann de na ceisteanna é sin. Mar a dúirt mé, táim sásta an leasú a tharraingt siar.

Tarraingíodh siar an leasú faoi chead.

Senator Seán Kyne: Tairgim leasú Uimh. 25:

I leathanach 25, líne 14, “gach 5 bliana tar éis an lae bunaithe” a scriosadh agus “bliain amháin tar éis an lae bunaithe agus gach 3 bliana ina dhiaidh sin” a chur ina ionad.

Tá eolas fíorthábhachtach i gceist anseo i gcomhthéacs na hoibre a bheidh an coiste comhairleach á déanamh. Sa leasú seo, molaim go mbeidh “gach 5 bliana tar éis an lae bunaithe” scríosta amach agus “bliain amháin tar éis an lae bunaithe agus gach 3 bliana ina dhiaidh sin” curtha ina áit. Ciallaíonn sé sin go mbeidh eolas againn ag tús an phróisís, trí bliana ina dhiaidh agus arís trí bliana ina dhiaidh sin. Déanann sé sin ciall mar, dá mbeadh an t-eolas sin againn, bheadh a fhios againn conas mar atáimid ag dul. Is ceann de na fadhbanna atá ann nuair atáimid ag déileáil leis an daonáireamh ná nach bhfuil daonáireamh ann ach gach cúig bliana, nó sé bliana sa chás seo. Ní bhíonn an t-eolas go léir againn faoi conas mar atá rudaí ag dul ó thaobh na teanga. Táimid ag iarraidh céatadán de 20% a bhaint amach faoi 2030. Mar sin, tá sé tábhachtach go mbeadh eolas againn ag tús an phróisís, trí bliana ina dhiaidh agus araile.

Senator Niall Ó Donnghaile: Tá cúpla focal gairid le rá agam sula dtagann an tAire Stáit isteach. Tacaíonn Sinn Féin leis an leasú seo. Déanann sé ciall monatóireacht níos leanúnaí a dhéanamh chun go mbeidh taighde úr ar fáil don choiste comhairleach agus do pholaiteoirí go rialta faoi dhul chun cinn na bpolasaithe seo chun pleananna a athrú dá bharr.

Deputy Jack Chambers: Táim buíoch don Seanadóir as ucht an leasú seo. Is leasú de chuid an Rialtais a bhí san alt seo. Sílim go bhfuil an fhoclaíocht atá ann sásúil mar atá. Bunófar coiste reachtúil, an coiste comhairleach um sheirbhísí Gaeilge. Leagtar amach téarmaí maidir lena chomhaltas, lena fheidhmeanna agus lena nósanna imeachta tuairisce. Fá-gann bunú an choiste chomhairligh go gcuirfear leis an gcaidreamh oibre a bhí ann cheana idir mo Roinn, an Roinn Caiteachais Phoiblí agus Athchóirithe agus an tSeirbhís um Cheapacháin Phoiblí. Áirítear leis freisin sprioc an Rialtais chun an líon cainteoirí Gaeilge a earcófar chuig comhlachtaí poiblí a mhéadú go 20%, a fhágfaidh go dtiocfaidh méadú ar an gcumas a bheidh ag comhlachtaí poiblí seirbhís a sholáthar i nGaeilge do chainteoirí Gaeilge agus pobail Ghaeltachta.

Mar is eol don Teach, tá sé i gceist coiste reachtúil, an coiste comhairleach um sheirbhísí Gaeilge, a bhunú chun tacú leis an obair seo. Leagtar amach feidhmeanna an choiste chomhairligh sa Bhille, lena n-áirítear plean náisiúnta a fhoilsiú ar mhaithe le soláthar seirbhísí poiblí trí mheán na Gaeilge a mhéadú. Anuas air sin, tá mo Roinn ag féachaint le cinntiú go mbeidh formhaoirsiú níos fearr ann tríd an gcoiste comhairleach um sheirbhísí Gaeilge a thabhairt isteach agus trí aonad tiomnaithe a bhunú laistigh den Roinn a chuirfidh i ngníomh na beartais ar a bhfuil an tAcht chun tosaigh. Beidh cur chuige níos dinimiciúla ann mar thoradh ar an mbeart seo maidir le líon na gcainteoirí Gaeilge agus na seirbhísí Gaeilge san earnáil phoiblí a mhéadú.

Rinne mé tagairt don phlean náisiúnta níos túisce. Faoin bplean sin, déanfar taighde chun bunlíne a bhunú. Beidh staidéir bhreise ann chun gur féidir linn monatóireacht a dhéanamh ar

an dul chun cinn le himeacht ama. Tá seans ann nach mbeidh dul chun cinn le feiceáil i dtréimhse ghearr ama áfach. Is togra fadtéarmach é seo agus beidh dul chun cinn le feiceáil sna staidéir a bheidh déanta síos an bhóthair. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

Senator Seán Kyne: Tá díomá orm nach bhfuil an tAire Stáit ag glacadh leis seo. Déanann sé ciall. Níl ann ach rud a chinnteodh go mbeadh níos mó eolais againn faoi conas mar atá rudaí ag dul agus go mbeadh monatóireacht níos fearr ar fáil. Tar éis cúig bliana, beidh leath an ama idir seo agus 2030 imithe. Is ceann de na fadhbanna é seo. Mar a dúirt mé, beidh sé cosúil leis an daonáireamh. Imeoidh cúig nó sé bliana agus ansin beidh orainn déileáil leis na rudaí a thiteann amach ó na figiúirí. Níl an tAire Stáit chun glacadh leis so táim sásta an leasú a tharraingt siar. Tá súil agam go bhféadfadh sé breathnú arís air agus, má dhéanann sé ciall, an fhoclaíocht seo nó foclaíocht cosúil leis seo a chur isteach ar an gcéad Chéim eile.

Tarraingíodh siar an leasú faoi chead.

Acting Chairperson (Senator Michael McDowell): Tá leasú Uimh. 26 as ord.

Níor tairgeadh leasú Uimh. 26.

Senator Seán Kyne: Tairgim leasú Uimh. 27:

I leathanach 27, línte 34 go 38 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“(b) an dáta a shonrú faoina ndéanfar na seirbhísí go léir arna soláthar ag comhlacht poiblí nó ag aicme comhlachtaí poiblí do Limistéar Pleanála Teanga Gaeltachta a sholáthar trí mheán na Gaeilge agus féadfar dátaí éagsúla a shonrú i leith Limistéir Pleanála Teanga Ghaeltachta éagsúla, ach ní bheidh an dáta níos déanaí ná an 31 Nollaig 2030.”.

Arís, is leasú é seo a bhfuilim sásta é a tháinig siar. Tháinig sé ó Chonradh na Gaeilge. Molann sé go sonrófar spriocdháta a mbeidh seirbhísí ó gach comhlacht poiblí curtha ar fáil do na limistéir phleanála teanga Gaeltachta as Gaeilge roimhe. Arís, déanann sé sin ciall. Bheadh an t-athrú sin ar leathanach 27.

Senator Niall Ó Donnghaile: Tuigim cinneadh an Chathaoirligh agus tá ardmheas agam air ach níl clú dá laghad agam cén dóigh a bhfuil leasú Uimh. 26 as ord. Ar aon nós, is scéal eile é sin. Maidir le leasú Uimh. 27, tá baol ann faoi láthair nach gcuirfear i bhfeidhm an dualgas ar chomhlachtaí poiblí freastal ar phobal na Gaeltachta ina dteanga féin go deo. Tuigtear go bhfuil gá le spriocdhátaí éagsúla le haghaidh comhlachtaí éagsúla ach ní cóir go mbeadh siad in ann éalú go deo na ndeor. Is é sin an fáth go bhfuil spriocdháta deiridh ag teastáil, mar atá molta ag Conradh na Gaeilge. Tá go leor ama againn roimh 2030. Más féidir córas i leith an 20% de nua-earcaithe a chur i bhfeidhm faoin am sin, mar atá beartaithe ag an Aire Stáit, ba chóir go bhféadfaí seirbhísí Gaeilge a sholáthar sa Ghaeltacht faoin am sin freisin.

Tá sé thar a bheith náireach nach mbeidh siad á soláthar fiú 100 bliain tar éis é a bheith molta ag Coimisiún na Gaeltachta in 1926 agus geallta ag an Stát seo go gcuirfí bunsheirbhísí ar fáil trí Ghaeilge sa Ghaeltacht. Thuig an Stát chomh fada siar sin go ndéanadh seirbhísí i mBéarla amháin daoine a iompú ar an mBéarla ach níor leasaíodh an fhadhb riamh. Tá An Garda Síochána ag briseadh an dlí toisc a laghad gardaí le Gaeilge atá aige sa Ghaeltacht. Ní fheileann teiripeoirí urlabhra gan Ghaeilge do pháistí gan Bhéarla. Tá sé cloiste againn go bhfuil seandaoine fágtha i dtithe altranais Gaeltachta gan comhluadar ina dteanga féin. Is iad seo

na bunrudaí. Ní mór don Rialtas iad a réiteach sula bhfuil an Ghaeltacht Béarlaithe go hiomlán. Is é seo an t-aon éileamh a bhí ag oifigigh phleanála teanga na hÉireann agus b'fhéidir gurb é seo an t-éileamh is tábhachtaí ar an mBille seo.

Senator Rónán Mullen: Tacaím leis an moladh seo. Tá sé ciallmhar. Tá dul chun cinn á dhéanamh leis an mBille seo chomh fada agus a bhaineann sé le gach rud, i ndáiríre, agus chomh fada agus a bhaineann sé leis na spriocanna maidir le hearcaíocht don tseirbhís phoiblí, leis an bplean náisiúnta le bheith á mholadh agus gach rud mar sin. Ní féidir dul chun cinn a dhéanamh, áfach, mura bhfuil spriocdhátaí soiléire ann. Ní féidir dul chun cinn a dhéanamh má tá gealltanais ann ach mura bhfuil spriocdháta soiléir i gceist leo.

Léiríonn sé cé chomh ciallmhar agus atá an moladh seo, is é sin nach mbeadh an dáta cuí níos déanaí ná an 31 Nollaig 2030. Má amharcaimid ar mhíreanna 18E(a) agus 18E(b) anseo sa Bhille atá á leasú, níl leasú molta le 18E(a) toisc go mbaineann sé leis an nGaeilge a bheith mar theanga oibre sna hoifigí. Is é an fáth nach bhfuil moladh anseo le go mbeadh spriocdháta áirithe aige sin ná go bhféadfadh go dtiocfadh sé sin salach ar chearta daoine atá ag obair sna hoifigí seo cheana féin. Is cinnte, má tá daoine ann nach bhfuil in ann a chinntiú gurb í an Ghaeilge an teanga oibre sna hoifigí, d'fhéadfadh sé go dtiocfadh sé salach orthu siúd dá mbeadh a leithéid de spriocdháta ann.

Ní mar sin atá sé i gcás fhomhír (b) an leasaithe, mar is éard a bhfuilimid ag caint faoi ansin ná go mbeadh dáta socraithe faoina mbeadh gach seirbhís atá á soláthar ag eagraíocht phoiblí nó aicme eagraíochtaí poiblí laistigh de limistéir phleanála teanga Ghaeltachta curtha ar fáil trí mheán na Gaeilge agus gur féidir spriocdhátaí difriúla a bheith ann maidir leis na limistéir éagsúla. Tá sé ciallmhar go mbeadh spriocdháta ansin mar nach dtagann sé agus nach bhféadfadh sé teacht salach ar aon cheart oibre ná aon oibrí atá ann cheana féin. Tá sé chomh lárnach sin. Is é seo croílár an Bhille, go pointe áirithe, go bhfuilimid ag caint ar sheirbhísí sa Ghaeltacht ag comhlachtaí agus eagraíochtaí poiblí a bheith curtha ar fáil trí mheán na Gaeilge. Tá sé chomh lárnach sin gur féidir leis an spriocdháta a bheith ann agus gur chóir go mbeadh sé ann. Tá an dualgas ar an Aire an dáta a aimsiú agus a fhógairt agus nach féidir leis a bheith níos déanaí ná an dáta sin i 2030. Tá sé ciallmhar ansin. Ní thagann sé salach ar aon cheart oibríthe sna comhlachtaí poiblí. Is é sin an fáth gur chóir glacadh leis an spriocdháta díreach sin.

Tá sé intuigthe go maith cén fáth nach bhfuil sé ann i gcás 18E(a), mar go bhféadfadh sé teacht salach ar chearta daoine atá ag obair sa tseirbhís phoiblí cheana féin, ach ní mar sin atá sé i gcás 18E(b). Mholfaínn, mar sin, go nglacfaí leis an leasú seo.

Deputy Jack Chambers: Tá an iarracht déanta sa Bhille dul i ngleic le dhá mhórchéist: na scéimeanna teanga agus an earcaíocht sa tseirbhís phoiblí. Cuireadh córas na scéimeanna ar bun chun cur le líon agus caighdeán na seirbhíse trí Ghaeilge a bheadh á gcur ar fáil ag comhlachtaí poiblí don phobal. Tá próiseas daingnithe na scéimeanna dúshlánach ach tá dul chun cinn déanta ó thaobh seirbhísí de ó cuireadh na scéimeanna ar bun. Mar sin féin, tá sé aitheanta againn go raibh agus go bhfuil go leor deacrachtaí leis an gcóras.

Chuir an Coimisinéir Teanga fáilte roimh fhoilsiú an Bhille teanga ach, dar leis, bhí leasuithe ag teastáil chun bonn níos láidre a chur faoin Acht. Tá an Coimisinéir ag iarraidh go mbeidh bonn reachtúil faoi sholáthar seirbhísí poiblí trí Ghaeilge sa Ghaeltacht agus go n-aithneofaí sa reachtaíocht cearta teanga phobal na Gaeltachta. Moltar leis an alt seo go mbeidh gach oifigeach poiblí atá lonnaithe sa Ghaeltacht ag feidhmiú trí Ghaeilge agus go mbeidh dáta sonraithe ina leith. Chomh maith leis sin, beidh dualgas ar na heagraíochtaí Stáit freastal ar an

éileamh ón phobal ar sheirbhísí trí Ghaeilge sa Ghaeltacht agus beidh dáta le leagan síos i leith an ghealltanais sin.

Déanfaidh an t-alt seo an difríocht do phobal na Gaeltachta chun seirbhís Stáit a fháil trí Ghaeilge. Bhí díospóireacht fhada againn ar Chéim an Choiste na Dála maidir le cúrsaí pleanála teanga agus limistéir Ghaeltachta. Déanfar taighde chun spriocdháta cuí a aimsiú chun seirbhís i nGaeilge a bheith ar fáil do limistéir phleanála Ghaeltachta agus foilseofar an dáta seo trí mhí tar éis fhoilsiú an phlean náisiúnta. Tá mé muiníneach go mbeidh an dáta roghnaithe i bhfad roimh an dáta a roghnaigh na Seanadóirí. Is mian liom an fhoclaíocht seo a choinneáil mar atá agus is ar an mbonn sin nach mbeidh mé ag glacadh leis an leasú seo. Is féidir liom a dheimhniú go mbeidh mé ag tabhairt leasaithe eile chun cinn ar Chéim na Tuarascála le cinntiú go mbeidh seirbhísí a dhéantar taobh amuigh den Ghaeltacht san áireamh sna seirbhísí a chuirtear ar fáil do phobal na Gaeltachta.

Senator Seán Kyne: Mar gheall air sin, tá mé sásta an leasú a tharraingt siar.

Tarraingíodh siar an leasú faoi chead.

Leasú an Rialtais Uimh. 28:

I leathanach 29, líne 2, “nach déanaí an” a scriosadh agus “nach déanaí ná an” a chur ina ionad.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis glacadh leis.

Aontaíodh alt 8 mar a leasaíodh

ALT 9

Acting Chairperson (Senator Michael McDowell): Tá baint ag leasuithe Uimh. 29 agus 30 le chéile agus pléifear le chéile iad.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 29:

I leathanach 29, línte 27 go 43, leathanaigh 31 agus 33, agus i leathanach 35, línte 1 go 8 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“Caighdeán a thabhairt isteach

19A. (1) Déanfar gach comhlacht poiblí a aicmiú i gceann amháin de thrí earnáil. Déanfar tríú páirtí, pearsa aonair nó comhlacht a sholáthraíonn seirbhísí thar ceann comhlacht poiblí a aicmiú san earnáil chéanna leis an gcomhlacht poiblí dá soláthraíonn sé na seirbhísí sin. I gcás go soláthraíonn tríú páirtí seirbhísí thar ceann níos mó ná comhlacht poiblí amháin, déanfar an tríú páirtí sin a aicmiú ar leithligh i leith na seirbhísí a sholáthraíonn sé do gach ceann de na comhlachtaí poiblí éagsúla.

(2) Is iad na trí earnáil Earnáil 1, Earnáil 2, agus Earnáil 3. Déanfaidh comhlachtaí poiblí agus tríú páirtithe a sholáthróidh aon seirbhísí thar ceann aon chomhlacht poiblí a aicmeofar in Earnáil 1 an caighdeán is airde a sholáthar ó thaobh seirbhísí poiblí a sholáthar in dhá theanga oifigiúla an Stáit. Déanfaidh comhlachtaí poiblí agus tríú páirtithe a sholáthróidh aon seirbhísí thar ceann aon chomhlacht poiblí a aicmeofar in Earnáil 2 caighdeán níos ísle a sholáthar ó thaobh seirbhísí poiblí a sholáthar in dhá theanga oifigiúla an Stáit. Déanfaidh comhlachtaí poiblí agus tríú páirtithe a sholáthróidh aon

seirbhísí thar ceann aon chomhlacht poiblí a aicmeofar in Earnáil 3 an caighdeán is ísle a sholáthar ó thaobh seirbhísí poiblí a sholáthar in dhá theanga oifigiúla an Stáit.

(3) Déanfaidh comhlacht poiblí a aicmeofar in Earnáil 1 na seirbhísí go léir a sholáthróidh sé a sholáthar in dhá theanga oifigiúla an Stáit. Déanfaidh sé na seirbhísí sin a sholáthar ar comhchéim ó thaobh caighdeáin, inrochtaineachta, cáilíochta agus tráthúlachta, is cuma cén teanga oifigiúil ina mbeidh sé ag soláthar seirbhíse. Maidir le tríú páirtithe a sholáthraíonn seirbhísí thar ceann an chomhlachta phoiblí, soláthróidh siad na seirbhísí sin de réir na gcaighdeán céanna.

(4) Déanfaidh comhlacht poiblí a aicmeofar in Earnáil 2 líon comhaontaithe seirbhísí a sholáthar in dhá theanga oifigiúla an Stáit. Déanfaidh sé na seirbhísí sin a sholáthar de réir caighdeán comhaontaithe, ó thaobh inrochtaineachta, cáilíochta agus tráthúlachta. Maidir le tríú páirtithe a sholáthraíonn seirbhísí thar ceann an chomhlachta phoiblí, soláthróidh siad na seirbhísí sin de réir na gcaighdeán céanna.

(5) Déanfaidh comhlacht poiblí a aicmeofar in Earnáil 3 líon comhaontaithe seirbhísí a sholáthar in dhá theanga oifigiúla an Stáit. Déanfaidh sé na seirbhísí sin a sholáthar de réir caighdeán comhaontaithe, ó thaobh inrochtaineachta, cáilíochta agus tráthúlachta. Maidir le tríú páirtithe a sholáthraíonn seirbhísí thar ceann an chomhlachta phoiblí, soláthróidh siad na seirbhísí sin de réir na gcaighdeán céanna.

(6) Socróidh an Coimisinéir Teanga na caighdeáin fhoriomlána i leith gach ceann de na trí earnáil. Sannfaidh sé nó sí gach comhlacht poiblí d'earnáil áirithe tar éis dul i gcomhairle leis an gcomhlacht poiblí. Maidir le hEarnáil 2 agus le hEarnáil 3, beidh an chumhacht ag an gCoimisinéir Teanga chun comhaontú le hathrú ar na caighdeáin a chuirfear i bhfeidhm maidir le comhlachtaí poiblí éagsúla laistigh de na teorainneacha foriomlána a shocrófar do gach ceann de na hearnálacha sin.

(7) Maidir leis na comhlachtaí poiblí agus na tríú páirtithe a sholáthraíonn aon seirbhísí thar ceann aon chomhlacht poiblí a aicmeofar in Earnáil 2 nó a aicmeofar in Earnáil 3, ní fhanfaidh aon cheann díobh san Earnáil sin ar feadh tréimhse is faide ná 5 bliana. Aistreofar gach comhlacht poiblí agus tríú páirtí a sholáthraíonn aon seirbhísí thar ceann aon chomhlacht poiblí tar éis 5 bliana chuig Earnáil níos airde ionas go n-aicmeofar in Earnáil 1 é laistigh de 10 mbliana.

(8) Déanfaidh an Coimisinéir Teanga faireachán ar fheidhmíocht gach comhlachta phoiblí agus tríú páirtí a sholáthraíonn aon seirbhísí thar ceann aon chomhlacht poiblí de réir na gcaighdeán don Earnáil ina mbeidh an comhlacht poiblí sin nó an tríú páirtí sin aicmithe.

(9) Beidh na cúraimí seo a leanas ar an gCoimisinéir Teanga:

(a) an caighdeán seirbhíse i ngach Earnáil a shocrú;

(b) athbhreithniú a dhéanamh go rialta ar fheidhmíocht gach comhlachta phoiblí i ngach earnáil, agus má mhainníonn comhlacht poiblí an caighdeán sin a chomhlíonadh, tuarascáil a leagan faoi bhráid Thithe an Oireachtais ina leith;

(c) tacaíocht agus spreagadh a thabhairt do chomhlachtaí poiblí a bheidh ag féachaint le stádas Earnáil 1 a bhaint amach laistigh de 10 mbliana ar a mhéad.

(10) Beidh feidhm ag na caighdeáin agus ag na forálacha seo amhail ón 1 Eanáir 2025 d’ainneoin aon achtachán eile.”.

Labhróidh mé ar leasú Uimh. 29 ar dtús báire agus ar leasú Uimh. 30 díreach ina dhiaidh, má bhíonn sé in ord. Maidir le leasú Uimh. 29, is é seo an múnla a bhí molta ag Comhchoiste na Gaeilge, na Gaeltachta agus na nOileán in 2018 do na caighdeáin teanga nua atá molta. Is mór an trua go bhfuil an Bille seo beagnach achtaithe againn anois agus fós níl aon fháil againn ar dhréachtchaighdeán atá ceaptha a bheith mar bhunús don chóras nua iomlán ag teacht in áit na scéimeanna teanga. Tá sé aisteach fiú gur caighdeáin teanga atá tugtha orthu nuair atá caighdeán oifigiúil foilsithe ag an Oireachtas cheana féin faoi bhunrialacha gramadaí na Gaeilge. Rinne mo chomhghleacaithe Shinn Féin sa Dáil é sin a chur ina luí ar an Aire Stáit ach rinneadh neamhaird orthu.

Ar a laghad, sa chóras seo atá molta againn, tá creatlach leagtha amach. Bheadh comhlachtaí poiblí briste síos i dtrí earnáil ag brath ar cé chomh riachtanach agus atá seirbhísí Gaeilge uathu don phobal. Bheadh dul chun cinn i gceist ó earnáil íseal go hearnáil ard. Is é an Coimisinéir Teanga a bheadh freagrach as dualgais ag na caighdeáin éagsúla a shocrú, agus tá sé bunaithe ar an gcóras sa Bhreatain Bheag. Mura bhfuil bunchreatlach mar seo leagtha amach sa reachtaíocht, tá contúirt ann go mbeidh na fadhbanna céanna atá againn leis na scéimeanna anois ann leis na caighdeáin, go mbeidh ar an Aire gach comhlacht a fhorordú go haonarach, agus go mbeidh próiseas fadálach i gceist. Fiú mura bhfuil an tAire Stáit sásta glacadh leis seo, an bhfuil an caighdeán le feiceáil againn go fóill?

Maidir le leasú Uimh. 30, d’fhéadfaimis a rogha a chur isteach sa Bhille agus na forálacha teanga is deise agus is uailmhianaí a riamh a chur isteach, ach gan fiacla taobh thiar de, ní fiú tráithníni iad. Toisc nach bhfuil aon phionós nó consequence ann nuair a sháraítear an reachtaíocht teanga, is minic gur chuma sa tsíoc le comhlachtaí poiblí má tá tuarascáil eile foilsithe ag an gCoimisinéir Teanga fúthu. Ní tharlaíonn aon rud faoi. Chuir coimisinéir teanga na Breataine Bige in iúl don chomhchoiste le déanaí go bhfuil tábhacht ag baint lena chuid cumhachtaí pionósacha in ainneoin nár úsáid sé riamh iad. Tá an bhagairt ann agus toisc sin, ní dhéanann comhlachtaí na dualgais teanga a shárú ar fhaitíos go n-úsáidfi iad. Tá foráil sa Bhille seo a thugann cead don Rialtas córas cúitimh a chur i bhfeidhm chun a chinntiú go n-íocfadh comhlachtaí cúiteamh le duine a sáraítear a chearta teanga ach níor baineadh úsáid as na forálacha sin riamh agus ní léir go bhfuil aon suim ag an Aire Stáit ann ach an oiread. Mar sin, táimid ag moladh go n-ullmhófaí tuarascáil laistigh de bhliain ó achtaíodh an fhoráil seo faoi na féidearthachtaí a bhainfeadh le córas fineálacha a chur i bhfeidhm. Molaim leasuithe Uimh. 29 agus 30.

Deputy Jack Chambers: Baineann leasuithe Uimh. 29 agus 30 le chéile toisc go bhfuil siad ar an ábhar céanna. Tar éis dom féachaint ar leasú Uimh. 29 sa chomhthéacs seo, táim muiníneach go bhfuil an fhoclaíocht mar atá sé sásúil chun an bhrí atá i gceist a chur trasna. Sílim go bhféadfadh míthuiscint a bheith ann faoi céard atá beartaithe sa Bhille. Leagtar amach in ailt 19A(1) agus 19A(2) gur féidir aicmiú na gcomhlachtaí poiblí a dhéanamh. Go praiticiúil, is éard a bheadh i gceist anseo ná go mbeadh na caighdeáin teanga céanna leagtha síos d’aicme comhlachtaí poiblí, comhairlí contae nó institiúid thríú leibhéal, mar shampla. Is ar an mbonn sin a dhéanfar aicmiú. Baineann an focal “caighdeán” leis na caighdeáin féin. Dá bhrí sin ní bheidh mé ag glacadh leis an leasú seo.

Maidir le leasú Uimh. 30, mar a luaigh mé ag Céim na Tuarascála, tá sé fíorthábhachtach d’fheidhmiú éifeachtach na reachtaíochta seo go mbeadh discríd ag an Aire maidir le feidhmiú

fhórlacha áirithe atá sonraithe sa Bhille. Is é príomhchuspóir an Bhille seo ná soláthar níos mó de sheirbhísí i nGaeilge a chur ar fáil ón tseirbhís phoiblí ar chaighdeán níos airde. Chuige sin, faoi alt 18A den Bhille tá coiste comhairleach um sheirbhísí Gaeilge le bunú. Mar atá pléite againn cheana, tá obair fhíorthábhachtach le déanamh ag an gcoiste comhairleach maidir le soláthar seirbhísí i nGaeilge agus maidir le cúrsaí earcaíochta. Beidh an coiste comhairleach gníomhach agus beidh ionadaíocht ag na hearnálacha éagsúla sa státchóras timpeall an bhoird. Táim ag súil go mbeidh an caidreamh eatarthu láidir agus go mbeidh cumarsáid rialta eatarthu freisin. Táim lán-chinnté go gcabhróidh sé seo na spriocanna a bhaint amach.

Mar is eol don Teach, leagtar amach feidhmeanna an Choimisinéara Teanga in alt 21 den Phríomh-Acht. I measc na príomhdhualgais atá ag an gCoimisinéir Teanga, tá monatóireacht le déanamh ar an gcaoi a bhfuil fórlacha Acht na dTeangacha Oifigiúla á gcomhlíonadh ag comhlachtaí poiblí; imscrúduithe a sheoladh as a stuaim féin ar iarratas ón Aire nó mar thoradh ar ghearrán a bheith déanta leis ag aon daoine i gcás ina gcreidtear go bhfuil teipthe ar chomhlachtaí poiblí a ndualgais a chomhlíonadh faoi Acht na dTeangacha Oifigiúla; tuarascáil a ullmhú faoi gach imscrúdú; comhairle a chur ar fáil don phobal maidir le neart na teanga faoi Acht na dTeangacha Oifigiúla; comhairle a chur ar fáil do chomhlachtaí poiblí maidir lena ndualgas teanga faoin Acht; agus tuarascáil bhliantúil faoi ábhair Oifig an Choimisinéara Teanga a sholáthar don Aire le cur os comhair Thithe an Oireachtais. Tá i gceist againn cur leo sin trí leasú a thabharfadh cumhacht don Choimisinéir Teanga faireachán a dhéanamh ar chomhlíonadh aon achtacháin a bhaineann le stádas nó úsáid teanga oifigiúla chomhlachtaí poiblí. Ní fheictear dom go bhfuil aon ghá fineáil bhreise a thabhairt isteach. Ní raibh sé seo iarrtha ag an gCoimisinéir Teanga féin; mar sin níl i gceist agam glacadh leis an leasú seo.

Acting Chairperson (Senator Michael McDowell): Ar mhaith leis an Seanadóir leasú Uimh. 29 a bhrú?

Senator Niall Ó Donnghaile: Ba mhaith.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 30:

I leathanach 35, idir línte 20 agus 21, an méid seo a leanas a chur isteach:

“(3) Ullmhóidh agus eiseoidh an Coiste Comhairleach tuarascáil, tráth nach déanaí ná bliain amháin tar éis theacht i ngníomh an Achta seo, a bheidh bunaithe ar an gcuspóir comhlachtaí poiblí a spreagadh chun a gcuid dualgas teanga a chomhlíonadh, ina leagfaidh sé amach—

(a) moltaí sonracha i ndáil leis na féidearthachtaí a bhainfeadh le córas chun fineálacha agus pionóis airgid a fhorchur ar chomhlachtaí poiblí a sháróidh na dualgais teanga a chuirfear orthu sna caighdeáin agus sa reachtaíocht,

(b) an ról is féidir a bheith ag an gCoimisinéir Teanga sa phróiseas faireacháin,

(c) modhanna inar féidir an t-airgead arna bhailiú de thairbhe fineálacha a úsáid chun an Ghaeilge a chur chun cinn, agus

(d) amchlár féideartha chun an córas molta nó na córais mholta a chur i bhfeidhm.

(4) Cuirfidh an Coiste an tuarascáil faoi bhráid an Aire agus Thithe an Oireachtais a

luaithe is féidir tar éis an dáta a eiseofar í.”

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Aontaíodh alt 9.

ALT 10

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 31:

I leathanach 39, líne 22, an méid seo a leanas a chur isteach i ndiaidh “úsáid teanga oifigiúla,”.”:

“(2) Leasaítear alt 21 den Phríomh-Acht tríd an mír seo a leanas a chur isteach i ndiaidh mhír (b):

“(bb) gach beart riachtanach atá faoi réim a údaráis nó a húdaráis a dhéanamh chun a chinntiú go gcomhlíonfaidh comhlachtaí poiblí forálacha aon Achta eile a bhaineann le teanga oifigiúil a úsáid,”.

(3) Leasaítear alt 21 den Phríomh-Acht tríd an mír seo a leanas a chur isteach i ndiaidh mhír (d):

“(dd) comhairle nó cúnamh eile a sholáthar, de réir mar is cuí leis nó léi, don phobal maidir lena gcearta faoi fhorálacha aon Achta eile a bhaineann le teanga oifigiúil a úsáid,”.

(4) Leasaítear alt 21 den Phríomh-Acht tríd an mír seo a leanas a chur isteach i ndiaidh mhír (e):

“(ee) comhairle nó cúnamh eile a sholáthar, de réir mar is cuí leis nó léi, do chomhlachtaí poiblí maidir lena n-oibleagáidí faoi fhorálacha aon Achta eile a bhaineann le teanga oifigiúil a úsáid, agus”.”.

Déanann leasú Uimh. 31 iarracht botún an Aire Stáit a cheartú. Dúirt sé go raibh sé i gceist aige na cumhachtaí céanna a thabhairt don Choimisinéir Teanga maidir le hachtacháin eile agus atá aige de réir Acht 2003. Ní dhearna sé é sin áfach toisc nár bhac sé leis an gcumhacht fhaireacháin in alt 21(a) den Acht sin a leathnú go hachtacháin eile. De réir na foclaíochta sa Bhille seo, níl cead ag an gcoimisinéir beart a dhéanamh chun cinntiú go gcomhlíonfar forálacha in achtacháin eile; comhairle a thabhairt don phobal maidir lena gcearta faoi achtacháin eile; nó comhairle a thabhairt do chomhlachtaí poiblí faoi achtacháin eile. Mar sin, tá an Bill seo easnamhach agus ní dhéanann sé ciall go mbeadh an coimisinéir ag cur oibre isteach chun faireacháin a dhéanamh gan aon deis comhairle a thabhairt nó beart a dhéanamh. Molaim don Aire Stáit tabhairt faoi na cumhachtaí eile seo a fhorleathnú chomh maith.

Deputy Jack Chambers: Leagtar amach feidhmeanna an Choimisinéara Teanga in alt 21 den phríomh-Acht. Rinne mé cur síos ar na príomhdhualgaí atá ag an gCoimisinéir Teanga i bhfreagra níos luaithe. Anuas ar sin, tar éis dul i mbun comhairliúcháin le hOifig an Choimisinéara Teanga agus tuairimí an choimisinéara agus a chuid oifigeach a fháil, tá sé i gceist ag an Rialtas cumhacht bhreise a thabhairt don Choimisinéir Teanga mar atá molta i leasuithe an Rialtais. Beidh sé de chumhacht ag an gCoimisinéir Teanga faireachán a dhéanamh ar fhorálacha in achtacháin eile a bhaineann le húsáid nó le stádas teanga oifigiúla agus tráchtairachtaí a

sholáthar ar an gcaoi a mheasann sé nó sí a bheith iomchuí. Faoi láthair, tá an chumhacht seo ag an gCoimisinéir Teanga maidir le hAcht na dTeangacha Oifigiúla, 2003 amháin cé go bhfuil sé in ann imscrúdú a dhéanamh ar chomhlíonadh achtachán eile nuair a fhaigheann sé gearán ón bpobal. Is céim chun cinn é seo a dhéanfaidh difríocht mhór d’obair an choimisinéara. Ní bheidh mé ag glacadh leis an leasú seo.

Senator Niall Ó Donnghaile: Is mór an trua nach mbeidh an tAire Stáit ag glacadh leis. Sílim go ritheann an leasú seo le ciall, mar an gcéanna leis na cinn eile a mhol mé. Tá díomá orm faoi sin. Mar sin féin, ba mhaith liom an leasú seo a bhrú.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 32:

I leathanach 39, líne 22, an méid seo a leanas a chur isteach i ndiaidh “úsáid teanga oifigiúla,”:

“(2) Déanfaidh an tAire, tar éis dul i gcomhairle leis an gCoimisinéir Teanga, agus tráth nach déanaí ná bliain tar éis achtú an Achta seo, tuarascáil a ullmhú agus a chur faoi bhráid Thithe an Oireachtais, ina leagfar amach na féidearthachtaí a bhainfeadh le feidhmeanna breise a thabhairt don Choimisinéir Teanga i leith na nithe seo a leanas:

(a) iniúchadh a dhéanamh chun a fhíorú ar dearbhaíodh maolú ar chaighdeán teanga de réir alt 19C gan cúis shásúil ná plean sásúil de réir fho-alt (2) den alt sin;

(b) iniúchadh a dhéanamh an amhlaidh go ndéanfaidh aon fhoráil de Bhille a bheidh os comhair an Oireachtais, nó aon straitéis, scéim, togra nó tuarascáil atá á hullmhú nó á ullmhú nó á heisiúint nó á eisiúint ag an Stát, ag an Rialtas, nó ag aon chomhlacht poiblí, i ndáil le stádas nó le húsáid teanga oifigiúla, neamhréir le cur chun cinn na Gaeilge mar phríomhtheanga oifigiúil nó le cearta teanga aon duine.”.

Maidir le leasú Uimh. 32, is léir nár éist an tAire Stáit leis an méid a dúirt an Coimisinéir Teanga nuair a labhair sé os comhair chomhchoiste na Gaeilge anuraidh. Dúirt sé gur chóir go dtabharfaí ról dó chun faireachán a dhéanamh go réamhghníomhach ar Bhillí nó beartais Rialtais sula nglactar leo chun an tionchar teanga a mheas. Is minic nach bhfuil sé i gceist ag Airí dochar a dhéanamh don Ghaeltacht ach nach dtuigeann na daoine sa Roinn na himpleachtaí ag an am. Tá sé de nós againn sa Stát seo fanachta go bhfuil an dochar déanta chun réiteach a lorg. Dá mbeadh an anailís réamhghníomhach lárnach sa phróiseas reachtúla, bheadh deis ann níos lú dochar a dhéanamh, nó tacú leis an nGaeilge agus leis an nGaeltacht fiú. Is mar seo a dhéantar Billí sa Bhreatain Bheag.

Anuas ar sin, ba chóir go mbeadh ról ag an gcoimisinéir chun iniúchadh a dhéanamh ar mhaoluithe atá dearbhaithe ar chaighdeán teanga chun a chinntiú nach ndearbhaítear iad go huathoibríoch. Tá an baol sin ann. Níl á lorg againn anseo ach tuarascáil ar fhéidearthachtaí a bhainfeadh le feidhmeanna bhreise mar seo a bhronnadh ar an gcoimisinéir. Bheadh deis againn féachaint ar an taighde sa tuarascáil sula nglactar le cinneadh agus an iomarca ualach a chur ar Oifig an Choimisinéara Teanga, atá faoi bhrú cheana féin.

Deputy Jack Chambers: Mar a luaigh mé nuair a labhair mé faoi leasú Uimh. 31 níos túisce, leagtar amach feidhmeanna an choimisinéara in alt 21 den phríomh-Acht. Tá na príomhphointí céanna ábhartha don leasú seo agus mar sin táim den tuairim nach bhfuil an leasú seo

ag teastáil. Tá an-chuid plé déanta againn ar Chéimeanna eile sa Dáil ar an ábhar seo agus de bharr sin ní bheidh mé ag glacadh leis an leasú seo. Thug mé achoimre ar phríomh-dhualgais an Choimisinéara Teanga sa Dáil. Anuas air sin, agus tar éis dul i mbun comhairliúcháin le hoifig an choimisinéara agus tuairimí an choimisinéara agus a chuid oifigigh a fháil, tá sé i gceist ag an Rialtas cumhacht bhreise a thabhairt don Choimisinéir Teanga, mar atá molta i leasuithe an Rialtais. Beidh sé de chumhacht ag an gcoimisinéir anois faireachán a dhéanamh ar fhorálacha aon aachtachán eile a bhaineann le húsáid nó stádas teanga oifigiúil agus tráchtairí a sholáthar ar an gcaoi a mheasann sé nó sí a bheith cuí. Faoi láthair, tá an chumhacht seo ag an gcoimisinéir chomh fada le hAcht na dTeangacha Oifigiúla amháin, cé go bhfuil sé in ann scrúdú a dhéanamh ar chomhlíonadh aachtachán eile nuair a fhaigheann sé gearán ón bpobal. Is céim chun cinn é seo a dhéanfaidh difríocht mhór d’obair an choimisinéara agus ní bheidh mé ag glacadh leis an leasú seo dá bharr.

Senator Niall Ó Donnghaile: Ní líonann sé sin mise, nó pobal na Gaeilge, le mórán muiníne. Ba mhian liom an leasú a bhrú chun vóta.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú leis.

Aontaíodh alt 10.

Aontaíodh ailt 11 agus 12.

ALT 13

Leasú an Rialtais Uimh. 33:

I leathanach 41, líne 27, “chun an Choiste Chomhairligh” a scriosadh agus “chun an Choiste Logainmneacha” a chur ina ionad.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis glacadh leis.

Senator Seán Kyne: Tairgim leasú Uimh. 34:

I leathanach 43, idir línte 22 agus 23, an méid seo a leanas a chur isteach:

“(e) déanfaidh sé córas achomhairc a sholáthar, trí chomhaontú leis an Aire, chun a cheadú don phobal agóid a dhéanamh i gcoinne Logainm oifigiúil, mar a cinneadh roimhe sin ag an gCoiste Logainmneacha, in Ordú Logainmneacha.”

Uaireanta – níl mé ag rá go minic – bíonn conspóid faoi ainm a thagann amach ón gcoiste logainmneacha. Tá a fhios agam go ndéanann sé jab fíorthábhachtach ach bíonn conspóid uaireanta in áiteanna cosúil le Baile Chláir i mo chontae féin. Seo baile ar Abhainn an Chláir ach tá sé i nGaillimh agus b’fhearr le daoine Claregalway a úsáid. Sin scéal eile agus tharla an rud céanna i Sligeach le Inishcrone agus áiteanna mar sin. Ní don Aire Stáit na ceisteanna sin, nó b’fhéidir gurb ea, idir é féin agus an tAire Tithíochta, Rialtais Áitiúil agus Oidhreacht. Ag an am céanna, agus níl a fhios agam an bhfuil mórán daoine á lorg, seans go mbeadh muintir Bhaile an Chláir sásta ainm mar Bhaile Chláir na Gaillimhe a úsáid, mar dúradh liomsa go bhfuil Baile Chláir scríofa ar na comharthaí bóithre agus bíonn daoine sórt mixed-up idir é féin agus an baile Belclare, atá gar do Thuaim. An bhfuil próiseas ann chun na rudaí seo a phlé, chun go mbeadh daoine in ann agóid a dhéanamh? Sílim nach dtarlódh sé go minic ach ag an am céanna an bhfuil próiseas ann nuair atá an rud socraithe? Tá a fhios agam go bhfuil daoine le han-taithí ar an gcoiste logainmneacha agus nuair a bhí mé i m’Aire Stáit bhí muid in ann

daoine sinsearacha le han-taithí a ainmniú chuig an mbord. Ag an am céanna, an bhfuil próiseas ann chun na rudaí seo a phlé?

Senator Niall Ó Donnghaile: Ní bheidh an coiste logainmneacha ag déanamh cinntí faoi logainmneacha oifigiúla agus, mar sin, tá seans go bhfuil an leasú seo lochtach. Cuirfidh an coiste logainmneacha comhairle ar an Aire agus is é an tAire a dhéanann an cinneadh maidir le logainm oifigiúil in ordú logainmneacha. Dar ndóigh, baineann an leasú seo le cead a thabhairt don phobal agóid a dhéanamh i gcoinne logainm Gaeilge ach níl aon rogha molta chun go mbeidh deis ag an bpobal cur i gcoinne leagan bastardaithe Béarla atá brúite orthu go huathoibríoch. Ní dhearna Aire na logainmneacha Béarla a ordú ach Impireacht na Breataine ag cur cos ar bholg na nGael. Rinne Sinn Féin iarracht an éagóir seo a chur i gceart le leasú Uimh. 7 ach dhiúltaigh an Seanadóir Kyne agus an Rialtas glacadh leis. Léiríonn sé seo meon Fhine Gael ar an nGaeilge. Tá béim curtha ar fheachtas i gcoinne logainmneacha Gaeilge in áit ath-Ghaelú a dhéanamh ar logainmneacha Béarla nach raibh rogha riamh ag daoine fúthu. Is léir gur gá an pobal a lárú in aon phróiseas ach ní dhéanfaidh an coiste cinneadh seachas comhairle saineolaí a chur ar an Aire. Fáiltíonn muid go bhfuil coiste buan sonraithe sa Bhille chun é sin a dhéanamh toisc an brú a chuir an Teachta Ó Snodaigh ar an Aire Stáit sa Dáil.

Deputy Jack Chambers: Gabhaim buíochas leis an Seanadóir as an moladh seo a chur ar aghaidh ach ní bheidh mé ag glacadh leis an leasú seo. Mar is eol don Teach, tá plé leanúnach ar bun idir oifigigh mo Roinne agus oifigigh ón Roinn Tithíochta, Rialtais Áitiúil agus Oidhreacht. Is ceist casta í seo ach táim muiníneach go mbeidh dul chun cinn déanta sa chás seo san athbhliain. Ar an mbonn sin, b'fhéidir go mbeidh an Seanadóir sásta an leasú seo a tharraingt siar.

Senator Seán Kyne: Ní raibh mé ag súil go mbeadh an Rialtas ag glacadh leis agus táim sásta é a tharraingt siar. Ag an am céanna, ó am go ham bíonn conspóid áitiúil faoi rudaí mar seo. Níor chuala mé é go minic go raibh mórán d'fhadhb leis an ainm oifigiúil Béarla ach ag an am céanna b'fhéidir go dtarlaíonn sé sin freisin. Cloisim faoi fhadhbanna maidir leis an ainm Gaeilge, i mbailte móra ach i mbailte beaga freisin. I mo cheantar féin tá ceantar darbh ainm Tullokyne i mBéarla. Sin an t-ainm a thuigeann daoine ón áit ach is Tulaigh Mhic Aodháin an t-ainm oifigiúil don cheantar agus ní raibh mórán daoine ar an eolas go dtí gur tháinig sé amach ón gCoimisiún Logainmneacha gurb é sin an t-ainm oifigiúil. Tá mé sásta an leasú a tharraingt siar ach is rud é seo a thagann suas sórt minic agus tá sé in am go mbeadh réiteach air. Tá a fhios agam go bhfuil an tAire Stáit ag obair air.

Tarraingíodh siar an leasú faoi chead.

Aontaíodh alt 13, mar a leasaíodh.

Aontaíodh alt 14.

ALT NUA

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 35:

I leathanach 43, idir línte 33 agus 34, an méid seo a leanas a chur isteach:

“Leasú ar alt 33 den Phríomh-Acht

15. Leasaítear alt 33 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (3):

“(4) In aon logainm nua arna dhearbhu ag an Aire nó ag údarás áitiúil le haghaidh aon fhorbairt nua ó theacht i ngníomh Acht na dTeangacha Oifigiúla (Leasú), 2021, ní dhearbho far ach an leagan Gaeilge agus is ag an logainm Gaeilge amháin a bheidh feidhm agus éifeacht.”.”.

Is leasú simplí é seo a chinnteoidh go mbeidh aon logainm nua sa Stát dearbhaithe i nGaeilge amháin. Cuideoidh sé seo leis an nGaeilge a lárú i bpobal nua agus le feiceálacht na Gaeilge, chomh maith le hiarracht a dhéanamh deireadh a chur le Béarlú na hÉireann, a thionscainn arm na Breataine. Tá an múnla seo i bhfeidhm ag údaráis áitiúla ar leith cheana féin, ar nós Comhairle Cathrach na Gaillimhe, ach ba chóir go mbeadh sé mar pholasáí náisiúnta sa Stát go léir. Teanga álainn í an Ghaeilge agus ba chóir dúinn a bheith bródúil aisti. Sin an fáth gur cheart don Aire Stáit glacadh leis an leasú seo.

Deputy Jack Chambers: Ní bheidh mé ag glacadh leis an leasú toisc nach dtagann sé faoi scóip an Bhille. Mar sin ní bheidh sé cuí é seo a chur san áireamh. Cé nach bhfuil sé iomlán soiléir céard atá i gceist ag an Seanadóir anseo, glacaim leis go bhfuil sé ag déanamh tagairt do chóras ainmniúcháin d’eastáit de thithíocht nua. Tá sé i gceist agam an cheist seo a láimhseáil trí na caighdeáin nua agus bheinn ag súil go mbunóidh na comhairlí contae an coiste logainmneacha chun na ceisteanna logainmneacha a phlé. Tá an córas seo i bhfeidhm i nGaillimh agus tá sé ag obair amach go maith. Ar an mbonn sin ní bheidh mé ag glacadh leis an leasú seo.

Cuireadh an cheist agus faisnéiseadh go rabhthas tar éis diúltú di.

ALT 15

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 36:

I leathanach 45, líne 11, an méid seo a leanas a chur isteach i ndiaidh “de mhír 1(5)”, ”:

“agus trí “Banc Ceannais na hÉireann agus gach comhlacht a bheidh faoina rialú agus ag feidhmiú mar bhanc miondíola a fhaigheann airgead go díreach ó Aire den Rialtas, ó Roinn Stáit, ón bPríomh-Chiste nó ó chomhlacht poiblí eile in imthosca inarb éard é an méid, nó comhiomlán na méideanna, a fhaightear amhlaidh 20 faoin gcéad nó níos mó de chaiteachas reatha an chomhlachta, na heagraíochta nó an ghrúpa sin i mbliain airgeadais, nó a bhfuil tromlach na scaireanna inti á shealbhú ag Aire den Rialtas nó thar ceann Aire den Rialtas” a chur in ionad “Banc Ceannais agus Údarás Seirbhísí Airgeadais na hÉireann”.”.

Déanfaidh an leasú seo dhá rud a athrú sa chéad sceideal. Déanfar tagairt d’Údarás Seirbhísí Airgeadais na hÉireann a scrios toisc nach ann dó a thuilleadh mar is cuid é de Bhanc Ceannais na hÉireann atá luaite cheana féin. Anuas air sin cuimseoidh sé aon bhanc miondíola a fhaigheann airgead ón Stát os cionn 20% de chaiteachas reatha. Le linn na géarchéime eacnamaíochta tháinig a lán bainc faoi scáth an Stáit agus ní minic a bhaineann an Stát úsáid as an úinéireacht sin chun seirbhísí a fheabhsú do chustaiméirí. Faoi láthair, fiú amháin, tá seirbhísí bainc ar fud an Stáit á ndúnadh síos ag bainc atá tar éis na billiúin a fháil uainn.

Sa leasú seo, caithfear leis na bainc mhiondíola den chineál seo ar nós gur comhlachtaí poiblí iad maidir le dualgais teanga. Mar sin, bheadh ceart ag custaiméirí cumarsáid a fháil trí Ghaeilge agus nuair a chuirtear na forálacha sa Bhille seo i bhfeidhm beidh dualgais ar na bainc seirbhísí a sholáthar trí Ghaeilge sa Ghaeltacht agus ainmneacha i nGaeilge a aithint

chomh maith. Cuirfidh sé seo leis an nGaeilge sa saol gnó agus le cearta teanga an duine i gcás eárnála ríthábhachtaí i saol an duine agus léireoidh sé go bhfuil dualgais ag baint a fhaigheann tacaíocht ón Stát.

Acting Chairperson (Senator Michael McDowell): Ar mhaith leis an Aire Stáit labhairt anois?

Deputy Jack Chambers: Ní bheidh mé ag glacadh leis an leasú seo mar nach dtagann sé faoi scóip an Achta agus ní bheidh sé cuí é a chur san áireamh sa reachtaíocht seo. Bhí plé agam leis na baine tamall ó shin nuair a ceapadh sa ról seo mé agus bhí na baine báuil go maith don Ghaeilge. Táim lánchinnte go mbeidh mé in ann obair as lámha a chéile leis na baine chun an Ghaeilge a bheith níos feiceálaí sa chóras baincúireachta.

Acting Chairperson (Senator Michael McDowell): An bhfuil an Seanadóir chun an leasú a bhrú?

Senator Niall Ó Donnghaile: Ar éist sibh sa Seanad leis an ráiteas sin, Dia ár sábháil? Beidh mé ag brú an leasú chun vóta le toil an Tí.

Cuireadh an cheist agus faisnéiseadh go rabhthas tar éis diúltú di.

Aontaíodh alt 15.

Aontaíodh alt 16.

ALT NUA

Senator Niall Ó Donnghaile: Tairgim leasú Uimh. 37:

I leathanach 45, idir línte 38 agus 39, an méid seo a leanas a chur isteach:

“Leasú ar alt 33 d’Acht an Gharda Síochána, 2005

17. Leasaítear alt 33 d’Acht an Gharda Síochána, 2005 tríd an bhfo-alt seo a leanas a chur in ionad fho-alt (2):

“(2) Cinnteoidh Coimisinéir an Gharda Síochána go mbeidh gach comhalta den Gharda Síochána a bheidh ar stáisiún i gceantar a bhfuil limistéar Gaeltachta ar áireamh ann sách inniúil sa Ghaeilge chun gur féidir leis nó léi í a úsáid go saoraídeach i gcomhlíonadh a dhualgas nó a dualgas faoin 31 Nollaig 2025.”.

D’admhaigh Coimisinéir an Gharda Síochána os comhair Chomhchoiste na Gaeilge, na Gaeltachta agus Phobal Labhartha na Gaeilge i mbliana go bhfuil an dlí á sárú ag An Garda Síochána toisc nach bhfuil gardaí le Gaeilge acu sa Ghaeltacht. Níl Gaeilge ach ag duine as gach triúr gardaí sa Ghaeltacht agus tá tuarascáil faoi cé chomh lochtach is atá an tseirbhís curtha faoi bhráid an Oireachtais ag an gCoimisinéir Teanga, rud nach dtarlaíonn go minic ach i gcásanna fíor-dhona. Is léir nach bhfuil an reachtaíocht seo ag obair a bhaineann úsáid as an téarma: “a luaithe is féidir”. Tá an iomarca solúbthachta i gceist leis an téarmaíocht seo.

Mar sin molaimid go mbeidh gach comhalta den Gharda Síochána sa Ghaeltacht inniúil faoi dheireadh 2025. Tá gardaí le Gaeilge ag An nGarda Síochána lasmuigh den Ghaeltacht agus ba chóir go mbeadh sé mar thosaíocht acu na gardaí sin a athlonnú chun na Gaeltachta chomh maith le Gaeilgeoirí nua a earcú agus a lonnú ann fosta. Ba chóir dóibh gardaí gan Gaeilge a

spreagadh chun an Ghaeilge a fhoghlaim chomh maith. Roimh 2005 bhí dualgas ar gach garda Gaeilge éigin a bhaint amach ach fuair Rialtas Fhianna Fáil réidh leis sin. In áit rudaí a fheabhsú, tá an Rialtas seo tar éis fáil réidh leis an riachtanas an Ghaeilge a bheith ag duine chun ardú céime a bhaint amach le bheith ina sháirsint. Is cosúil nach bhfuil fadhb ag an Aire Stáit leis an íslíú céime sin don teanga.

Ní mór don Rialtas tabhairt faoin ngéarchéim atá cruthaithe aige a dheisiú agus an Ghaeilge a chur chun cinn arís i measc na ngardaí ar mhaithe leis an nGaeltacht a ghaelú arís.

Deputy Jack Chambers: Mar aon le leasú Uimh. 36, ní bheidh mé ag glacadh leis. Mar atá sé, tá dualgas reachtúil ag an gCoimisinéir Teanga faoi Acht an Gharda Síochána, 2005 gardaí atá líofa i nGaeilge a chur ar dualgas sa Ghaeltacht a oiread agus atá é sin indéanta. Tuigtear dom go bhfuil céimeanna á dtógáil ag An nGarda Síochána chun a dhéanamh cinnte de go ndéanfar amhlaidh. Ní miste a freisin go dtabharfar aghaidh ar sholáthar gardaí le Gaeilge nuair a bheidh an taighde á dhéanamh ar an bplean náisiúnta um sheirbhísí Gaeilge a chur i dtoll a chéile. Ar an mbonn sin ní bheidh mé ag glacadh leis an leasú seo.

Senator Niall Ó Donnghaile: Insím don Aire Stáit go bhfuil sé sin dochreidte, le bheith ionraic faoi. Mar gheall gurbh é seo an leasú deireanach, tá sé doiligh é seo a chreidiúint nuair atá Coimisinéir an Gharda Síochána os comhair an chomhchoiste agus á rá aige go bhfuil an dlí á shárú ag An Garda Síochána toisc go bhfuil gardaí le Gaeilge le bheith ag an tseirbhís sa Ghaeltacht. Nach bhfeiceann an tAire Stáit seo le freagracht ó thaobh na Gaeilge agus na Gaeltachtaí de go bhfuil orainn i bhfad níos mó a dhéanamh agus a bheith i bhfad níos gníomhaí agus níos fuinniúla chun an fhadhb seo a réiteach?

Arís eile, maidir leis na leasuithe eile a bhí curtha isteach agam agus ag comhghleacaithe eile, ní rudaí thar a bheith suntasach nó conspóideach iad na leasuithe seo agus ní ghlacaim leis an bpointe go bhfuil an chuid is mó díobh taobh amuigh de chineál réimse an Bhille seo. Tá fadhb ann leis na gardaí sa Ghaeltacht agus is féidir linn é sin a réiteach agus is féidir linn ról lárnach a thabhairt dóibh. Ba cheart go rabhamar díograiseach faoi sin agus, mar aon leis a lán de leasuithe an Achta seo, ní mhothaím go bhfuil an tAire Stáit ná an Rialtas seo dáiríre faoi na fadhbanna seo, ní hamháin a réiteach ach fiú amháin a aithint mar fhreagracht atá acu. Ní deirim an méid sin mar gheall gurbh é an tAire Stáit. Tá freagracht orainn go léir na fadhbanna seo a réiteach.

Maidir leis na leasuithe seo go léir ar an Acht, bhí seal againn anseo an Bille seo a fheabhsú agus a neartú agus le difear ollmhór a dhéanamh. Táim ag dúil leis an gcéad Chéim eile agus tá súil agam go dtiocfaidh leasuithe i bhfad níos fearr ón Rialtas agus b'fhéidir ó pháirtithe an Rialtais sa Seanad chomh maith. Cé go bhfuil an Bille agus an reachtaíocht seo i bhfad níos láidre mar gheall ar an obair a rinneadh air sa Dáil, is féidir leis a bheith i bhfad níos fearr. Ní dóigh liom go ndéanfaidh sé mórán dochar dúinn mar is a mhalairt a bheadh sé dá dtiocfadh linn é a fheabhsú mar Acht. Ar an drochuair, níor ghlac Fianna Fáil, Fine Gael ná a gcomhghleacaithe sa Rialtas leis an seal sin.

Senator Seán Kyne: Is iontach a fheiceáil go bhfuil Sinn Féin anois ar thaobh An Gharda Síochána. Tá dualgais ag Coimisinéir an Gharda Síochána maidir leis an teanga agus leis an obair a dhéanann an tseirbhís agus go mbeadh gardaí trasna na Gaeltachta uilig. Tá a fhios ag an Seanadóir go ndearna an comhchoiste obair ar an ábhar seo. Rinne an Coimisinéir Teanga obair air agus d'fhoilsigh sé tuarascáil agus chuir sé os comhair Chomhaltaí Thithe an Oireachtais í. Tá dualgas air mar atá leagtha amach sa straitéis 20 bliain don teanga. Tá an obair déanta ag

an Stát, ag an Rialtas agus ag Tithe an Oireachtais ach níl na riachtanais sin á chomhlíonadh ag Coimisinéir An Garda Síochána. Is ceart go gcoinnímid an brú air ach tá sé leagtha amach sa straitéis go dlíthiúil gur cheart go mbeadh gardaí trasna na tíre ag feidhmiú trí mheán na Gaeilge i stáisiúin na nGardaí sa Ghaeltacht.

Senator Niall Ó Donnghaile: Mar fhocal scoir, is cinnte go bhfuil Sinn Féin agus mise go huile is go hiomlán ar thaobh An Gharda Síochána. Táimid ar thaobh na Gaeilge agus na Gaeltachta. Is mór an trua anocht nach bhfuil Fine Gael.

Senator Rónán Mullen: Tacaím leis an leasú seo ó Shinn Féin. Nuair a smaoinítear air, tá sé dochreidte nach mbeadh dualgas ar dhuine atá ag obair i ról chomh tábhachtach le garda i gceantar Gaeltachta a gcuid gnó a dhéanamh agus déileáil le daoine eile trí Ghaeilge más gá agus nuair is gá. Is é sin an bunchaighdeán ar chóir dúinn a bheith ag leagan amach.

Bhí díospóireacht cosúil leis seo againn cúpla bliain ó shin ag Comhchoiste na Gaeilge, na Gaeltachta agus na nOileán. Bhíomar ag cur ceisteanna ar údarais Ollscoil na hÉireann, Gailimh an mbeadh sé de dhualgas orthu go mbeadh Gaeilge ag an té a cheapfaí mar uachtarán an choláiste. Tá Gaeilge bhreá ag uachtaráin an choláiste faoi mar atá sé, ach más buan mo chui-mhne, bhí leisce ar na húdarais glacadh leis gur chóir go mbeadh sé ann mar riail acu. Bhíodh sé go mbeadh Gaeilge ag an té a cheaptáí mar uachtarán nó go mbeadh deis ag an té a cheaptáí í a fhoghlaim. Is minic go gcuirtí ina choinne sin go mbeadh sé fíorthábhachtach go mbeimid in ann an duine is fearr a fháil don phost. I gcomhthéacs ollscoile, má tá duine mór taighde, le scileanna agus atá an-éifeachtach agus cumasach a bheadh an-mhaith don institiúid ach nach bhfuil Gaeilge aige nó aici, shílfeá go mbeadh an duine in ann feabhas áirithe a chur ar a chuid nó a cuid Gaeilge laistigh de thréimhse ama. Ba chóir go mbeadh an deis aige no aici agus go gcuirfí na hacmhainní ar fáil chun é seo a dhéanamh.

Dá bhféadfaimis díospóireacht den sórt sin a bheith againn i gcomhthéacs uachtarán ollscoile, nach bhfuil sé i bhfad níos tábhachtaí má tá garda ag feidhmiú i limistéar Gaeltachta agus nach bhfuil Gaeilge aige nó aici? Mhothófaí go mbeadh dímheas á léiriú ag údarais na tíre. Seasann na gardaí don údarás poiblí. Tá sé fíorthábhachtach ó thaobh an dea-chaidrimh idir na gardaí agus an pobal. Muna bhfuil an duine atá ag obair i stáisiún na ngardaí in ann déileáil leis an té sa chéad teanga oifigiúil náisiúnta i gcomhthéacs limistéar Gaeltachta, tá fadhb ann. Baineann sé le clú agus cáil na ngardaí agus lena gcumas an jab a dhéanamh i gceart agus go maith agus go mbeadh muinín ag an bpobal astu agus mar sin de.

Tá sé an-réasúnta go deo a rá gur chóir go mbeadh dualgas dleathach ar an gCoimisinéir a chinntiú go bhfuil gach duine lonnaithe i stáisiún i gceantar ina bhfuil limistéar Gaeltachta ar áireamh sách inniúil sa Ghaeilge. Níl an leasú seo ag moladh gur ollamh le Gaeilge a bheadh i gceist, ach ba chóir go mbeadh duine sách inniúil chun an jab a dhéanamh. Muna bhfuil sé nó sí sách inniúil, ba chóir go mbeadh an deis ag agus an dualgas ar an duine an inniúlacht chuí a bhaint amach má tá sé nó sí ag feidhmiú sa limistéar sin.

Chaith mé seachtainí iontacha amuigh in Áras Mháirtín Uí Chadhain i nGaillimh ar an gCeathrú Rua le linn dom a bheith san ollscoil. Cé nach raibh Gaeilge á dhéanamh agam mar ábhar céime, bhí scéim acu ag an am le cinntiú go mbeadh daoine a bheadh ag obair sa Ghaeltacht - bíodh iad ina innealtóirí nó ina lucht leighis nó ina múinteoirí - in ann seirbhís a thabhairt don phobal ina teanga féin. Tá sé seo bunúsach ó thaobh caomhnú agus daingniú na teanga, agus spreagadh a thabhairt do na daoine. Fiú an tseachtain seo caite bhí mé ag sochraid i gConamara agus bhuail mé isteach ag bean an tí lenar fhan mé le na blianta ó shin. Dúirt sí go

bhfuil múinteoirí ag fanacht lena hiníon. Is múinteoirí iad atá ag déanamh cúrsa sa Ghaeltacht ionas go mbeidh siad in ann an jab a dhéanamh.

Mar sin, ní thuigim ó thalamh an domhain cén fáth nach bhfuilimid sásta leis an leasú seo. Táimid ag rá go bhfuilimid ag iarraidh a bheith uailmhianach maidir leis an mBille seo, leis na spriocanna agus le cur chun cinn na Gaeilge, ach táimid ag teip ar an leasú deireanach seo agus measaim gur mór an trua é. Ba bhreá liom go ndéanfadh an maorlathas anseo machnaimh ar an gceist seo agus go mb'fhéidir go dtiocfadh siad ar ais le scéal níos fearr chugainn ar an gcéad Céim eile.

Deputy Jack Chambers: Aontaím le go leor atá ráite ag na Seanadóirí ach is féidir liom a dheimhniú go leanfar leis an gceist seo sa phlean náisiúnta atá leagtha amach sa Bhille. Is é sin an próiseas trína mbeimid ag déanamh go leor rudaí sa phlean náisiúnta atá leagtha amach.

Senator Niall Ó Donnghaile: Níl a thuilleadh le rá agam. Is mian liom an leasú a chur chun vóta.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Aontaíodh alt a 17.

Aontaíodh ailt 18 go 20 go huile.

Aontaíodh an Teideal.

Tuairiscíodh an Bille le leasuithe.

Acting Chairperson (Senator Michael McDowell): Cathain a mbeartaítear Céim na Tuarascála a thógáil?

Senator Seán Kyne: Dé Máirt seo chugainn.

Ordaíodh go dtógfaí Céim na Tuarascála Dé Máirt, 30 Samhain 2021.

Acting Chairperson (Senator Michael McDowell): Cathain a mbeartaítear suí arís?

Senator Seán Kyne: Ar 10.30 a.m. amárach.

The Seanad adjourned at 7.59 p.m. until 10.30 a.m. on Thursday, 25 November 2021.