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DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

TUAIRISC OIFIGIÚIL—Neamhcheartaithe
(OFFICIAL REPORT—Unrevised)

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SEANAD ÉIREANN

Dé Céadaoin, 1 Iúil 2026

Wednesday, 1 July 2026

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

Machnamh agus Paidir.

Prayer and Reflection.

Teachtaireachtaí ón Dáil - Messages from Dáil

An Cathaoirleach: Dáil Éireann has passed the Dublin Airport (Passenger Capacity) Bill 2026 on 30 June 2026, to which the agreement of Seanad Éireann is desired.

Dáil Éireann has passed the Regulation of Artificial Intelligence Bill 2026 on 30 June 2026, to which the agreement of Seanad Éireann is desired.

Gnó an tSeanaid - Business of Seanad

An Cathaoirleach: I have received notice from the following Senators that they propose to raise the following matters:

Senator Shane Curley - The need for the Minister for Further and Higher Education, Research, Innovation and Science to make a statement on the health professions admission test exam for entrance to college courses in the medical field.

Senator Joe O'Reilly - The need for the Minister for Education and Youth to make a statement on the reduction of the student to teacher ratio from 23:1 to 19:1.

Senators Patricia Stephenson and Nessa Cosgrove - The need for the Minister for Rural and Community Development and the Gaeltacht to make a statement on future funding for local development programmes, including the LEADER and the social inclusion and community activation programmes.

Senator Linda Nelson Murray - The need for the Minister for Foreign Affairs and Trade to make a statement on an automatic reminder system to alert passport holders before their passport expires.

Senator Eileen Lynch - The need for the Minister for Children, Disability and Equality to make a statement on housing provision and supports to deal with the growing number of people

with an intellectual disability who can no longer be cared for by their parents in their own homes.

Senator Victor Boyhan - The need for the Taoiseach to make a statement on progress on the implementation of the Dublin City Taskforce, in particular the role Dublin City Council and its elected members will have over its functions, policies and spending.

Senator Martin Conway - The need for the Minister for Health to make a statement on the establishment of a consultant-led air ambulance base to provide emergency cover for the west Clare area.

Senator Mike Kennelly - The need for the Minister for Housing, Local Government and Heritage to make a statement on the proposed extension of the retirement age for retained firefighters.

The matters raised by the Senators are suitable for discussion and I have selected Senators Curley, O'Reilly, Nelson Murray and Stephenson and Cosgrove, who are sharing time, and they will be taken now. The other Senators may give notice on another day of the matters that they wish to raise.

Nithe i dtosach suíonna - Commencement Matters

Third Level Admissions

An Cathaoirleach: The Minister, Deputy Lawless, is most welcome to Seanad Éireann. I thank him for being here for the first Commencement matter, which is by an Seanadóir Curley.

Senator Shane Curley: Gabhaim buíochas leis an Aire as ucht teacht isteach inniu don rud thar a bheith tábhachtach seo. The Royal College of Surgeons in Ireland, RCSI, states that the HPAT has no validity and no predictive validity on future attainment in medical courses. The issue is the validity of the HPAT as an entrance exam to medical courses in Ireland. It is the only example we have of a State exam where young boys outperform young girls, the reason being it was a 1960s construct created by men for predominantly young private school boys who would go on to do medicine in college. It also, unfortunately, favours those who have the financial means to pay for tuition. There is a huge amount of evidence that those who get tuition before they sit their HPAT exam do significantly better when they sit it.

There are alternatives. The RCSI takes in, on average, approximately 400 students every year. Some 300 of those are international students who sit situational judgment tests and multiple mini interviews. That is already carried out in this country. The situational judgment test is a really good one. It tests interpersonal skills. In the modern day, it beggars belief that we do not have a system whereby we interview people to test their interpersonal skills before they go on to do one of the most important jobs anyone could ever do, which is to be a medical doctor or dentist, or any job where one has to communicate with patients in order to ascertain the best outcomes for them. The situational judgment test is the best predictor globally of a student's future medical performance. There is a company that provides it in Ireland. It is globally recognised as the best way of predicting future medical performance. In terms of the overall rationale for this, there are two main reasons we should do it. The first is equality of

educational access and the second is that, inevitably, it would lead to a higher quality of doctors being available for us in this country, whom we would have to try to retain. I am very interested in the Minister's views on whether or can move to a more modern way of doing the entrance exams.

Minister for Further and Higher Education, Research, Innovation and Science (Deputy James Lawless): Gabhaim buíochas leis an Seanadóir Curley as an tairiscint seo a thabairt isteach. Is ábhar tábhachtach é cinnte. I thank Senator Curley for raising this important matter regarding the HPAT exams and access to medicine more broadly. I acknowledge at the outset that there are very real pressures on students who aspire to study medicine and other very competitive healthcare disciplines. They are competitive courses and I recognise the concerns of students and their families regarding preparedness, access and the pathways available to them. I also recognise that the available supply of medical places continues to fall below demand and that, of course, creates intense competition and pressure on the system. There is an issue in that students can attain a very high level of academic performance and yet still fail to gain entry to their preferred place. The Senator raised a very important point regarding there being many different types of intelligence and purely academic focus not necessarily being the best indicator. There are other aptitudes that should be considered when weighing up entry to courses such as this.

As Minister, I am committed to ensuring we have an admissions system that is fair, transparent and robust, and equally to continuing to expand opportunities so that more students can pursue this type of place in the first place. In other words, we are increasing the number of course places available, including in the University of Galway, the University of Limerick, the technological universities and other places, on medical, pharmaceutical, veterinary and other professional courses which are subject to high competition for points.

The HPAT itself is independently administered by the Australian Council for Educational Research on behalf of the medical school. It is devolved to that organisation. Neither I nor my Department is involved in its operation because it is independent. However, I am aware that there have been concerns raised about the exam and procedure. I have listened to those concerns and I have spoken to the institutions about them. The institutions themselves have raised these issues and there are changes proposed for entry to medicine from 2027 on, which will include a rebalancing of the weight placed on leaving certificate results and HPAT performance. That is something the Senator is absolutely correct about needing to be done. It is something the institutions and I have taken note of and it is being worked on. The proposed changes will reduce the emphasis on the intensive HPAT preparation and refocus more strongly on leaving certificate achievement, keeping that assessment of aptitude as a marker in line with international best practice.

These changes will be of some assistance. The first year will be 2027 and we will continue to watch that space.

More broadly, I am commissioning a task force on CAO reform and what I call broad education, which means we are looking at a broad education where a student will be exposed to a variety of disciplines and subjects across arts and humanities, science and technology rather than just having a single deep dive into a particular area from day one. It is important that students have this more classical education, certainly in the early stages. I am commissioning

a task force on that, which will allow Ireland to explore broader entry models in some disciplines, including the opportunity to build that wider foundation before specialising. I am also going to continue providing alternative access points into higher education with things like tertiary degrees where a student can attend a course locally for the first year or two before moving on to a more traditional university setting.

There are a number of measures under way in this space. I thank the Senator for his consistent interest in this area. I know he is the spokesperson for our party on this and he frequently raises these matters. I thank him for his contributions to developing policy in that area.

Senator Shane Curley: It is good news in one way that there is acknowledgement from the Department that there is an issue with the entrance exam system. I welcome that. The only bad news from the response is that the only thing worse than the HPAT is the leaving certificate. They are going to rebalance with more focus on the leaving certificate results than on the HPAT. There is a matrix called Cronbach's alpha - I discussed this with Dr. Muirne Spooner in the RCSI - that is used to test the validity of high-stakes exams that have strong consequences. The HPAT is one of the lowest scoring exams that can go through that system. They cannot even test the validity of the leaving certificate. It is so bad they cannot even put it through the matrix. I would be nervous about moving away from the balancing to rebalance more favourably on the leaving certificate than the HPAT because it is the worst type of exam. I have a bugbear with it and am trying to get rid of it in its entirety but that is a long project. In the meantime, that is the one concern I have with the response. Gabhaim buíochas leis an Aire.

Deputy James Lawless: That is a fair point. The Senator wants changes for the better, which is reasonable. The institutions have identified this issue. I have spoken to them about how the HPAT, for the reasons the Senator mentioned, is not necessarily the best valve with which to manage entry into these professions. They are refocussing on the leaving certificate, and I appreciate the issues he has raised with that. It is part of a wider rebalancing in having identified issues with the HPAT and how it was being leveraged. Perhaps it was intended to create fairness but it is having the opposite effect in some cases. That is one of the reasons they are rowing back on it.

I will take on board the Cronbach's alpha programme. It is something I can feed into. I have established that task force on broader education, which will look more widely at CAO reform, entry points into higher education, whether there is too much emphasis placed on a single exam, and when the students take up their place whether they can have that broader range of disciplines available to them. That will reduce pressure points in a general sense but will also provide an opportunity for students to sample different types of disciplines and have that greater familiarity before they make a move. That in itself will be a form of aptitude testing in the early stages. I will ask the commission to include the Senator's suggestions on Cronbach's alpha as part of that review.

Acting Chairperson (Senator Anne Rabbitte): I welcome guests of the Minister of State, Kieran O'Donnell, and of Deputy Mary Lou McDonald to the Gallery. They are all welcome.

Pupil-Teacher Ratio

Senator Joe O'Reilly: I welcome the Minister of State and acknowledge the good work he has been doing in the Department. I raise an issue of enormous importance to rural communities across County Cavan, which is the future of our small primary schools and the need for greater investment in teaching posts and reduced class sizes. As a former primary school teacher, INTO branch chair and a regular delegate to INTO congress, this is an issue close to my heart. I first entered Seanad Éireann in 1989 with an INTO nomination on the cultural and educational panel and because of that background I understand the challenges facing teachers, pupils and school communities today.

I have been contacted by teachers and local communities that are deeply concerned about the future of schools, such as Corlea National School in the east of County Cavan and Coronea National School in a more central area of the county. These schools are classic examples that are much more than places of education. They are at the heart of their communities. The Irish National Teachers Organisation has highlighted the growing pressures facing primary education. According to figures confirmed by the Department of Education and Youth, 419,823 children, approximately 80% of all primary school pupils, are currently in classes above the EU average size of 16 pupils. In addition, 996 teaching posts remain unfilled while 7,864 substitute teaching positions are being covered by personnel who are not fully qualified teachers.

Having made that point, I acknowledge at this juncture that consistently over the past ten or 15 years, this and previous Governments have been reducing the pupil-teacher ratio. That is not a reason not to want to make further progress, but it is important to acknowledge that it has consistently been the case in the worst of times. These figures I have cited should concern all of us. They highlight the urgent need to reduce the teacher-pupil ratio in our classrooms. As a former teacher, I know that a smaller class size allows for more individual attention, earlier intervention when difficulties arise and better outcomes. The INTO has called for the recruitment for 1,000 additional primary teachers in budget 2027. At its core, this proposal is about reducing the teacher-pupil ratio. Every additional teacher means more support for pupils, particularly those with additional needs, and less pressure on already stretched staff.

The challenge is particularly acute in rural Ireland to keep small schools open. Under current Department of education staffing arrangements, a small drop in enrolment can result in the loss of a teacher post. That is the kernel for these small schools that are the at the heart of their communities, like Corlea and Coronea, which have multigrade and combined classes. It is important that is sorted out. I ask the Minister of State to examine greater flexibility within the staffing allocation system for small rural schools, and to give serious consideration to an INTO proposal for 1,000 additional primary teachers in this budget. Fundamentally, flexibility would matter a lot there. Every child deserves the opportunity to thrive, whether they attend school in Dublin city centre or a rural school in County Cavan. Reducing the teacher-pupil ratio should be a national priority. We have a responsibility to ensure that schools such as the ones I cited continue to provide the attention, support and quality education that every child deserves.

Minister of State at the Department of Education and Youth (Deputy Michael Moynihan): I thank the Senator and I appreciate the question. Budget 2026 provides for a

total of €13.1 billion investment in the Department of Education and Youth services. That is a 7% increase on last year. The budget provides for an increase of €845 million in core funding for education and youth on the figure allocated for 2025, while the total investment figure also includes €1.6 billion allocated for 2026 as part of the National Development Plan 2026-2030.

This funding reflects the Government's continued commitment under the programme for Government to ensure every child and young person can learn, thrive and reach their full potential. It builds on the progress made in recent years while recognising that further work is needed to make education more inclusive and equitable for all.

Teacher numbers at primary level have reached their highest-ever level in the current school year. Currently, there are over 43,000 teaching posts allocated across the primary school system. This represents an increase of just over 5,000 teachers compared with the figure for the 2019–20 school year, and this has led to a steady improvement in the pupil–teacher ratio and average class sizes during this period.

In recent budgets, priority was given to reducing the pupil–teacher ratio in primary schools, which brought the teacher allocation ratio to an average of one classroom teacher for every 23 pupils in all primary schools, the most favourable ratio ever seen at primary level. A three-point reduction in the retention schedule, which was introduced in 2021, assists schools that would otherwise be at risk of losing teaching posts.

The DEIS urban band 1 schools, including DEIS plus schools, receive additional allocations of 17:1, 20:1 and 19:1 for junior, senior and vertical schools, respectively. The latest figures on the pupil–teacher ratio show an improved ratio of pupils to teachers, from 15:1 to 12:1 at primary level, when comparing the 2019–20 school year with the 2024–25 school year. The average EU pupil–teacher ratio is 15:1. This includes all teachers allocated to a school as a ratio of the number of pupils enrolled in that school. The difference arises from the allocation of special education teachers, home school liaison teachers and other teachers who are not mainstream classroom teachers in schools. While these teachers provide valuable supports in school, they do not impact on class sizes. In the same five-year period, the primary staffing schedule improved from 26:1 to 23:1, and average class sizes at primary school have improved from 24 to 22.

The Government has significantly invested in schools and in our teacher workforce over recent years. The programme for Government commits to making further progress in this area, with an aim of reducing the general pupil–teacher ratio at primary level to 19:1 over the term of the Government.

I take the points the Senator has raised on the pupil–teacher ratio. In this regard, I have outlined one of the key goals. In the Senator's opening comments, she said a lower pupil–teacher ratio improves outcomes for children. The Government is constantly asking how we can make things better for children going through primary school and post-primary school. As with all elements of education, the aim is to equip them with the best tools they can have for entry into adulthood, when their school education ends. The education system is crucial in this regard. I take the Senator's points, but I might respond on the staffing schedule in my closing statement.

Senator Joe O'Reilly: I thank the Minister of State. I acknowledge and appreciate both his presence and the very positive nature of his response. I also acknowledge the progress made.

Let me make a little human aside. I spoke about my attendance at INTO congresses down the years. An excellent delegate attending those conferences with me on many a day was the dad of Senator Nessa Cosgrove, who will be speaking later.

Senator Nessa Cosgrove: He was a big fan of the Senator's.

Senator Joe O'Reilly: He was a very distinguished Irish National Teachers Organisation member and delegate. That emphasises how young Senator Cosgrove still is.

To go back to the point, I acknowledge progress but we need more. What I am asking is that we have a commitment to, and practical implementation in the next budget in respect of, a further reduction in class sizes, with an emphasis on the training and recruitment of teachers to fill vacant posts, because there is a real lacuna in the number of available teachers. We should not have substitution all the time, using untrained personnel in many instances. Could we consider how we accommodate the small schools in rural Ireland and build in flexibility, while not going to ridiculous levels, obviously? Nobody is suggesting that. It is a matter of how we build in sensible flexibility that would maintain our small schools. I am aware that this subject is close to the Minister of State's heart.

Deputy Michael Moynihan: I thank the Senator. The first point was on the progress being made on the pupil–teacher ratio and how we are going to continue that progress in the lifetime of the Government, in line with the commitment in the programme for Government. The challenges with the staffing schedule go back many years and relate to the enrolment number on 30 September. We have to have very clear guidance on the staffing schedule. I see the merit in flexibility where schools are just shy of the requirement by one pupil or whatever, but, to operate the entire education system with its 43,000 primary school teachers, we have to be very mindful that the 30 September numbers are built into the pupil-teacher ratios, and we have to work to them.

The other point the Senator made was on teacher training. Thankfully, a huge number of people are still willing to study education in teacher training colleges. That builds on the great education system we have and the teachers who have worked within it over many generations and have yielded enormous benefits for Ireland Inc. Thankfully, there are young people who are quite willing to regard teaching as a career, and long may that continue.

Yes, I understand the issue affecting small rural schools, but it is important to note that numbers are also an issue in some urban schools. I take the Senator's points and will reflect very carefully on them as we go into the budget cycle, which started a number of weeks ago. Our commitment in the programme for Government is very clear on where we need to get to in terms of education.

Departmental Programmes

Senator Patricia Stephenson: I welcome the opportunity today to raise the matter of the future funding for Kilkenny LEADER Partnership and, indeed, all local development

companies and networks across the country. I acknowledge the incredible work of Kilkenny LEADER through the LEADER programme and also through social inclusion and community activation programme, SICAP, funding. Every day, it supports rural businesses, helps people to enter employment, provides education and training opportunities, and does a huge amount of work strengthening social and cultural integration within our communities. It is often the first place people turn to when they need practical support. LEADER has had some really exceptional success on the ground in crucial community development.

With that in mind, there is a lot of uncertainty about future funding. The EU's decision to remove the ring-fencing obligation has raised questions and worries about what the future of LEADER will look like. The Local Development Companies Network, LDCN, is worried that the integration of LEADER funding into broader CAP funding will see a decrease in the dedicated ring-fenced budget, which may lead to greatly reduced programming in rural and traditionally isolated communities.

While discussions continue at EU level on the next multi-annual financial framework, on which we will obviously be highly engaged in our capacity during the EU Presidency, and on the future of the LEADER programme beyond 2028, we need to be very clear about what this is going to look like for programming at home. The ultimate decision on how Ireland chooses to fund rural and community development is made by the Irish Government, regardless of the decision around ring-fencing that happens in Brussels.

The current allocation is €180 million for five years and it does not meet existing needs. The LDCN is requesting a return to pre-austerity funding of around €450 million. Could the Minister of State, Deputy Buttimer, comment on what funding commitment will be made towards this in the next budget and on SICAP funding? SICAP has an exceptional track record in tackling disadvantage, supporting employment, reducing exclusion and fostering integration in communities in Kilkenny and beyond.

Senator Nessa Cosgrove: Cuirim fáilte roimh an Aire Stáit. I know he is well aware of all the LEADER programmes and the great work they do. I listened to "Morning Ireland" this morning where the Taoiseach was unable to give a straight answer not only about where the Common Agricultural Policy, CAP, funding is going to be spent but also in respect of LEADER projects. The local development companies are particularly vulnerable within the overall CAP budget. The Minister of State knows the amazing work they do on the ground to address poverty and to promote economic development and social inclusion. It is hard for those programmes to plan if the money is not going to be ring-fenced. The MEPs in the Minister of State's party have been engaged on this. All parties have been committed to this. I would love to know what commitment we can give. Even if it is not within the CAP budget, is money going to be ring-fenced?

There is also the social inclusion and community activation programme, SICAP, budget. Is the new community and new arrivals portion of that budget going to remain in place? Whether we like it or not, is it going to stay in place? The SICAP budget usually comes quite late. For local development companies, the SICAP budget arrives quite late, but because there is this additional new arrivals fund, they were able to manage the fund themselves. However, if that new arrivals money is not going to be there, when is the money going to be given to SICAP? Can we be sure of a date?

There are real concerns that there is a move towards military spending. It is not just LEADER companies. The Minister of State knows this. The Sligo and Leitrim LEADER programmes provide amazing opportunities, as do the programmes across the country. However, there is a worry that the CAP budget is going to decrease and will go towards more militarisation.

Minister of State at the Department of Rural and Community Development and the Gaeltacht (Deputy Jerry Buttimer): I thank the Senators for raising this important matter. I am not going to reveal the budgetary process because we have not yet got to that point. The point made by Senator Cosgrove in the context of spending on military alliances and defence has happened across Europe. It is something to which we cannot close our eyes, in particular on the eastern flank. As the Taoiseach said in the Dáil yesterday, we are a peripheral nation that is a bit removed from what is happening with Russia.

Having said that, I will also say that last year in our Department, the Minister, Deputy Calleary, and I secured a record €11 million in the budget for SICAP and the LEADER programme, which are two of the key interventions delivered as part of the ongoing Government investment in our communities. I share the regard of the Senators for the extraordinary, Trojan work being done. It is about strengthening, empowering and enabling communities and, in particular, new, diverse and inclusive communities across our country. The Minister and I have worked hand in glove on this matter. We have seen across the country, as the Senators know well, the real and tangible benefits that are being delivered.

Elected representatives in this House know the work being done. We see it in our own areas but we also see it across the country. The LEADER programme has been at the heart of the development of rural Ireland for the past 35 years. It is the key element of our Department's rural development investment programme. Both the Minister, Deputy Calleary, and I are committed in the budgetary process to keeping that momentum going. Under the current four-year LEADER programme, €180 million is available to rural communities across our country. To date, local action groups have approved over 1,300 projects, valued at over €64 million. I look forward, with the Minister, to seeing those projects come to fruition across the country in the coming months and years. As the Senators rightly said, LEADER is funded under the CAP and, therefore, the development of the EU regulations relating to the post-2027 CAP and the new national and regional partnership plan is a matter of significant importance to our Department and to the Minister and me. Within the draft regulations, the continuation of the LEADER programme as a CAP intervention is welcomed.

I appreciate and acknowledge contributions made by the Senators, and those many members of my own party and others have made, to the effect that the changes are causing uncertainty. I get it, as I travel the country the whole time. As part of the ongoing negotiation process - I have travelled to Poznań in Poland and the Minister, Deputy Calleary, has been at the Council of Ministers meeting - our Department has consistently emphasised at every opportunity the importance of a ring-fenced allocation for the LEADER programme to ensure that the post-2027 programme can continue its vital role in supporting rural communities across our country.

As the Senators will understand, there are many details that remain to be finalised as part of the negotiation process to put the regulations in place and discussions at a detailed level are continuing. These negotiations are expected to continue through Ireland's term of office as the

President of the Council of the European Union. I assure both Senators and all Members of the House that our Department, the Minister and I will continue to engage directly with our European colleagues and the Commission to ensure that the LEADER programme continues to be well funded into the future.

The Senators also mentioned SICAP, which is our primary national social inclusion programme. It is doing huge work. Without it, look at the levels of poverty we would have and the exclusion, rather than inclusion, we would have. We would have inequality rather than equality. We are supporting disadvantaged people and communities. I pay tribute to local development companies for their work. SICAP funding is part of the budgetary Estimates process. Last year, we secured an extra €1.5 million in the budget, which brought the increase in funding to SICAP since 2022 to €11.3 million. That means we have in excess of €50 million to be spent. I will come back in a moment to the other points in my reply.

Senator Nessa Cosgrove: I thank the Minister of State. We know the work that is done on the ground. However, there is a danger. That is why I think we should use our EU Presidency. I am talking in particular about the north west. It has been downgraded to a lagging region within the EU. It is in areas like that we know there are challenges in respect of employment opportunities, building sustainable communities and promoting green ethical farming. All of those matters come under the CAP budget. It must be ensured that we have this commitment.

I know that the Minister of State and the Minister, Deputy Calleary, are committed to LEADER companies and SICAP. It is about trying to use our voice. We joined the EU in 1973. It was not a military operation that we joined. We joined because it would be better for all the people living on the island and that has to be taken into account when we look at areas such as the north west that have been downgraded in their EU status to a lagging region. That is the case we need to be arguing during our EU Presidency.

Senator Patricia Stephenson: There is obviously the issue around ring-fencing at the EU level but regardless of how the negotiations manifest in Brussels, we can make our own national commitment to ring-fencing for the local development companies network, LCDN. The LCDN is seeking an additional €10 million to sustain SICAP funding. That was its recent request. The Minister of State has outlined the importance of the work it is doing.

Deputy Jerry Buttimer: I thank both Members for raising the matter. All of us in the House share an ambition regarding SICAP and LEADER. The Minister, Deputy Calleary, and I are committed to ensuring that we have a well-funded CAP that does not just support farm resilience and environmental ambition but also strongly invests in rural Ireland. I am acutely aware of the challenges that remain and are faced across many parts of our country. Senator Cosgrove mentioned the north west. In the programme for Government, we have a firm commitment around the whole allocation of SICAP funding. We are now living in a different world. That is the sad part. It is the battle that we must fight within Europe to ensure that money is not spent disproportionately. We must spend it on people in a different way that has real and tangible benefits.

We will work at European level to ensure that investment is targeted at local priorities and in the work we are doing. I have made the following point to many people in different forums.

Without what we are talking about this morning, SICAP, LEADER, CLÁR or whatever else, we, as a world, are in big trouble. It is our job to continue to fight for those programmes and we will do so. I thank the Senators for raising the matter. I cannot give them certainty regarding the budgetary process for the allocations of money because that has not started yet. I assure them that both the Minister and I will do the very best we can to ensure the funding allocations continue to be where they are today.

Passport Services

Senator Linda Nelson Murray: I thank the Ceann Comhairle for selecting this important Commencement matter and welcome the Minister of State, Deputy Buttimer, to the House. I have a simple request that will help thousands of people. Will the Minister or the Department consider introducing an opt-in text message and email reminder service to notify passport holders when their passports are about to expire?

The issue of passports going out of date has a very real impact on thousands of people every year. We have all heard stories from constituents who have spent months planning and saving for a family holiday only to arrive at the airport and discover that a passport has expired or just as importantly does not have sufficient validity remaining for travel to the destination, or else they figure this out a day or two before their holiday. Many countries now require passports to have at least six months' validity beyond the date of travel. People often assume that because the expiry date has not yet passed, they are free to travel but unfortunately that is not always the case and many discover this when it is too late. The result can be cancelled holidays, missed family occasions, lost business opportunities and thousands of euro in non-refundable flights and accommodation.

The passport service in Ireland is rightly regarded as one of the most efficient and best passport services in the world, turning over thousands of passports every year. We literally know the people in the Passport Office on a first name basis, given the number of calls we make to them.

Other countries, including I think America, have an opt-in text service to let people know when their passport is about to expire. The Department already holds the contact details for passport applications, which are submitted when people apply. An automated voluntary reminder issued six months or even a year before a passport expires should not be a big thing to implement. It seems like a no-brainer. It would encourage timely renewals, reduce the number of emergency applications and give people peace of mind before travelling. I imagine it would save a lot of headaches for the people working in the Department of Foreign Affairs and Trade. It is a practical and low-cost initiative that would improve customer service and help to prevent avoidable disruption for families, business travellers, students and older people visiting loved ones abroad. I therefore ask the Minister to examine the feasibility of introducing an opt-in passport reminder service and engage with the passport service on how long it would take to implement such a system. Sometimes the simplest changes have the greatest impact and I believe this one of those occasions.

Deputy Jerry Buttimer: I thank Senator Nelson Murray for raising the matter this morning. At the beginning it is important to thank the staff in the Passport Office both in Dublin and

Cork for their courtesy, professionalism and patience. I also thank the staff in the Minister, Deputy McEntee's, office. As the Senator rightly said, the most frustrating part of the summer season is the demand for passports as many of our fellow citizens prepare to travel. It can happen that people suddenly discover the passport is out of date or not in order, which leads to panic. I would strongly support the Senator's suggestion.

As the Senator knows, the Government has invested considerably in modernising, improving and protecting the Irish passport, along with the environment and systems that underpin service delivery for citizens. The passport service continually works to enhance the service and provide efficiencies for customers under the passport reform programme.

The passport service, and indeed the Ministers in the Department of Foreign Affairs and Trade, take every opportunity, as we do this morning, to remind citizens to check their passport validity. Each year the passport service proactively plans for the demand forecasted for the year ahead. Part of this involves an extensive public communications campaign to encourage citizens to apply, through passport online, in plenty of time for their passport prior to travel. This year's campaign focused on driving awareness among citizens, particularly parents of newborns - as we know getting a first passport is a very lengthy process - and young children, that passport online is the fastest, easiest and most cost-effective way to apply for a passport. In recent years, the successful campaign in December and January has been highly effective in motivating citizens to apply in the early part of the year, well ahead of the busy summer travel season. The passport online service operates 24 hours a day, seven days a week. It is available to citizens all over the world. The advice this morning is for people to check their passport well in advance of travel.

The passport service's programme of reform will continue throughout 2026 and next year, with the delivery of several highly complex and transformational projects that are necessary to future-proof service delivery, enhance the customer experience, ensure business continuity, and safeguard the integrity of the passport. As we have said, the Irish passport is a very cherished document. Successful delivery of these projects will ensure that Ireland remains at the forefront of passport processing worldwide.

Last Friday, the Minister, Deputy McEntee, launched a redesigned and modernised new Irish passport book and card. This project has also encompassed the replacement of high-security printing machinery required for passport personalisation. Along with other upgrades to the passport service's systems, next year citizens applying for a passport for the first time or renewing their passport will be able to opt in to receive electronic communications, including passport expiry reminder notices, from the passport service. This service will be opt-in for several reasons. The Department has a statutory obligation from a data protection perspective to only use personal data, which may include home addresses or email addresses where it is satisfied the data is accurate and up to date. It would, therefore, be precluded from automatically using addresses used for the dispatch of passports ten years ago. Unlike car tax or travel insurance, adult passports expire after ten years and individuals' circumstances or contact details may have changed in the interim.

I hope the point the Senator made was encompassed in that. It is important that people get a reminder and a prompt. As she rightly said, it is about making it easier for people to get access to what is a cherished document. In particular, I would be all for making it easier for first-time applicants, mainly children.

I thank the Senator for raising this very important matter. I also thank the Passport Office staff who do extraordinary work in very pressurised circumstances. We are all genuinely beholden to them and we send them our best wishes.

Acting Chairperson (Senator Anne Rabbitte): There is a happy Senator.

Senator Linda Nelson Murray: I thank the Minister of State and I also thank a friend of mine, Philip Quinlan, who brought this to my attention. I am really delighted to see that we are going to have an opt-in service for passports starting next year, which is my understanding of what the Minister of State just said. Therefore, there will be an opt-in. I take the point that people might change address or contact details within ten years and possibly there could be something going forward. It seems we are being encouraged to log into the *mygov.ie* system and maybe passports could be linked in there in the future. We are being encouraged to go in there and complete surveys and do lots of different things. Maybe that could be a way of reminding people.

We are used to getting reminders from doctors now. I have to get a horrible root canal procedure done and I have received two text messages this week to remind me to go there tomorrow. We are all used to getting these reminders and it is something normal. I thank the Minister of State for being here and I thank the Minister, Deputy McEntee, for her work in this space. I am delighted that there will be an opt-in service so that people will be reminded about their passports from next year onwards. That is great news.

Deputy Jerry Buttimer: As the Senator rightly said, passports are an important issue for not just Members of the Oireachtas but for citizens as well. As we are in the summer holiday period, it is important to reiterate the message about applying for the passport in time. As I said, as part of the passport reform programme, an opt-in passport reminder will be introduced next year. This will allow all citizens renewing or applying for a passport to opt in to receive electronic passport expiry reminders. I encourage anybody listening or watching at home if they are travelling abroad, particularly families with young children, to check the validity of the passport before booking travel and to apply online and in plenty of time. Passport online is the best option for all of our citizens. It is the quickest, most convenient and most cost-effective way to apply for passports. I encourage everybody watching and listening to apply online and to make sure their passport is in order. I thank the Senator for raising the matter this morning.

Acting Chairperson (Senator Anne Rabbitte): It is lovely to get a Minister of State finishing the final Commencement matter with good news.

Cuireadh an Seanad ar fionraí ar 11.19 a.m. agus cuireadh tús leis arís ar 11.31 a.m.

Sitting suspended at 11.19 a.m. and resumed at 11.31 a.m.

An tOrd Gnó - Order of Business

An Cathaoirleach: I welcome guests of Deputy Michael Murphy from Cashel rehab centre and Knocklofty rehab centre. They are most welcome to Seanad Éireann. I thank them for being here today.

The Minister of State, Deputy Ardagh, is here as well. I thank her for being here. She can go to the Distinguished Visitors Gallery. As a former Member, she has that privilege.

Senator Garret Ahearn: I also welcome the guests from Cashel and Knocklofty to the Chamber. I am right next door to Knocklofty at home.

The Order of Business is No. *a1*, Regulation of Artificial Intelligence Bill 2026 - Second Stage, to be taken at 6.30 p.m. and to conclude at 8.15 p.m., if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed eight minutes, all other Senators not to exceed four minutes and the Minister to be given no less than ten minutes to reply to the debate; and No. *b1*, Dublin Airport (Passenger Capacity) Bill 2026 – Second Stage, to be taken at 8.15 p.m. and to conclude at 9.30 p.m., if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, each group spokesperson not to exceed eight minutes, all other Senators not to exceed four minutes and the Minister to be given no less than ten minutes to reply to the debate.

Senator Fiona O'Loughlin: As Ireland begins its EU Presidency at a very pivotal and challenging time, I wish all of those involved from the Taoiseach, the Tánaiste, the Minister, Deputy McEntee, and the Minister of State, Deputy Thomas Byrne, all the best and of course all those in the Department of foreign affairs, in particular Aingel O'Donoghue, the ambassador to the EU. She is going to have a very busy six months. Having been in the embassy in Brussels a number of times, the people we have there are absolutely dedicated. They are top class. I wish everybody well over the next six months.

I pay tribute to the late David Andrews who passed away this week. He served his constituents in Dún Laoghaire-Rathdown for almost four decades in an extraordinary life of public service. During that time, he held a series of ministerial positions; Minister for Defence, Minister for the Marine and Minister for Foreign Affairs at a crucial time in the negotiation of the Good Friday Agreement. His commitment to Ireland, his constituents and the party I am proud to serve, Fianna Fáil, was second to none. Beyond politics, he was a huge advocate for human rights. He was a barrister and campaigned, for example, for the Birmingham Six and the Guildford Four. On behalf of the Fianna Fáil Party in the Seanad, I extend our condolences to his wife, Annette, his sons, our colleague, Barry Andrews MEP and David McSavage, Mary, Sinead and Claire and of course his nephew, Senator Chris Andrews, who is a Member of this House.

I spoke only yesterday about the income disregard for carers rising, which is significant. I was really saddened and annoyed to see this morning an article in the *Irish Independent* that Kfm covered. It brought to my attention serious concerns for home care patients in Kildare. Apparently, an internal HSE circular is now restricting home care approval to only critical, urgent cases and palliative, end-of-life care. Patients in high need will be turned away and those in moderate need have very little chance of any approval this year, hitting hardest those who rely on home care for basic nursing supports like medication administration. Apparently,

the HSE has also capped home care hours at 14 hours a week. These are the most vulnerable people in society who have all too often been forgotten. They deserve to be cared for in their own homes with dignity. I would like a full debate with the Minister for Health to see what alternative supports can be put in place.

Senator Mike Kennelly: I ask the Minister for housing and local government to amend regulations governing the retirement age for firefighters to allow those who remain medically and physically fit to continue serving until the State pension age of 66. Approximately 3,300 firefighters are serving in Ireland with more than 2,000 serving as retained firefighters. They staff the vast majority of our 217 fire stations and are the backbone of the fire service in rural and regional Ireland. They respond to fires, road traffic collisions, flooding and other emergencies while balancing their role with work and family commitments. They provide an invaluable front-line service to communities across the country.

Under the current regulations, retained firefighters can remain in service beyond the age of 55 if they pass annual medical and fitness assessments but must retire at 62. That means many are forced to leave up to four years before they qualify for the State pension. The Government acknowledged recruitment and retention challenges when it increased the retirement age from 60 to 62 in 2024. However, those challenges remain. Fire services, particularly in rural Ireland, continue to struggle to recruit and retain personnel. Requiring experienced firefighters to retire at 62 only makes that situation worse. This proposal is not about lowering standards. Those wishing to remain in service already undergo annual medical and fitness assessments and can only continue with the approval of their employing fire authorities, which are the local authorities. The safeguards are already in place. The proposal simply extends the existing fitness-based approach to the State pension age of 66.

There is also a clear issue of fairness. Retained firefighters can be required to retire up to four years before they qualify for the State pension despite being fit, capable and willing to continue serving. That gap has to be addressed. There is real urgency. Firefighters approaching their 62nd birthday in the coming weeks and months face compulsory retirement under the current regulations. If the Government intends to make this change, it must act now. I ask the Minister to introduce an immediate pause or freeze on compulsory retirements at the age of 62 while the necessary regulatory changes are progressed. It would be deeply unfair if experienced firefighters were forced to retire only for the rules to change shortly afterwards. This is a sensible and practical reform. It will help to retain experienced firefighters, strengthen emergency response, support rural fire services and align retirement with the State pension age, while maintaining the high standards of safety through annual medical and fitness assessments.

I ask the Minister for housing to come to the Seanad to debate amending the regulations to allow retained firefighters to serve until the age of 66, where they continue to meet the required medical and fitness standards, and to introduce an immediate freeze to that no firefighter is disadvantaged while this change is considered.

Senator Joe Conway: I want to record my concerns about the proposed data centre and energy campus development at Blackknock in Adamstown, Kilmeaden, County Waterford.

The proposal by Echelon Data Centres and Kent Homes Limited includes three large data centres, a solar farm, battery energy storage systems and a gas-powered energy centre across approximately 108 ha of rural land.

While located in Kilmeaden, the issues raised by this development are of national importance. At a time when Ireland is seeking to reduce emissions and meet ambitious climate targets, serious questions arise regarding the project's electricity demand and source of supply, the role of gas-fired generation and associated emissions, water consumption and its impact on local resources and aquifers, the cumulative impact of large-scale data centre developments on Ireland's energy infrastructure and the compatibility of such developments with national climate, planning and environmental policies. This proposal also raises broader concerns regarding the industrialisation of rural communities and the long-term implications for Ireland's environment, energy security and infrastructure capacity. I believe these matters warrant national scrutiny and should not be considered solely through the local planning process.

Also, in light of the recent Friends of the Earth and United Nations report regarding data centres, which could all be read here with redound, I am deeply concerned about the road we are taking. Many would say that the world is beginning to tip into great climate challenge. Just this morning I saw in *The Irish Times* that there is a likelihood we will face €13 billion annual fines for breaching emissions targets in the decades to come.

I respectfully request we seek a debate in Seanad Éireann on the implications of this development and the wider policy issues surrounding large-scale data centre projects in Ireland.

An Cathaoirleach: Before I call on the next speaker, I welcome guests of Senator Curley, Ciarán Hayden and Jennifer Davidson from the Writers' Guild. I thank them for being here.

Senator Chris Andrews: I want to acknowledge and congratulate Cricket Ireland. Over the weekend it had absolutely fantastic success, with three huge wins. It will be remembered in Irish cricketing history. The Irish men beat India and the Irish women had their first win in the T20 world cup. It is a fantastic achievement. The big three sports are well supported but it shows that it is important to support and invest in smaller sports like that, so I acknowledge Cricket Ireland's success.

I also want to acknowledge today is the first day of Ireland's EU Presidency. It is an important opportunity for Ireland to secure its interests at a European level. Up to €400 million is set to be spent on this Presidency. That is many times more than what was spent by the last two Presidency countries combined. That might well be worth the cost if the Government delivers real results but, unfortunately, there have been quite clear signs from Ministers that Ireland intends only to be an EU functionary rather than using this rare opportunity to advance specific Irish interests. We should be using this Presidency to put Irish unity back on the agenda in Brussels and we should be convening a summit to examine reunification, push for representation of Irish citizens in the North within EU institutions and advancing support for unity at the Council level. We should also be leading an effort to scrap the EU-Israel Association Agreement and push for EU recognition of Palestine and for sanctions to be placed on illegal Israeli settlements.

Concerns also exist regarding our approach to competitiveness and neutrality with this Presidency. The EU is pushing for deregulation as a means of increasing competitiveness and stimulating economic growth. I fully accept that economic growth is urgently needed but deregulation that comes at the cost of workers is not a step forward.

Separately, I am very concerned about the defensive aspects of this Presidency. Yesterday, it was revealed that a French warship will be operating just off the coast of Ireland as part of the security arrangements for EU events in Dublin. This is very questionable on a legal level given that the Constitution clearly prohibits maintaining foreign military forces within our border. Ireland should not be in a position that we are relying on NATO for basic security purposes. The lack of preparation and investment by Fianna Fáil and Fine Gael in our Defence Forces has unfortunately made this a reality. If this is the trend for the next six months it will have very grave effects on our neutrality. It is very important for the Minister for foreign affairs to clarify this issue and state whether Ireland is entering into a de facto military alliance for the duration of the Presidency.

The European Presidency offers a huge opportunity and we have to grasp it. We should not be seen as just a back-up band for Ursula von der Leyen and militarisation.

Senator Paul Daly: At the outset I would like to be associated with the words of the Deputy Leader on the passing of David Andrews. I want to extend my personal sympathies to our colleague, Barry Andrews MEP, his nephew, Chris, our colleague here in the Seanad, and the extended Andrews family.

There is an article in today's *Irish Independent* about EV charging infrastructure. The ESB has announced that while it has 1,600 chargers, only 1,400 can be used at any one time, although it admits this has nothing to do with grid infrastructure but its own infrastructure as some of these are almost outdated and cannot be used simultaneously by multiple vehicles. It was also highlighted that the latest price increase will bring its KW hour price for a unit of electricity at a fast charger to 73 cent. I am a converted EV driver – I will receive my third electric vehicle on Friday. I charge at home and I have solar panels but I have done a night rate deal with the ESB whereby between the hours of 2 a.m. and 4 a.m. I can get electricity at 10 cent a unit. A comparison was done on the radio this morning which showed that 73 cent a unit actually works out at €12 per 100 km of travel distance, whereas petrol or diesel is only €10. It is actually more expensive. There is no incentive there. When you are stuck for a charge, you are stuck for a charge. To me, it is blatant gouging. The ESB can sell me the electricity at 10 cent and it can buy the electricity that my solar panels are producing for 19 cent and then it charges 73 cent. It is not the worst. There are other suppliers charging up to 85 cent. It is way more expensive to go to a fast charger than it is to fill up with diesel or petrol. We need the Minister in here. We need to discuss the infrastructure and the pricing. While we were encouraging people to buy electric vehicles, after all the tribulations around the Strait of Hormuz people are coming to it themselves without encouragement. The last thing we want is for them to be driven back by what is nothing short of price-gouging.

Senator Rónán Mullen: Many organisations are meeting politicians in Leinster House in connection with their pre-budget submissions. I would like to draw the attention of the House to two very important ones. I dtosach báire, cuirim ar aird an Tí seo a luachmhaire is atá obair TG4 don tír. Tá sé ag lorg maoinithe breise, ar luach €11 milliún é, don bhliain seo chugainn

chun cur ar a chumas na haidhmeanna straitéiseacha atá aige a chur chun cinn agus níos mó a chur ar fáil dá lucht féachana. Ní mór cur san áireamh go n-infheistíonn TG4 74% den mhaoiniú poiblí a fhaigheann sé isteach san earnáil léiriúcháin neamhspleách. Is é TG4 an t-infheisteoir is mó sa léiriúchán neamhspleách réigiúnach. The value of TG4 to the country will be seen in the coming weeks when its fantastic Tour de France coverage will continue. It will continue for the next few years and I want to wish it well. It is always an excellent production and most enjoyable. TG4 invests three quarters of its public funding in the independent production sector and it is the biggest investor in regional producers. I just want to cur agus tacú le hiarracht TG4 inniu.

I would also like to mention the Irish Men's Sheds Association. By the middle of next year there will be over 500 active men's sheds in the country. I think we all agree that men's sheds are bringing something irreplaceable into Irish life, combating isolation and giving men, in particular, a much-needed forum to meet and work together. It is a tremendously positive thing which helps to combat social problems which we know are there, particularly around men and men's isolation.

They deserve every support. They are seeking a total fund of €3,000 per shed in next year's budget. That would be an investment of €1.5 million and they have various other sensible proposals targeting the needs of particular men's sheds where special resources are needed.

One of two not quite cost-neutral but very important asks would be that commercial rates would not apply to men's sheds. Could the Government work with local authorities to ensure those commercial rates are waived? Could it also work with local authorities to ensure that men's sheds can have long-term leases so they can be sure of their continued existence? Very often, that is quite precarious. Go raibh míle maith agat, a Chathaoirligh. Gabh mo leithscéal as dul thar fóir ansin.

Senator Aubrey McCarthy: I reiterate what my colleague Senator Paul Daly said regarding the electric chargers and price-gouging, as he called it. It seems like we were all encouraged to switch to electric vehicles, EVs, or hybrid cars because they were very cost-efficient, etc. Now that we have all done that, it looks like the pendulum has swung and charging is more expensive than diesel or petrol. We certainly need to look at that.

As Senator Andrews mentioned, there are huge opportunities as we taken on the Presidency of the Council of the European Union for the eighth time. Yesterday, I was delighted to attend an event at Technological University, TU, Dublin with the Minister of State, Deputy Thomas Byrne. He spoke to ambassadors and diplomatic representatives from all over Europe. It was a reminder that even though Ireland is a small nation, we have a loud voice and it carries influence on the central European stage. He spoke, under the motto, "Ní neart go cur le chéile", which means "strength with unity", about how Ireland will lead the EU Presidency for the next six months. We are going to focus on competitiveness, values and security. It is worth reflecting, when we look at that, how far we have come and what European membership has done for Ireland. It has transformed Ireland. Everything is not perfect but it has brought peace, opportunity and prosperity. I see that our nearest neighbour, which opted out of Europe, is now looking at different ways to get back in. We have come from being one of Europe's poorest countries to being one of its most dynamic economies and we should never forget that it was solidarity that helped us get there.

The Presidency comes at a challenging time and Europe continues to face Russia's war in Ukraine. The Leader knows I am the convener of the Ukraine-Ireland parliamentary group. We need to make sure we rise to the challenge to defend and stand with Ukraine during this. Over the next six months, we also have a unique opportunity to help shape Europe for 450 million European citizens. It is a remarkable responsibility and one we should approach with confidence. I wish the Taoiseach, the Tánaiste, the Minister of State, Deputy Thomas Byrne, the Minister, Deputy Helen McEntee, and all of the Irish officials representing our country every success as they lead Ireland in the European Union Presidency.

An Cathaoirleach: Before I call on the next speaker, I welcome guests of former Senator, Ivana Bacik, a Member of the other House and leader of the Labour Party. They are from the New York University summer in Dublin program. They are most welcome to Seanad Éireann and I thank them for being here. Anois, an Seanadóir Sarah O'Reilly.

Senator Sarah O'Reilly: I raise the issue of electricity prices. We have heard over and over that Ireland has the highest electricity rates in Europe. However, it may surprise the Leader to know that Ireland has the second highest household electricity prices in the world, second only to Bermuda. We should think about that for a second. Households in Ireland - hard-working families - are paying the second highest electricity prices in the world. At the same time, the ESB, a semi-State body, has made almost €3 billion in after-tax profits over the past four years. We have over 300,000 households in energy arrears, yet, just today, electricity prices have gone up again. Who exactly is benefiting from this system? It is not the ordinary taxpayer.

Today, Aontú brought forward a motion in the Dáil to tackle the cost of living because this is about much more than electricity bills. Over the last five years, families have been hit by once price shock after another. Grocery bills have risen by around 40% since 2021. Energy bills are up by 57%. Diesel prices have soared and overall prices in Ireland are 36% above the EU average. Many families find it impossible to afford everyday emergencies, such as a car breaking down, a new washing machine or fridge or an unexpected trip to the dentist. It feels like people are working harder and harder and getting less in return. The situation has become so absurd that it is now more expensive to charge an electric vehicle than fill the tank with petrol or diesel. If my household identified as a data centre, I would have access to significantly cheaper electricity rates than ordinary households, as is the case for data centres in this country.

Electricity is a necessity. A semi-State company should not be maximising profits while hundreds of thousands of households struggle to pay their bills. Aontú's motion would reduce ESB profits to zero to ensure households get a fair price for electricity. That should make it enough money to cover costs and invest. It should not profit off the backs of taxpayers.

Senator Gerard P. Craughwell: I omitted to formally congratulate the Leader yesterday on his elevation. I assume there will be bonfires all over Tipperary as he arrives home this weekend. I ask him to please forgive me for not officially congratulating him.

I will say a few words at the start at our Presidency of the European Union. My thoughts are with the public servants who have been seconded from Departments all over the place to facilitate the Presidency of the EU. We give the various Departments a bit of a licking now and again over various things that bother us, but it is amazing how the public service can step

up to the plate at a time like this and show Ireland at its very best. In regard to the State and the Government but, most of all, those who will be at the coalface, working day and night to show this country in its best light, I wish them well and I hope everything goes as planned.

Senator Garret Ahearn: I thank the Senators who have spoken. I will start by acknowledging Senator O'Loughlin's well-thought-out contribution on the very sad passing of the former Minister, David Andrews. I pass on our condolences not only to our colleague here, Senator Chris Andrews, but also to Mr. Andrews's family - Annette, Barry, David, Mary and Sinead - on his sad passing. He left an incredible legacy over decades of service to this country. He has passed on that passion for public service to the next generation of his family, who are doing him proud as well. When I look at politics, certainly when I was young, he was one of those people who was looked up to and thought of as a statesman, who was above politics even. He was someone who was admired and respected by all sides of the House. As Senator O'Loughlin said, his role in the Good Friday Agreement still lasts 30 years later. On behalf of the House, we wish his family well. We are thinking of them at this sad time. Senator Andrews might pass on our condolences to the wider family.

Senator Chris Andrews: I thank the Leader.

Senator Garret Ahearn: Senator O'Loughlin also spoke about the income disregard for carers, which she raised yesterday as well. It does seem ridiculous that approval is being restricted based on just how severe the situation is. That is not where we should be, certainly at a time when we have funding in place and there is money in the country to be able to support our most vulnerable people. A number of issues have been brought up over the past couple of days on the Order of Business in relation to health. We should have a wide-scope debate on health in this House and I am sure Senators will work with me on that. We might be able to do that very early after the recess.

Senator Mike Kennelly spoke about firefighters and the retirement age of 62. It seems quite unfair, if someone is fit and able and has been shown in tests to be fit and able, not to be allowed to continue working in a critical area in which we are trying to find people to work. It is mandatory for firefighters to retire at 62 and they still cannot receive a pension until they are 66. That should certainly be looked at. The fire service has obviously recognised it, considering the retirement age has been increased from 60 to 62. We have over 3,000 people working in the fire service who provide a daily service to people across the country at very tragic times and in difficult situations. They put their own lives at risk, so the least we can do is make sure their pay and conditions reflect the good work they do.

12 o'clock

I will ask the Minister to come in and see if he can play a role in pausing compulsory retirement.

Senator Joe Conway spoke about data centres. This is always a contentious issue. There are positives to the economic side of it. The tax data centres pay to the Government is beneficial. There is an environmental side to it as well and we need balance. Any planning decisions are a matter for Waterford City and County Council and, beyond that, An Coimisiún Pleanála. I take on the Senator's concerns and it is important to raise it if there are people in

Kilmeadan concerned about it. I live not far from the area. Sometimes we do not highlight the important role data centres play as well.

Senator Andrews raised something I always like talking about, which is sport. I was at a cricket match a couple of years ago in Malahide. The men's win against India was phenomenal and to see the women back it up with the T20 is incredible. We always talk about the main sports - GAA, soccer and rugby - and that is reflected in funding. Whether from sports capital grants or other large funding for sports projects, the big sports organisations get a large proportion of that money. We need to invest in small sports. Cricket is a prime example. Boxing is one we are very successful in. Rowing is another one we need to invest more into. There are loads of examples of sports we need to support more. Those sports organisations need to be more ambitious in asking for money from us. Often you find there is a limited amount a sports organisation can ask for and the GAA asks for that exact amount, the highest it can ask for. If you tell a rowing, boxing or gymnastics club it can apply for up to €100,000, it will ask for €5,000. That culture needs to change and small clubs need to be ambitious. All of us here will do the best we can.

Senator Rónán Mullen: The Leader should try out for the Oireachtas cricket team.

Senator Garret Ahearn: We have a few sports teams. I am a member, as is Senator Andrews. It is good for mental health and body health.

Senator Rónán Mullen: I am not sure about my hand-eye co-ordination.

Senator Garret Ahearn: On the money we are spending on the EU Presidency, we are in the fortunate position of being the fastest growing economy in Europe and having the money to spend on a Presidency. Not long ago, in 2013, we did not have a penny to spend on the Presidency and every meeting was held in Dublin Castle. Even those from Dublin will recognise the importance of branching out beyond the M50. Some 25% of the meetings that will happen during these six months will be held outside of Dublin. That brings a wider audience to the Presidency, which is important, and promotes more than just Dublin, which is also important. There is real opportunity.

I agree that the Presidency is an opportunity to push again on the EU-Israel Association Agreement. We have done a lot in the past year or more to convince other countries, with 17 or 18 of the 27 EU countries now supporting our position. It is the big ones we need to get over the line. It is very difficult but the Minister is committed to trying to do that.

Senator Paul Daly spoke about ESB EV charging points. A sign of the mindset change regarding EVs is the fact the Senator and I are both EV drivers. I suspect that 30 years ago, traditional rural people would never have thought of getting EVs and now he and I both have them. The numbers will only increase, as the Senator said. People are moving to electric vehicles. We cannot have a situation where it costs more to charge a car than to get diesel or petrol. That is just ridiculous. The variation in prices in petrol stations is crazy. The Senator gave an example of 73 cent. That basically means to charge a car fully would cost about €50, which is bonkers. To charge a car at home costs 10 cent per unit for the Senator. I think I have it for a little bit less, at 9 cent. I will not promote the company I am with. There is a lovely

night-time rate. To charge a car at home overnight costs €7 or €8. We cannot have one situation where it costs €7 or €8 to charge a car and another where it costs €50, with the same amount of energy. There is an opportunity to debate that. Sales of EVs are going up dramatically. Many people in rural Ireland see the opportunity in them. It would be worthwhile to have a debate on pricing and on making sure charges work.

Senator Mullen spoke on the budget submissions of TG4. TG4 representatives were in our committee talking about the work the channel has done to promote independent production, which is important. What is good about TG4 as well is it broadcasts things like the Tour de France and local club games, where people who are not Irish speakers can become familiar with the service and product TG4 provides.

Senator Rónán Mullen: TG4 is closer to the people, generally speaking.

Senator Garret Ahearn: They all try to be as close as possible to the people.

Senator Rónán Mullen: Some are better than others.

Senator Garret Ahearn: Yes, but it is important we recognise that.

Men's sheds have taken off in recent years. The request of €3,000 per shed is not a lot in terms of a budget measure. We can talk to the Minister on what can be done. Many men's sheds have not got any money at all. Rates are a matter for the Department and, in particular, county councils to decide. I think it is a token of gratitude. A lot of the work men's sheds do helps local authorities in terms of isolation and involvement in communities. A symbolic thing to do would involve rates. Men's sheds essentially have no money, which is not really fair.

Senator McCarthy spoke about the ESB, which I have dealt with, and the EU Presidency, which I have spoken about as well, and the opportunity it brings for Ireland over the next six months, which is important.

Senator Sarah O'Reilly spoke about electricity prices. We had a debate on that last night, and on removing the standing charge when a customer's electricity is gone. The Government recognised there is a cost-of-living challenge for many people. We brought forward a €750 million package two months ago to support people because of the increase in petrol and diesel prices. We will do more in the budget as we see fit. Those measures were not supported by the Senator's party. We will be there to support people in the winter period. While she is raising concerns over electricity prices and the cost of living, we are very aware that the challenges we have now could be very different in a number of months, depending on geopolitical factors that we cannot predict. Thankfully, we have the funding there. Because of Government measures and decisions in recent years, we have money set aside to help and we will help people in the budget.

Senator Craughwell spoke of the EU Presidency, particularly the work our public and Civil Service have done to prepare for it and the work they will do throughout the six months. It is a massive undertaking to plan this Presidency, particularly because we are going across the country with it. At times like these, we see the incredible public service we have. The people who serve our country will leave a lasting legacy during these six months.

Order of Business agreed to.

Cuireadh an Seanad ar fionraí ar 12.08 p.m. agus cuireadh tús leis arís ar 6.35 p.m.

Sitting suspended at 12.08 p.m. and resumed at 6.35 p.m.

Regulation of Artificial Intelligence Bill 2026: Second Stage

Question proposed: "That the Bill be now read a Second Time."

Acting Chairperson (Senator Mark Duffy): The Minister of State is welcome to the House.

Minister of State at the Department of Enterprise, Tourism and Employment (Deputy Niamh Smyth): I thank the Cathaoirleach and colleagues for their attendance here this evening. I am very pleased to bring this Bill before the House today. The purpose of the Bill is to bring full effect in Ireland to EU Regulation 2024/1689 of the European Parliament and of the Council, that is, the EU's Artificial Intelligence Act, which I will refer to throughout as the AI Act.

As with all EU regulations, the AI Act has direct legal effect across all 27 member states. It aims to harmonise rules for AI systems across the EU, creating a single market and ensuring a consistent approach to risk, safety and fundamental rights. With those aims in mind, this Bill is a technical implementing measure. It does not add to, nor alter, the obligations placed on regulated entities by the AI Act. This Bill establishes essential domestic regulatory architecture for the supervision and enforcement of the AI Act in the State. In particular, the Bill does three things: it establishes a national AI office here in Ireland; empowers our competent authorities to supervise the regulation of AI; and creates a robust administrative sanctions framework for enforcement.

Artificial intelligence is one of the defining technologies of our time. It is already delivering real benefits across medicine, public services and, of course, the wider economy. Our national digital and AI strategy, Digital Ireland: Connecting our People, Securing our Future, sets out Ireland's ambition to be a global hub for applied AI innovation. However, AI also carries real risk. Without appropriate oversight, it can embed and amplify discrimination, manipulate behaviour or worse, exploit the vulnerabilities of people, posing threats to the health, safety and fundamental rights of our citizens.

The AI Act, which entered into force in August 2024, is the first ever legal framework designed to address these concerns while simultaneously fostering innovation of responsible and ethical AI. There are five main pillars to the AI Act, which set out obligations across a number of categories and uses of AI systems and models and, crucially, mandate member states to put in place competent authorities and meaningful penalties to ensure effective enforcement. Key pillars of the AI Act include: it prohibits a limited set of practices that pose an unacceptable risk; it imposes stringent requirements on high-risk AI systems used in sensitive areas such as biometrics and critical infrastructure; it introduces transparency obligations for AI systems that interact with people or generate synthetic content, including deepfakes; and it places obligations on general purpose AI models to mitigate systemic risk.

As Ireland assumes the Presidency of the Council of the EU, as we did today, meeting our obligations under the AI Act will further strengthen our position as an EU centre of excellence and digital regulatory hub. It will also demonstrate our commitment to fostering responsible, human-centric AI innovation, both domestically and across Europe. There is also a firm legal deadline. Enforcement of prohibited AI practices posing unacceptable risks, as set out in Article 5 of the AI Act, takes effect on 2 August 2026. Ireland must have the necessary national supervisory and enforcement infrastructure in place by that date.

As I have noted and I have no doubt Senators are aware, the EU's digital omnibus on AI, which is a set of targeted amendments to the AI Act, was provisionally agreed in May 2026 and approved by the European Parliament in June. Ireland supports the agreed omnibus, which helps increase legal certainty and reduce administrative burden. Importantly, the omnibus extends certain implementation timelines, including for transparency obligations and high-risk AI system requirements. However, the omnibus does not extend the timeline for enforcement of prohibited AI practices. The 2 August 2026 deadline remains firm and this Bill addresses it directly. Any amendments to domestic legislation that may be required following formal adoption of the digital omnibus on AI will be addressed as part of the second phase of the work in the autumn.

The second phase will also provide an opportunity to further enhance AI regulation in accordance with the AI Act if required.

Having set out the context and urgency of this Bill, I will now outline its main provisions. The Bill is structured in ten Parts, with 139 sections and four Schedules. Its overarching policy objective is to ensure that the AI Act can be comprehensively and effectively implemented in Ireland.

Part 1 of the Bill, comprising sections 1 to 5, provides for Title and commencement, key definitions, regulation-making powers, service of documents and expenses to provide that the costs of administering the Act are funded with the appropriate ministerial approval.

Part 2 is set out over sections 6 to 40 and provides for the establishment of the AI office of Ireland and its governance structure, including appointment of its board, CEO and staff, and its accountability, funding and functions.

Part 3, comprising sections 41 to 52, provides for the practical operational infrastructure underpinning enforcement of the AI Act in Ireland, designating the AI office as the national single point of contact, requiring it to maintain a national AI register to record prohibited AI practices, serious incidents and other notifications, and establishing AI regulatory sandboxes and real-world testing for high-risk AI systems under its supervision.

Market surveillance authorities are a key cohort of the national competent authorities required for the implementation of the AI Act. Part 4 sets out, at sections 54 to 66, the general obligations and powers of market surveillance authorities, including the power to receive complaints from the public. Section 59 specifically enables fundamental rights bodies to request the testing of high-risk AI systems where infringements of fundamental rights are suspected.

Part 5, comprising sections 67 to 77, provides market surveillance authorities with a comprehensive, structured and proportionate enforcement toolkit, progressing from co-

operative compliance measures through to coercive intervention. Authorised officers appointed under sections 68 to 70 are empowered to inspect premises, records and products, require information and take samples, and to issue contravention or prohibition notices, or seize products in the most serious cases.

Part 6, set out over sections 78 to 120, establishes an independent adjudication system for administrative fines for breaches of the AI Act, allowing matters investigated by an authorised officer and supported by a market surveillance authority to be referred to an independent adjudicator. It provides for substantial fines aligned with the AI Act, with public bodies capped at €1 million, rights of appeal, High Court confirmation before any fine takes effect, and the nomination and appointment of adjudicators, while expressly safeguarding their independence.

Part 7 of the Bill concerns penalties and miscellaneous provisions and, at sections 121 to 127, sets out criminal penalties for obstruction of authorised officers, failure to comply with enforcement notices and unauthorised disclosure of confidential information.

Part 8, at sections 128 to 133, amends the Central Bank Act 1942 to equip the Central Bank with the investigatory and sanctioning tools necessary for its role as a market surveillance authority under the AI Act.

Part 9, at sections 134 to 137, amends the Competition and Consumer Protection Act 2014 to equip the Competition and Consumer Protection Commission with the investigatory and sanctioning tools necessary for its role as a market surveillance authority under the AI Act.

Part 10, at sections 138 and 139, contains miscellaneous amendments including consequential amendments to the Communications Regulation Act 2002 and the Freedom of Information Act 2014.

Additionally, there are four Schedules governing oral hearing procedures, the assignment of adjudicators and the register of adjudicators.

Establishing a credible and coherent AI enforcement regime in Ireland underscores our commitment to responsible AI development and is a core component of our international competitiveness offering. In this respect, it is imperative that the State has a comprehensive and robust legal basis for the full and effective implementation of the AI Act. I am confident that the Bill achieves this objective in a balanced and proportionate manner. I thank Senators for their attention, and I commend the Bill to the House.

Senator Ollie Crowe: I wish to share my time with Senator Dee Ryan.

Acting Chairperson (Senator Mark Duffy): Is that agreed? Agreed.

Senator Ollie Crowe: I welcome the Minister of State, Deputy Smyth, to the Chamber this evening. Fianna Fáil welcomes and supports this Bill which as the Minister of State outlined will give effect in Ireland to the EU Artificial Intelligence Act and establish the domestic enforcement architecture necessary to ensure the world's first comprehensive AI regulatory framework operates and is fully effective in the State. Obviously, the topic of AI has become increasingly important in recent years and we hear a lot about the potential it has and how it could transform our daily lives, but there is also a great deal of concern on the part of people.

There is significant fear about the economic impact, how many jobs will be lost due to AI and so on. This new office will have an important role to play in addressing those concerns and enhancing AI literacy across a wide range of areas, including in businesses.

Ireland has been a tech leader for many years. It is an important part of our offering in terms of foreign direct investment and this office will ensure that the country continues to be a standard bearer in that respect. All Members are aware of the capacity AI has and the impact it could make, but we also recognise the importance of ensuring that there is sufficient oversight and this office will provide that needed oversight.

The Bill will fulfil Ireland's EU obligations, giving effect to pioneering AI regulation in domestic law while ensuring we have the national infrastructure to enforce it effectively. It establishes an AI office of Ireland as a strong independent institution at the centre of our AI regulatory system and empowers our competent authorities with the investigative and sanctioning tools they need. It is particularly fitting that today Ireland begins its six-month Presidency of the Council of the EU as this Bill sends an important message that Ireland is committed to responsible and human-centric AI innovation that fosters innovation and defends the rights of its citizens.

We are still at a relatively early stage of AI and I do not think anyone can speak with certainty at this point about what the impact will be economically and more broadly. Different experts give different views on those issues. It is fair to say a wide range of outcomes are possible at this stage. We need to ensure that we are prepared as effectively as possible for all those outcomes and this office will be an important resource in meeting that challenge.

As the Minister of State is aware, Article 73 of the AI Act requires our competent authorities to have adequate technical, financial and human resources. It is welcome that the Minister of State, Deputy Smyth, has stated that this resourcing is vital and that funding will be provided in 2026 to establish the office. I also welcome her assurances that any additional resources needed can be met through the normal Estimates process.

Members may be aware of the concerns raised in the lower House about the independence of the office given that the Minister of State has the power to issue policy directions. I welcome the Minister of State's confirmation that this power is limited and constrained, and does not extend to the key functions, the findings of the adjudicator, the determination of administrative sanctions or the role of the courts. That is a welcome and important clarification.

I welcome the Bill. The establishment of an AI office is an important step in ensuring Ireland remains a global leader on the tech front. Having said that, as the Minister of State is aware, this is an area that is changing rapidly. We need to ensure that we are constantly monitoring it and adapting our legislation on a near-constant basis in the years ahead to ensure our legislative framework is suitable.

Senator Dee Ryan: I welcome the Minister of State to the Chamber. I thank her for giving the time today to discuss and introduce the Bill into the House. As a member of the AI committee and with a background in business, I am very appreciative of the regulatory infrastructure the Bill now provides. I am aware of the huge amount of work the Minister of State and her officials have put into creating this regulatory framework.

It will allow us not only to ensure that the citizens of Ireland are served with the safe use of artificial intelligence, but that safe opportunities will be created for us to innovate within Ireland, using AI to deliver better public services, where appropriate, and equipping our business community to innovate, flourish and develop.

I welcome the Bill and acknowledge the significant amount of work the Minister of State and her officials have put into getting it to this stage. The Committee on Artificial Intelligence has been preparing for this over recent months. We have been meeting with the competent authorities, each of which is taking responsibility for monitoring and overseeing the regulation in its own area. To be fair, they had many questions as to how they would interact with the AI office. From a first reading of the Bill, it seems the Minister of State has answered many of those questions in the draft legislation. I look forward to reviewing the legislation further and participating in a constructive way with colleagues here in the House in proposing any amendments that might be useful in developing the most beneficial and fruitful framework for the regulation of this important technology and for overseeing its use in our future and in our children's future.

Senator Sharon Keogan: The Minister of State is very welcome. It is great to see her here in the Chamber. I will address the structural flaws in this legislation. Underneath the language of safety, this Bill threatens our economic sovereignty, creates court bottlenecks and sets up hypercritical double standards for the State and the citizen. The Government claims that establishing oifig IS na hÉireann by August gives us first-mover advantage. The Minister of State argues that this early roll-out will provide stability to the market. However, moving before the starting gun fires gets you disqualified. We are rushing into a regulatory fog. This Bill forces a costly enforcement machine into existence by August despite the EU's digital omnibus framework having delayed the actual high-risk rules until December 2027. We are hiring staff and spending millions to referee a match that does not begin for 16 months. This signals to the tech sector that we are trigger-happy and eager to regulate what we do not yet understand. True stability means knowing the rules and the subject matter they regulate rather than forcing employers to guess what an overeager domestic office might do.

This brings me to the enforcement framework set out in Part 6, which duplicates the flaws that paralysed GDPR enforcement for years. Every administrative fine is frozen until confirmed by the High Court. Even if a company accepts a fine without appeal, the authority must queue for a High Court date just to activate the penalty. With zero statutory guidelines guiding these investigations, a company could deploy an invasive algorithm in seconds while our legal response grinds on for three to four years. I believe the Government's defence is that, under the *Zalewski v. WRC* and *Pigs Marketing Board v. Donnelly* rulings, an unelected regulator cannot penalise someone without a High Court judge signing off. This is a legal straw man. Our Constitution requires a judge to validate a sanction but it does not mandate High Court involvement for every minor infraction. The cases confirmed that lower courts, such as the Circuit Court, are fully capable of conferring constitutional validity on administrative fines. By bypassing lower courts, the Government creates an artificial bottleneck. We need a system where lower value fines under €500,000 take effect swiftly through the Circuit Courts, with strict statutory clocks running on investigations. Without these fast-track timelines, the Bill is a paper tiger.

The most offensive element of this Bill is the double standards in how the State treats private employers as opposed to itself. Under section 105, private firms face ruinous multimillion euro penalties tied to global turnover while, under sections 133 and 136, the State caps fines for public bodies at a flat rate of €1 million. This ignores a crucial fact. The highest risk automated systems are not built to sell consumer goods; they are deployed by states. States use algorithmic profiling for welfare, automated housing systems, biometric tracking and many other purposes, yet the machinery of Government has ensured that, if it breaks the law, it will face a relatively inconsequential slap on the wrist. The Minister of State defends this cap by claiming that imposing large fines on Departments of the State punishes the public twice by draining budget from health and education.

I will turn that logic back on the Minister of State. If massive financial penalties dangerously drain cash from vital investments, why apply them to private employers? The highly mobile digital economy based in Dublin pays for our State pensions, infrastructure and public sector wages. If a massive fine ruins a private company's budget, it punishes the taxpayer through job losses and a shrunken tax base. If fines are toxic for public services, they are toxic for the private sector as well. The solution is to flatten the fine limits for both public and private offenders using the discretion the EU law allows us, rather than creating a privileged sanctuary for State bureaucracy. We should either do that or dissuade our public bodies by the same fine threshold found in Article 99 of the EU Act.

We must also confront how this Bill handles democratic oversight. It scatters enforcement power across a web of 15 separate regulatory bodies, moving executive decisions out of public sight and away from elected representatives. Power is being transferred to unelected authorities in Brussels and Dublin, reducing the Oireachtas to an office that simply pays the bills. Furthermore, the advisory board of this new AI office lacks a statutory requirement to include experts in human rights or consumer protection. It prioritises purely industrial backgrounds, sidelining civil liberties.

This legislation approaches the future with deep institutional paranoia, treating human ingenuity as a dangerous liability to be shackled with pre-emptive State permissions. We are telling young developers that they are suspected rule-breakers until they fill out enough paperwork to prove themselves otherwise. It is a rule of trust for the State but suspicion for the creator. We are positioning ourselves as a high-handed hall monitor of the digital schoolyard we did not build. We must remember that; we did not build it. While international hubs invest capital in deep learning and computational infrastructure, Ireland's primary ambition under this Bill is to be Europe's most enthusiastic clampdown merchant. We are penalising local tech before our domestic economy can benefit from it.

Only today, it was announced that TikTok is cutting 300 jobs in Dublin. This is not about future hypotheticals. It is real and it is happening now. This illustrates that these companies do respond to regulation. This market is moving faster than we can keep up with. Ultimately, this means that our legislation has to be streamlined and focused, not cumbersome, with enforcement spread across 15 statutory bodies. We must stop this trigger-happy rush. We must fix the High Court bottlenecks by utilising the Circuit Court. We must demolish the double standard shielding public bodies and ensure that we do not cross the starting line so early as to disqualify our entire economy. The Minister of State might take on board that point. I will be

proposing amendments on Committee Stage. It is a really important element of the legislation the Minister of State has brought before us today.

Senator Linda Nelson Murray: I welcome the Minister of State to the Chamber. I welcome the Regulation of Artificial Intelligence Bill 2026 and commend the Minister of State on bringing this important legislation before the House. As she mentioned, this legislation is important and necessary to ensure that Ireland meets its obligations in overseeing the development and deployment of artificial intelligence systems. The Bill is a national implementation measure that will establish the AI office; provide market surveillance authorities, MSAs, with powers to supervise, investigate and enforce compliance; introduce a general administrative sanctions framework; and enable certain regulators, including the Central Bank and the Competition and Consumer Protection Commission, to use existing sanctions regimes. These measures will ensure that Ireland has the necessary supervisory and enforcement structures in place to fulfil its obligations applying from 2 August and those under future phases of the EU AI Act.

7 o'clock

The Bill provides the enforcement and institutional infrastructure - the office, the competent authorities, the adjudication system and the criminal penalties - through which the EU AI Act will operate in Ireland. It does not create the obligations that apply to providers and deployers of AI systems. Those obligations are already in Irish law by virtue of the EU AI Act, which is directly applicable. The Bill's enactment is necessary to designate the authorities which will enforce those existing obligations. The Minister, Deputy Burke, stated the publication of the Bill is a landmark moment for Ireland's digital regulatory framework. The Bill establishes the AI offices of Ireland as a strong, independent institution at the centre of AI regulatory system and empowers our competent authorities with investigative and sanctions tools they need. The office is intended to be Ireland's central co-ordinating authority for implementation of the AI Act.

Artificial intelligence is already changing how we live, work and access public services. It has enormous potential to improve healthcare through earlier diagnosis, support businesses to become more productive, assist farmers with precision agriculture, reduce administrative burdens and create high-quality jobs in Ireland's growing technology sector. The Bill provides the certainty businesses and citizens need. It establishes a clear regulatory framework, ensures compliance with the EU AI Act, creates appropriate oversight and enforcement mechanisms and helps build public trust that AI will be developed and used safely, ethically and transparently. That confidence is essential if Ireland is to remain a global leader in innovation while protecting fundamental rights.

As we embrace these opportunities there is one area the legislation could go further on. Maybe that is in phase 2 and could be looked at in the summer. It is protection of children. Discussing this legislation as part of our work on the Joint Committee on Enterprise, Tourism and Employment, the vulnerability and protection of children came up a lot. The Irish Internet Hotline said that while the Bill focuses on full implementation and enforcement of the EU AI Act, including the designation and empowerment of national competent authorities and the establishment of penalties for infringements, its implementation represents a decisive moment to introduce safeguards for children's rights and protection from harmful artificial intelligence.

The Children's Rights Alliance also came before the committee and commented that the scheme "is silent about the participation of children and young people in decision development and decision-making. Children and their voice should be considered at all levels of decision development and decision-making, including by any regulatory sandboxes and the board of the AI office." They are really looking for children to have an input into it.

Young people are among the most frequent users of AI-powered technologies yet they are also the most vulnerable. As a mam of ten- and 11-year-old girls, I really worry. AI increasingly influences the content they consume, the information they receive, the educational tools they use and the decisions that shape their online experiences. I would welcome stronger provisions placing children's rights at the heart of AI regulation, including child impact assessments for AI systems that are likely to affect children, stronger protection for children's personal data and greater investment in digital and AI literacy for children, parents and teachers, maybe to work alongside this. If we get this right, Ireland can lead in the development of artificial intelligence and in ensuring it is developed responsibly, ethically and with the protection of future generations at its core. Innovation and protection should go hand in hand. This Bill provides an excellent foundation on which to build. As we take up the EU Presidency, which was a proud moment for us all today in Dublin Castle, I welcome this Bill and our work to protect people, including the most vulnerable, when it comes to online safety.

Senator Conor Murphy: Cuirim fáilte roimh an Aire Stáit. This is an important piece of legislation and is clearly central to establishing the institutions, powers and penalties required to implement the EU AI Act. Under that Act, Ireland is required to have a working regulatory framework in place by 2 August. While this legislation will ensure compliance, it does not alone ensure protection for citizens from the harmful effects of artificial intelligence. There are opportunities for improvement across many aspects of the Bill. Sinn Féin has tabled amendments in the Dáil and will consider the same in this House.

We recognise the potential of AI - possibly improved healthcare outcomes, enhanced productivity, better data analytics and automation of repetitive tasks - but we are equally aware of AI's profound capacity for harm. Research by Trademark, an independent social justice organisation based in Belfast, found that 90% of digital infrastructure is controlled by six tech companies. That means the critical infrastructure of the Internet - search engines, cloud storage and communications networks - are owned by private companies accountable only to their shareholders. It is important we see social media platforms for what they are: not neutral spaces, but sophisticated influence systems shaped by algorithms which amplify inflammatory and right-wing content because outrage drives user interaction and interaction generates advertising revenue.

Many of us in this Chamber will have experience of being targeted online by faceless accounts. We know bot armies and AI-generated content are used to manufacture the appearance of grassroots sentiment and trained to flood comment sections and drown out dissenting voices. It is obvious there needs to be regulation in this space. Social media companies should be held accountable and responsible for what is on their platforms. Self-regulation is no regulation. Unfortunately, the Government approach to online safety has been piecemeal and weak.

The Bill introduces strident enforcement powers including contravention notices requiring compliance, withdrawal or destruction of AI systems, but it will be the implementation of the legislation that will have the real impact. It will be prudent for the Minister of State to ensure regular performance monitoring takes place.

The Oireachtas AI committee has been clear that the EU AI Act must be treated as the minimum, not the ceiling. AI development moves far faster than legislation; the Government must be able to respond swiftly to emerging risks. We must protect our democracy to ensure false narratives do not dominate and bot armies do not sabotage democratic discussion online. We must never see a repeat of the Cambridge Analytica scandal, when personal data belonging to 87 million Facebook users was collected by the company for political advertising without informed consent. Tech companies and the applications they build are not neutral; they are designed to make someone a profit. It is the job of the Oireachtas to ensure citizens are not harmed in that process.

I look forward to seeing the work of the AI office, which the Bill legislates for. I emphasise that regulation of AI would be better done on an all-island basis. I ask the Minister of State to engage with agencies in the North in the time ahead.

Senator Patricia Stephenson: AI regulation has been a long time coming. It is one of the most pressing challenges we face. It has changed the way we work, our entire understanding of the world and our ability to discern truth from fiction when we see what AI can produce. It is good we are discussing regulation and this directive is finally being transposed but I want to express serious concern about the manner in which this is being done. It is being rushed through with very little parliamentary scrutiny, despite our having years of lead time to prepare for this. While preparing my notes for this evening, I could not even read back the transcript for last night, such is the speed with which we are rushing this through at the end of term and not allowing meaningful time for scrutiny of such a large, complex piece of legislation. The establishment of a statutory body and the regulatory framework for the supervision and enforcement of the AI Act in the State is inherently complex. It is critical we get it right and we have to have sufficient time to do that, which was not afforded to us.

I echo the comments of my colleague, Deputy Gibney, in the Dáil last night that it is troubling that the AI committee did not have the opportunity to engage effectively with this Bill, despite the gravity of what we are dealing with. While I welcome the move to give full effect to the EU AI Act, as provided for in this Bill, we need to be treating this as the “minimum baseline for national AI regulation, not a maximum standard”, as was the view of the joint AI committee.

Before addressing the content of the Bill, I want to speak to larger concerns I have with the Government's approach to AI and big tech regulation. Time and again we hear the industry narrative being peddled that we need to maintain the competitiveness and viability of Ireland's digital economy. The conversation is always framed in terms of innovation and enterprise, rather than the protection of fundamental rights and the litany of harms and threats posed by this tech, which is evolving faster than many governments in Europe, including this one, can keep up. The location of the new AI office within the Department of enterprise speaks to the centrality of this business-first approach to governance, rather than putting human rights first.

It further speaks to the power of the big tech lobby at home and in Brussels, which continues to consolidate its power and influence over politics to a frightening degree. We see this with passage of the EU's digital omnibus on AI - a worrying deregulation agenda. I know the Minister of State, Deputy Smyth, does not agree with me on that but it is serving to critically weaken the AI Act and playing right into the hands of big tech. We had some wins in provisions around data participation in the digital omnibus but simplification is weakening rights, rather than strengthening them. There will still be use of incredibly sensitive data in AI systems and the high-risk implementation period has been extended. High-risk systems do not need to be compliant until next year. AI companies will rush out systems that can have incredibly dangerous implications.

It is ridiculous that they will have this window in which they can still produce this because the high-risk system regulation will not be retroactive for new pieces of tech. That is stuff that might be dealing with complex and sensitive child welfare cases and medical AI cases. We know, in the case of social media and entertainment, that AI is algorithmically driven to addict the human brain. All of those high-risk systems have this extra time in which they can be developed and not come under the regulation. That is really worrying.

We can talk about the enormous opportunity and potential for good, regulated AI. I see it particularly when we talk about medical science, but we also need to get serious about the scale of harm and potential for harm coming down the road to us if we do not regulate these companies in any meaningful way. The Grok AI nudification scandal showcased how completely unprepared we are at home and abroad, at EU level, to counter these threats and X effectively got away with a slap on the wrist. The company was asked to please not do it again and allow sexual abuse imagery material of children and adults to be developed on its platform because we would really like it not to. It shows the complete contempt with which these companies view us and governments. They did not even attend the Oireachtas media committee, such is the contempt with which they view our parliamentary process. We have seen no prosecutions and no sanctions for this, and the stark reality is that this feature still exists and can be accessed in this country with the right technology. We have not effectively safeguarded the public, including women, children and minorities, from this harmful technology. It is still accessible. People can still promote child sexual abuse material and image-based sexual material using the technology made available to them by a private company that operates in Ireland.

Another threat we cannot overlook is that of labour displacement. Recently, 720 workers from the Dublin-based Covalen company heard they were going to be made redundant thanks to AI. This is just coming down the line to us. My Dáil colleague Deputy Gibney highlighted that the Government's stock response to this threat from AI is to hail the potential for AI to augment the quality of jobs by performing more menial tasks. That is not the reality of what is happening. Automation has not served to improve the quality of jobs people are doing, job security, job stability or the pay and conditions of workers. People are losing jobs from AI and automation. Customer support is all bots now. There used to be humans doing these jobs. They are now done by bots. We are going to see a fundamental shift in society because of AI labour displacement. Gen Z is struggling to find jobs as companies pivot to AI, using it for entry-level jobs. Youth unemployment is worrying in Ireland, but across Europe and the world youth unemployment is skyrocketing and on the rise. That is because companies see it as financially more beneficial to use an AI system they do not have to pay than upskilling a young

worker. We are not facing up to the reality of this by having any meaningful strategic planning in place.

I turn to the Bill itself. Serious concerns have been raised in the Dáil regarding the governance and potential independence of the new AI office. It is vital that the AI office as a regulator has the appropriate independence and resources to operate to ensure it can carry out its functions protected from potential corporate influence. The AI office is a vital piece of our new regulatory framework and must have sufficient independence from Government if it is going to be effective. Yet, there currently real deficiencies in how the Bill provides for this crucial independence.

There are concerns regarding transparency of appointments to the board and of its leadership. The Bill currently suggests that the first board and CEO will be directly appointed by the Minister for enterprise with little reference to any binding recommendations from the Public Appointments Service or procedures in the appointment to safeguard independence. Without independence it is actually kind of meaningless. The practice we see in the legislation does not tally with Government's assurances as to its independence, nor does the provision where the Minister can instruct the office to act on his or her direction, even with the exceptions for specific enforcement matters. This is not any particular Minister. I am talking about a Minister or a Department. Undue influence from the Minister will undermine the effectiveness of the regulatory system. How can we have an effective regulation of AI in this country when the supposedly independent State body tasked with that regulation is not permitted to comment on Government policy when asked by Members of these Houses at Oireachtas committees?

I am also concerned that a key aspect of the EU directive is missing from this transposition. It is the part about vulnerable groups seeking an explanation as to why AI tools have made a specific decision. I might be wrong and perhaps it is in the legislation, but I do not think it is. There have been multiple examples of algorithmic AI decisions being made in EU countries where they are having a biased reading of the applicants, particularly in the Netherlands with child welfare cases. If we do not have a mechanism by which vulnerable groups can seek to understand an explanation for an AI decision in an automated process at government level or in the private sector, we are serving to emphasise the further marginalisation of those communities. That is really crucial. It may be in the Bill, and I did not see it, but that just points to the fact that we have not had proper time to meaningfully scrutinise this legislation.

If we want to talk about being at the centre of EU excellence and digital regulation, we have to take seriously meeting our obligations under the AI Act by establishing a truly independent and robust regulatory and enforcement regime.

Senator Lynn Ruane: I express deep frustration and concern at the extremely rushed nature of our engagement with this substantive and substantial legislation. The Bill was published by the Government on 17 June, with Second Stage taken in Dáil Éireann a week later. Committee and Remaining Stages were taken in the Dáil last evening, with the debate guillotined after the consideration of just six of 80 tabled amendments. That does not give us any sign that there has been legislative scrutiny. Scrutiny improves legislation and we should always view it as such.

As the Seanad commences its consideration of the legislation this evening, we are still awaiting the publication of the pre-legislative scrutiny report on the draft heads prepared by

the Joint Committee on Enterprise, Tourism and Employment. We want to engage with the Minister of State in good faith. As a member of the AI committee, I understand our functions as a special committee in that we were not in a position to engage with the legislation. This made it even more important for that engagement to happen in this and the other House because we have Members of both Houses who have spent nine months doing nothing but interrogating the use of AI. Those contributions would be really important given that the AI committee could not work with this legislation and it had to go to a different committee. That is fundamentally bad parliamentary practice.

I add a note of caution as we prepare amendments for next week. Yesterday, we only saw six out of 80 amendments discussed in the Dáil. I hope the Minister of State will give us assurances today that this House will be given time to consider amendments to the legislation. As many of my colleagues are aware from previous discussions of AI in this Chamber, I have significant concerns about the development and deployment of artificial intelligence and AI tools in society, with particular regard to the potential impact on privacy, fundamental human rights and equality.

I have been a member of the Oireachtas joint committee for over a year and what has stood out in that process, above all else, is the substantial difference in the perspectives of those in government and industry and those in digital rights bodies, civil society and academia. That brings us back to the conversation on which Department AI should be placed in. When it is placed in a Department with a sole focus on enterprise, do we lean the AI legislation or AI conversation more towards industry than those civil society, academic, digital rights bodies frameworks?

Government spokespersons often talk about the extraordinary potential presented for our economy by AI and the need for balance to be achieved between this potential and mitigating the many risks posed by technologies to citizens. Like many of the civil society and academic leaders that the joint committee on AI has engaged with, I am of the view that the Government is getting this balance wrong. It is embracing a policy approach to AI that prioritises Ireland's role as a digital hub over the protection of the rights of individuals.

The EU's landmark Artificial Intelligence Act, which must be implemented by 1 August to fulfil the deadlines agreed, was meant to create a comprehensive framework for accountability and transparency on the use of AI in society. However, since its adoption in 2024, we have borne witness to a co-ordinated campaign by industry to undermine its efficacy, with the legislation's protections now at risk of falling victim to the EU's deregulation agenda through the so-called AI omnibus proposals. The EU landmark accountability law for social media and other digital platforms, the Digital Services Act, is also at risk.

This agenda is being pushed at the highest levels of the European Commission under the banner of simplification, but the danger posed is that core protections for individuals and communities will be eroded. For truth, democracy and the rule of law to endure in the era of AI, we have to create robust ecosystems of transparency and accountability.

Large tech and AI companies, despite selling promises of innovation and broader societal benefit, monetise and routinely undermine the society they claim to serve. Put simply, they cannot be trusted to self-regulate. Given the track record of the technology industry in this

regard, stricter regulation and enforcement are among the clearest ways governments can demonstrate that they serve the public interest first and foremost.

Effective regulation also relies on active enforcement, something Ireland has demonstrated, since the implementation of the GDPR, it is unwilling to do. The Data Protection Commission recently acknowledged that, apart from amicable resolutions on trivial issues, Ireland has not completed a single EU inquiry into Google or enforced against any big tech firm or its subsidiaries in the ten years since the GDPR was enacted.

The effectiveness of the AI office will depend not only on its statutory designation as an independent body but also on whether it is genuinely independent in practice. As drafted, the Bill provides significant ministerial influence over the appointment of the first board and CEO, who may serve for a full five-year term. Given the office's central role in supervising compliance with the AI Act and co-ordinating enforcement across multiple regulators, there is a strong argument for more robust safeguards around appointments, governance and operational autonomy.

The Bill establishes the AI office as the national single point of contact, but many of the substantive enforcement powers reside with sectoral market surveillance authorities. While the distributed model has advantages, questions remain about whether the AI office has sufficient authority to co-ordinate investigations, resolve disputes between regulators and ensure consistency of enforcement. Much appears to depend on co-operation agreements and voluntary co-ordination arrangements.

Section 43 of the Bill provides for the establishment of a national AI register containing important information, including prohibited AI practices and serious incidents involving high-risk systems. However, the Bill does not appear to clearly state the extent to which this register will be publicly accessible. Transparency is essential to building public trust in AI regulation. Consideration should be given to whether the register, or at least significant elements of it, should be available to the public.

There is relatively little in the Bill itself that explicitly centres the protection of fundamental rights, privacy, equality, non-discrimination and democratic participation as guiding principles for the exercise of regulatory powers. While rights protections may be implicit in the AI Act, the Bill should still contain a clearer statement requiring the AI office, market surveillance authorities and adjudicators to exercise their functions with regard to fundamental rights.

A significant amount of detail appears to be deferred to future ministerial regulations and implementation measures. The way AI tools and systems are developed, deployed and governed reflects choices about power, priorities and values. While flexibility is important in a rapidly evolving environment, democratic accountability must be protected. The Oireachtas should have greater clarity regarding the scope of these matters.

I hope the Minister of State can confirm to us in the Chamber today that she will allow for adequate scrutiny of this legislation, especially given that this Chamber has several Members who are on the AI committee who can devote time to it and actually engage in scrutiny of a kind that might not have been done by the enterprise committee. We will seek clarification on that as we go forward.

Senator Joe Conway: I láthair na huaire, táim cinnte nach bhfuil aon cheist ann atá chomh réabhlóideach agus chomh casta leis an gceist seo faoin intleacht shaorga. Is breá an rud é go bhfuil seans againn inniu féachaint ar an mBille seo agus ar an inní atá againn ar an taobh seo den Teach faoin luas lena bhfuil an Bille ag dul ar aghaidh agus faoi na rudaí atá ag gabháil leis an mBille i gcoitinne.

To break it into percentages, I suppose that 90% to 95% of people who speak about AI in forums like this remind me of a conversation I heard in a bar in Longford many years ago, when a parent was discussing the travails in his household because of a son who was trying to negotiate the difficulties of trigonometry. He said to his fellow drinker, “Do you know anything about this trigonometry stuff?” The other guy replied, “I don’t, but I have seen it done.” That is where we are at with artificial intelligence. We do not know anything about it, but we know it is going on somewhere. We know that it is going on now all around us.

The first thing I would say about this legislation, and it has been adverted to by a number of the speakers here, concerns the pace at which it has been thrown at us and its treatment in the other House last night. It does not inspire confidence, in me anyway. This legislation is 106 pages in length. It is very well drafted. It is very well put together by whoever drafted it, but it is the governmental thrust behind it that has me worried.

The key question for the House is whether the framework we are putting in place strikes the right balance. We are talking about oifig intleachta shaorga na hÉireann and its functions. There are positives to it but there are also negatives, and we have to worry about all of the things Senators Ruane and Stephenson mentioned in relation to the regulation of and response to AI. Are we going to have adequate responses to the use of AI to generate harmful and abusive materials? There are all sorts of concerns around defamation and character assassination. There are also wider issues, as referred to this morning on the Order of Business. Kilmeaden, a sleepy bucolic village in Waterford is now going to have a data centre on 108 ha of land, and all the implications that come from that.

With respect to the oifig intleachta shaorga, the Minister of State mentioned in her introduction to the legislation “the nomination and appointment of adjudicators, while expressly safeguarding their independence”. Could she possibly tell us how exactly it is envisaged that we are going to expressly safeguard the independence of those adjudicators?

Senator Stephenson mentioned that none of the big tech companies took up the invitation of our Oireachtas committees to attend. It is a very poor signal of their participation in the democratic processes of our land if they will not even give us a reck by coming along to the parliamentary committee meetings.

I am out of time but Members will gather from the import of what I am saying that while I am sure AI presents great opportunities, I have a profound sense of worry and unease about the whole pig in a poke that we are buying about the great good it can do. Undoubtedly, it can do good but it is fraught with all sorts of difficulties and concerns. I just hope I do not live to see it become the ogre that many people are pointing it out to be.

Senator Laura Harmon: I echo the concerns of colleagues over the amount of time we have to scrutinise this legislation. It is important that we get to have a full debate in the Seanad in relation to it.

It was quite appalling that the tech companies refused to engage with Oireachtas committees. I thought it was a real mark of disrespect to the media committee, but also to the committee on artificial intelligence. When we invited many of them in, I think only one showed up. This is something on which they need to engage more with us as public representatives.

Ultimately, the Labour Party welcomes the intent of this Bill. The emergence of AI will likely lead to some of the most significant societal and economic change we will see in our lifetimes, and good regulation is absolutely critical. AI is already fundamentally changing our economy, our jobs market, the way we work and ultimately, how we live our lives. It is also changing how important decisions are made. It is incumbent on any Government to recognise the scale of the challenge here and to respond. We cannot simply leave the direction of this transformation to the tech giants. We know their only priority will be the power and profits they hope will flow their way on the back of this AI revolution, so regulation and democratic guardrails are essential.

The choice we are faced with is not between AI or no AI - it is already here and there are many benefits to it - but between a human-centred AI that serves ordinary people and AI that serves tech billionaires and those who want to oppress. It has the potential to deliver much good, but it needs to have the public's trust in order to do this, and it needs to have effective regulation.

The EU AI Act was an important world first in beginning to put regulatory guardrails in place, but it is certainly not perfect. There are issues, including how companies effectively self-designate as high risk or otherwise, how it fails to effectively safeguard copyright protections for creatives, and gaps in its definition of high-risk AI uses. Nonetheless, it was a vital first step and it is welcome that this Bill aims to implement some of the requirements arising from that legislation relating to Ireland.

We need to make sure this legislation is watertight. My colleague, Deputy Lawlor, raised significant constitutional concerns with this legislation in the Dáil, relating to the system of adjudication on fines and how that relates to our constitutionally protected judicial independence. We need clear answers on those questions already raised, but we also need to see much more urgency from the Government in responding to the challenge of AI. This Bill makes a start on that regulation but there is no sign the Government is fully taking seriously the challenge AI will pose to the jobs market and the world of work. For example, even if the overall level of employment does not decrease, what jobs are available, where they are available and to whom may radically change. That churn occurs as part of this transition, and it is going to have real world consequences for many people. Some 11% of workers in Ireland fear losing their job to AI in the next five years, and 38% believe it is likely their employers will use AI to replace workers where possible. These are huge concerns. AI can also have serious negative impacts on job quality. AI pessimism has been found to be prevalent among workers, with one in two workers in Ireland not believing their workplace will adopt AI in a way that is beneficial to them.

My time is running out, but I just want to say from a workers' rights perspective that we absolutely need to be steadfast with regard to protecting workers and being on their side when it comes to artificial intelligence. We believe a starting point would be giving the new oifig IS na hÉireann, which will be established under this Bill, the powers to monitor the impact of AI on jobs and work, promote responsible rights respecting AI use by employers, and lead on

ensuring upskilling and retraining opportunities are made available as AI will disrupt the jobs market.

Minister of State at the Department of Enterprise, Tourism and Employment (Deputy Niamh Smyth): First, I thank each and every Senator for their very thoughtful contributions. I will attempt to answer as much as I can and address some themes that were broadly touched on by everyone.

Regarding Senator Crowe's point, I have never shied away from the fact that there are positives and negatives to AI and the potential it has, not just in the displacement but also the augmentation, which I know some Senators referred to here today. Only last week, the Minister, Deputy Lawless, held a round table conversation with industry leaders, both big and small, to see where the gaps are and how we can mitigate against those with both reskilling and upskilling. That is all being thought about and considered.

Senator Ryan very clearly talked about many aspects of this which relate to the protection and safety of our children. As regards the development of this AI office, while it is coming from the Department of enterprise, it will be independent of me as Minister of State and of the Department and Government. It will have a very broad remit which will not just look at it from an enterprise prism but also a human-centred one. Fundamental rights have been raised on many occasions, and I could go through a whole lot of things but Senators should remember this: the Data Protection Commission has oversight of this. That is not enterprise. The Environmental Protection Agency is not enterprise. The Human Rights and Equality Commission is not enterprise and neither is the Ombudsman for Children's Office. This points to the broad myriad of inputs that will be there to support the work and interact with the competent authorities with responsibility for the AI office.

I further emphasise and reassure Senators that Coimisiún na Meán was set up under the previous Government. Where did it come out of? It had to come from a Department, and that was the Department of media, culture and communications. It is not run by Government; it is completely independent. We all know that. I am sure members present have had Coimisiún na Meán before them at the committee on media or elsewhere. The format and establishment of the AI office is no different from any of those organisations. They have to come from somewhere and it is incumbent on us to think about its establishment. It comes from the Department of enterprise. As I am given the responsibility of AI, trade promotion and digitalisation, it naturally has to come from there. To reassure Senators, it has that independence and I hope I have alluded to that in my reply.

Senator Keogan raised a huge range of issues. Fundamental rights were mentioned, which I have spoken to briefly. I accept that this is moving at pace but Senators must also accept that AI is moving at pace. We do not have 12 months to hang around on this. To speak to Senator Stephenson's point, it is about the protection of young people and being human-centred. We cannot deliberate over this for 12 or 16 months; we have to move and act quickly.

If we did not move and act quickly, as the Senator suggested earlier, that would be speaking to the tech companies. They would love if we did not regulate or if we did not have an AI office in place. They would love it if we did not respond and work with European partners and colleagues to ensure we have regulation and oversight. That is why we are moving at pace. However, we also saw the controversy some months ago with Grok, which really impacted on

women and children and the protection of all of us in society. The prohibited practices piece is something I have strongly advocated for to see it brought in. It will be enacted in August, if I have got my dates right. We cannot afford to think about this for much longer.

I also reassure Senators that there will be a second phase of this, which I outlined in my opening speech; a second piece for primary legislation where we will have more time and will have it enacted. It is going to be organic in the sense that the technology is moving fast. We do not know and cannot see into the future, and Senator Conway is absolutely right on that. I am also deeply uneasy about it and that is why I am moving quickly. It is incredibly important that we have the AI office established and the expertise within that to ensure our citizens are protected. I am not shying away from displacement but we need to have the expertise in place that can show us and guide us with facts around where the jobs are being most affected and how we can reskill, upskill and try to mitigate against that as much as possible. I accept that Senators feel the pace is moving quickly but I am telling them why it has to move quickly and I am giving assurances that there will be a second phase to this where we will have more time.

A number of Senators raised the fact that two committees have oversight of this. There is the artificial intelligence committee, which I have had the opportunity to go in and speak in front of. I thank the Senators on the committee for their work. I know Senator Ruane, having worked with her previously, feels passionately about this stuff, and rightly so. However, the recommendations that I can take, and that is beyond my control, are from the Oireachtas committee with responsibility for enterprise. I am awaiting its report. When I get that report, I assure the Senators that I will sit down with my officials and we will go through those recommendations line by line to see to how we can make this legislation better.

Senator Joe Conway said the legislation is quite impressive. It is. It has been worked on by wonderful colleagues and officials, who get lots of bashing around the place, the same as Government TDs and Ministers have got in the past. They have done incredible work here. They have been working on this for the past 18 months and longer, before I was in the role. They know exactly what they are doing here. It is not rushed on their part at all. If Senators have read this legislation, as Senator Conway has, they can see that.

Senator Nelson Murray talked about children and youth voices and being silent on children. I would cite the Ombudsman for Children. I met the Ombudsman for Children and I will continue to do that. On the Children's Rights Alliance, I have met it and will continue to do that. If there is any way we can strengthen this Bill to protect children, I will take that. We have a big opportunity - we are taking the opportunity that we have got with the European Presidency - to ensure that the protection of children online is a priority for us, not only in my Department but in the Department of culture as well.

Youth voices was raised in the Dáil last night by Deputy Malcolm Byrne. I will certainly take that on board and see how we can do that in a proactive way.

Senator Murphy raised the amplification of discrimination. I note it would be something Senator Ruane would feel strongly about as well. The Senator spoke about the manipulation of behaviour and about the exploitation of vulnerabilities of people and children. That speaks to the point as to why we have to move quickly. We cannot sit around on this for the next year thinking about it. I know there is sincerity in the Senator talking about amendments and strengthening that. I will take that at a later point.

Senator Murphy also raised the point about thinking about this on an all-island basis. I am certainly up for that because we know with technology there are no borders. That is why we are responding and working with our European colleagues with the EU AI Act and moving that on quickly. There are 27 member states, we are all affected the same and as far as I am concerned, borders do not come into it.

I am trying to be as specific as I can and I ask the Senators to bear with me. I hope I have answered some of the queries Senator Stephenson raised around fundamental rights and AI jobs. On the AI jobs piece, the number of AI jobs in this country has doubled since 2023. That is a fact. There is huge demand for it. Senators should keep that in the back of their minds as well.

I hope I have answered some of the issues Senator Joe Conway raised. I will continue to do that and work with the Senator closely too.

Senator Harmon asked that regulation be human centred. I hope I have answered that. On the constitutional piece, I have been back to Deputy Lawlor in a comprehensive way. If there is more we need to do on that, I am certainly open to doing that. That is as specific as I can be.

I thank the Senators most sincerely because I know the thoughts and contributions they have made here tonight are heartfelt. I hope the Senators know mine are heartfelt too. I am extremely conscious that this is seen not only through an enterprise prism. It is about the protection of citizens. It is about the protection of young people and I hope I have emphasised that enough.

I re-emphasise that the purpose of the Regulation of Artificial Intelligence Bill 2026 is to provide for the implementation in Ireland of the AI Act, an EU regulation, which is something we all want.

This Bill is a landmark moment for Ireland's digital regulatory framework. AI is a transformative technology which offers extraordinary potential for our economy and citizens and realising that potential requires appropriate oversight and accountability. That speaks to the balance that we need to strike.

This Bill delivers exactly that. It fulfils Ireland's EU obligations, giving effect to Europe's pioneering AI Act in domestic law by ensuring we have the national infrastructure in place to supervise and enforce it effectively.

The Regulation of Artificial Intelligence Bill establishes the national AI office of Ireland as an independent statutory body with a central co-ordinating role in Ireland's AI regulatory framework. The AI office is designed to support consistency in how the various market surveillance authorities, MSAs, carry out their responsibilities across different sectors, ensuring that enforcement is coherent and co-ordinated rather than fragmented.

The Bill designates the AI office of Ireland as a single point of contact, SPOC. We do not want people to have to go all over the place to get the information. In terms of the enterprise piece, we have been clear and mindful to respond to what has come out of the Draghi report that we do not burden people, businesses and public bodies with more regulation, and that they have that one point of contact but continue to work with their existing regulators whom they have relationships built up with.

The designation of the AI office, as I said, the SPOC, in accordance with Article 72(2) of the AI Act for liaison with the European Commission and other member states on AI-related matters. That harmonisation is incredibly important.

The designation of the AI Office as an MSA is formally given effect by a designation regulation, which will be finalised before the end of July. This will be an amendment to the first designation regulation in July 2026, which designated the first eight MSAs for the AI Act.

The Bill carefully balances ministerial accountability to the Oireachtas for public policy with regulatory independence in operational matters of the AI office.

The Government is committed to ensuring that our competent authorities are adequately resourced, which has been raised here, to fulfil their obligations. The Government provided funding in 2026 to support the establishment of the national AI office. In response to Senator Keogan's point that the Government is spending millions of euro, the facts are there was €1.5 million, which is arguably not a huge amount, for the establishment of the AI office, not millions of euro. We need to be factual about these matters.

Relevant competent authorities and market surveillance authorities will continue to be resourced through their existing governance and budgetary arrangements. That gives certainty to people.

I note that the Bill is a technical instrument that will ensure that the rights and protections provided for in the EU's AI Act, will be rigorously asserted in Ireland, for the benefit and protection of Irish citizens. This Bill neither adds to nor alters the obligations on businesses under the AI Act. It is mandatory under the AI Act for EU member states to give effect to these national provisions by 2 August 2026. We have obligations and commitments that we must live up to.

In addition to enabling Ireland to meet its EU obligations, this Bill delivers on key commitments in the programme for Government to position Ireland as a leader in the digital economy and artificial intelligence. Our national digital and AI strategy sets out Ireland's ambition to strengthen our position as an EU centre of excellence and digital regulatory hub, which supports competitiveness and innovation while protecting the health, safety and fundamental rights of our citizens. That is the essence of it. We cannot bury our head in the sand and ignore what we have been told by the Draghi report. The Draghi report clearly states that across Europe we have stifled businesses, as those Senators who are on the enterprise committee will be aware, with regulation and red tape. We are trying to ensure that we give space for innovation and creativity. Here is our opportunity to do it and we must grasp it.

This ambition is to be realised through a modern, cohesive and well-resourced regulatory framework for the digital economy. The Regulation of Artificial Intelligence Bill is a key enabler of this ambition. This comprehensive and sophisticated Bill, once enacted, will demonstrate our commitment to fostering and promoting responsible AI innovation and adoption, both in Ireland and in Europe.

I thank the Senators most sincerely for their forbearance in my responses and for their constructive engagement with the Bill. I look forward to working with the Senators. This is not a done deal. This is not finished or complete. This is a Bill that we will have to come back to and I am more than open and happy to do that.

Question put and agreed to.

Acting Chairperson (Senator Dee Ryan): When is it proposed to take Committee Stage?

Senator Ollie Crowe: Next Tuesday.

Acting Chairperson (Senator Dee Ryan): Is that agreed? Agreed.

Committee Stage ordered for Tuesday, 7 July 2026.

Cuireadh an Seanad ar fionraí ar 7.50 p.m. agus cuireadh tús leis arís ar 8.18 p.m.

Sitting suspended at 7.50 p.m. and resumed at 8.18 p.m.

Dublin Airport (Passenger Capacity) Bill 2026: Second Stage

Question proposed: "That the Bill be now read a Second Time."

An Cathaoirleach: The debate will follow the normal pattern, with the Minister of State having ten minutes, group spokespersons having eight minutes and all other Senators having four minutes, with the Minister of State to reply no later than 9.20 p.m.

Minister of State at the Department of Transport (Deputy Jerry Buttimer): I am pleased to introduce the Dublin Airport (Passenger Capacity) Bill 2026 for the consideration of the House on behalf of the Minister for Transport, Deputy Darragh O'Brien. As Senators know, the main purpose of the Bill is to address the passenger cap planning condition at Dublin Airport. The importance of addressing the passenger cap and its effects on Dublin Airport is recognised in the programme for Government, which includes a clear commitment to work with stakeholders to achieve the objective of lifting the passenger cap at Dublin Airport as soon as possible.

As an island nation, we cannot ignore the strategic importance of Dublin Airport to our economy and the serious harm that would be caused to the economy of the State, our international connectivity or the international reputation of the State by failing to be in a position to facilitate not only future growth but the current level of passengers and cargo at our main international gateway.

The Minister, Deputy O'Brien, has advised me that he has met a wide variety of stakeholders over the past 18 months, including local residents, airlines, business groups and industry regulators in relation to the passenger cap planning condition.

The general scheme of the Bill has been scrutinised by the Oireachtas Joint Committee on Transport, which received a considerable number of submissions from a wide range of stakeholders. I thank the committee members, and the Chairperson, Deputy Michael Murphy, for their work. The committee held several hearings to ensure that the views of all interested parties were heard. I and the Minister have taken on board the recommendations of the committee insofar as possible in finalising the text of the Bill. In drafting this legislative intervention, the Minister has taken the views of all of these stakeholders into account. I

understand he also obtained extensive legal advice throughout the drafting of the legislation and is satisfied that the Bill will allow for the continued sustainable development of Dublin Airport while balancing the rights of local residents with the objectives of Ireland's national aviation policy and the needs of business and tourism.

Over 36 million passengers travelled through Dublin Airport in 2025. As such, there are a number of recognised risks around the passenger cap planning condition remaining in place. First, if enforced, it would result in an immediate cut of over 4 million passengers per annum, impacting existing connectivity and employment at the airport and in the wider aviation sector. Second, it would stifle continued growth, undermine our ambitious hub strategy for the airport and negatively impact the tourism, trade and business aspects of our economy. As Members know, airlines need certainty to plan future schedules and the continued existence of the cap creates only uncertainty, which can be expected to continue to affect the choices that airlines will make about serving the airport. There is a serious risk of reputational damage for Ireland if capacity is restricted at our major and main international gateway.

The 32 million passenger cap is a legacy planning condition that was imposed by An Bord Pleanála, as it was known then, when granting permission for terminal 2 in 2007 and extension works at terminal 1 in 2008. The condition was put in place primarily to address surface access constraints at the time. However, there have been significant upgrades in the road access and public transport offerings to and from the airport since that time.

Dublin Airport Authority, DAA, has statutory responsibility for the management, operation and development of Dublin Airport and it is its responsibility to engage with the relevant planning authorities to ensure that planning permission is in place to facilitate the development of the airport. DAA submitted its infrastructure application to the relevant planning authority, Fingal County Council, in December 2023, seeking to increase the passenger cap to 40 million passengers per annum and seeking permission for the development of a suite of infrastructure projects at the airport to facilitate growth.

This planning application is currently under consideration by Fingal County Council. As part of the process in place for development at the airport since the enactment of the Aircraft Noise (Dublin Airport) Regulation Act 2019, a draft noise-related regulatory decision was published by the Aircraft Noise Competent Authority, ANCA, in May and is currently subject to a public consultation. A final regulatory decision in relation to the noise aspect of this planning application is expected later this year. This decision will be incorporated into the planning decision by Fingal County Council, which is expected shortly thereafter. It is likely that any planning decision by Fingal County Council may then be appealed to An Coimisiún Pleanála and may also be subject to judicial review. This further highlights the need to address the passenger cap by way of a legislative solution to ensure clarity for all stakeholders and to ensure that connectivity to and from our country is not undermined.

I will now take Members through the main provisions of the Bill that will empower the Minister for Transport to make an order to amend or revoke the passenger cap planning condition. Under Part 1, the first thing I wish to draw attention to is the definition of "passenger capacity condition" under section 2. This definition makes it clear that the power to make an order relates solely to a planning condition that limits the number of passengers who use Dublin Airport for the purpose of travelling by air to or from another airport in any period. I understand from the Minister that this definition addresses concerns raised during pre-legislative scrutiny

that the power being provided to amend any planning condition in the general scheme was too broad.

Under section 6 of this Part, the Minister has a general power of direction to DAA for any purpose related to this Bill. That power may be used to procure information from DAA in relation to an application, to ensure the preparation and submission of appropriate reports relating to the environmental assessments or to initiate the application process. Such directions may also specify the period and form in which information should be provided and DAA has a legal obligation to comply with such a direction.

Part 2 provides that DAA may make an application for the making of an order under the legislation. That application from DAA will propose the manner in which the passenger cap is to be amended or revoked, reasons for the application and a summary of any environmental impacts. The application will be considered by the Minister, who may consult any person he considers appropriate. If the Minister is satisfied that there is justification to make an order, he will notify DAA of his intention to do so and direct it to prepare an environmental impact assessment report and a Natura impact statement. The Minister has the power to accept, vary or refuse an application from DAA.

Part 3, covering sections 8 to 23, inclusive, provides for the environmental impact assessment and appropriate assessment that will be undertaken independently of the Minister. An Coimisiún Pleanála will carry out the assessments under the habitats directive and under the environmental impact assessment directive, which will include consideration of compliance with the water framework directive. As part of these assessments, the commission will publish the material for the assessments and undertake a public consultation for a period of 30 days. There is provision for a further 30-day public consultation should the commission seek and receive further information of a substantial nature.

Strict timelines have been included within the legislation and the commission will have 20 weeks to carry out the assessments and come to a reasoned conclusion in respect of the environmental impacts of making an order and a determination as to whether there will be an impact on the surrounding habitats. There is the ability to pause this timeline for a period of four weeks to allow for any requests for further information to be dealt with. The commission is encouraged, insofar as possible, to carry out these assessments jointly and to take all necessary steps to work in an expeditious manner, avoid any undue delays and ensure that appropriate resources are allocated to carry out its functions under the legislation within the timeframe provided. The commission will notify the Minister of its findings arising from the environmental assessments and publish its reasoned conclusion and determination.

Part 4 sets out the parameters around the making of an order by the Minister and that an order will be superseded by a planning decision on DAA's infrastructure application. Under section 24, the Minister is prohibited from making an order until the environmental assessments have been carried out. I understand from the Minister that this approach addresses concerns raised during pre-legislative scrutiny about the public being excluded from the process, with at least one period of public consultation in relation to the environmental impacts of making an order to take place.

Under section 25, the Minister is empowered to make an order to amend or revoke the passenger cap where he is of the opinion that the passenger cap is causing harm to the economy

of the State, international connectivity and Ireland's reputation in respect of air transport. In making an order, he will consider and take account of the outcome of the environmental assessments undertaken by the commission and he will have the power to include any conditions in an order that he deems appropriate to mitigate any impact on the environment.

In consultation with the Minister for Housing, Local Government and Heritage, where appropriate, the Minister can deem the conditions attached to an order as exempted development but only where they are not separately subject to environmental assessments under EU law. The Minister will publish an order on his Department's website and in *Iris Oifigiúil* and inform Fingal County Council as the relevant planning authority.

While it is critical that the passenger cap planning condition is dealt with, it will be meaningless if the infrastructure to accommodate future growth is not also put in place. Therefore, the Minister has informed me that in preparing this legislation, one of the key objectives was to protect DAA's live infrastructure application. As such, the legislation was crafted to allow the application to proceed through the planning process notwithstanding the making of an order. Section 26 sets out the effect of an order as it relates to that planning application, given that both deal with the same planning condition, that is, the 32 million passenger cap.

Once a final decision is made on DAA's infrastructure application, that decision will supersede any order made under this legislation. However, an order will remain in place through any appeal or judicial review of that planning decision and if that planning application is refused, then an order will also remain in effect. This will ensure consistency and certainty for all stakeholders while DAA's planning application proceeds through to a final planning decision. I understand from the Minister that this provision also addresses a recommendation arising from pre-legislative scrutiny for a sunset clause to be introduced.

Part 5, which covers sections 27 to 35, inclusive, sets out the judicial review procedures.

The validity of an order made under the legislation, or an alleged failure to carry out a function under the legislation, may only be challenged by way of judicial review. An application for leave to apply for judicial review must be taken within eight weeks and the applicant must have sufficient interest in the matter.

Part 6 of the Bill provides for amendments to the Planning and Developments Acts. Under these amendments, Fingal County Council and An Coimisiún Pleanála are prevented from imposing a passenger cap as a condition in future planning decisions related to Dublin Airport. However, this does not apply in the case of a condition being imposed following a noise assessment by the noise regulator, ANCA, under the balanced approach and it does not apply to DAA's live infrastructure application. This part also provides for amendments to the Aircraft Noise (Dublin Airport) Regulation Act 2019. The definition of "operating restriction" has been amended to align with EU Regulation 598/2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at European Union airports within a balanced approach. Two transitional provisions that are no longer relevant have been deleted and a provision has been inserted to clarify that the 32 million passenger cap is not an operating restriction within the meaning of the 2019 Act.

Finally, section 39 of the Bill provides a derogation from section 15(1) of the Climate Action and Low Carbon Development Act 2015. There are a few reasons for this derogation. First,

the passenger cap was not a targeted climate measure and, second, international aviation emissions are excluded from the climate action plan. As such, this provides clarity about the application of that Act to the actions to be taken under this legislation. This legislation will not only ensure the sustainable development of Dublin Airport but will also ensure that any environmental impacts will be independently assessed and the views of the public will be heard as part of that process. As such, the approach set out in the legislation represents the most balanced and reasonable way forward. I commend the Bill to the House. I look forward to hearing the views of Members.

Senator Lorraine Clifford-Lee: I thank the Minister of State for coming to discuss this important legislation. He will be aware that I use every opportunity I get to advocate for the communities of north County Dublin and tonight is no different. I am a member of the Joint Committee on Transport. I sat through the pre-legislative scrutiny and heard all the witnesses the Minister of State spoke about. We had a thorough examination of this Bill.

First, I put on the record that I support the airport. I support the jobs the airport generates for the local community in north County Dublin and for the country, but I also support the communities there. It is about gathering the stakeholders, as the Minister of State said, and striking the right balance. Dublin Airport is an important piece of national infrastructure and a large employer in north County Dublin and many ancillary businesses are dependent on the airport. It is vital for our connectivity as a nation. However, we need to look at it in the context of where it is, its development and supporting the communities that live around it.

The flight paths currently operating contrary to the planning permission granted for the northern runway need to be sorted out. They are affecting communities in Ballyboughal, Lusk, Coolquoy, Kilsallaghan and Kilcoskan. Since August 2022 when the northern runway opened, the children of Kilcoskan National School have been unable to learn in peace and quiet because these flight paths are being operated illegally. It is completely unacceptable. The Minister, Deputy O'Brien, stated on Second Stage in the Dáil that an independent assessment would take place at the appropriate time. When will that appropriate time be? There was some suggestion it would be when a final decision has been made about the night-time flights to get a more accurate assessment of the noise impacts. However, I would like the Minister of State to find out when that independent assessment will take place because this has been going on for almost four years and it is a difficult situation for people who find themselves under a flight path and have built houses and got planning permission to do so specifically because they were away from the flight path. Suddenly, the DAA started to fly aeroplanes over them.

I will also make reference to the voluntary dwelling purchase scheme, which needs to be improved. The families who qualify - and we are talking about a relatively small number of people - are in an impossible situation because they want to be able to replace the houses they have. If they give up their houses and move from the area, they want to get replacement houses, but the valuations and offers being made are below the amount that would buy a house locally. The Minister, Deputy O'Brien, has said improvements to the voluntary dwelling buy-out scheme have to happen, but when will they happen? People entered the assessment phase of it because they were coming up against a hard deadline in August. That deadline has been extended, which is good and I welcome it, but we still do not know when the improvements to the scheme will take place. People have been living in a terrible limbo for all these years, trying to deal with it, trying to get a fair deal. These are people who have lived in the area for

generations, who fought the Battle of Ashbourne for our independence. They are very entwined with the local community so it is a big thing to ask them to leave it. They need to be relatively close to where they are living at the moment so they can continue to live their lives. We need to get a better scheme up and running for them as soon as possible. They need to be able to get an equivalent home.

The good neighbour principle must be adhered to at all times. The Minister, Deputy O'Brien, also referred to this in the Dáil. It has not been the case and that is regrettable. There is a new chair of the board of the DAA, Mr. Gary Owens, and I look forward to working collaboratively with him to solve some of these issues. I hope a good approach will be made to the local communities and local representatives. We are awaiting the appointment of a new CEO and again I hope the attitude will improve because the good neighbour principle has certainly not been adhered to well in recent years. I look forward to working with the new CEO when she or he is appointed, and with the board, the executive and the local communities.

I have been speaking to the local communities since my very first days in public office, for well over ten years. It is the same issues. The people living there have been facing intolerable situations over a prolonged period. I live in the vicinity of Dublin Airport. I absorb the airport noise as well. We all appreciate the airport and many good things about it, but we need to come to a solution. It cannot operate in a vacuum with residents' rights being trampled on constantly. We need to look at funding for community-led initiatives and the DAA needs to step up to the plate substantially in relation to that, particularly for the planning for real community plan for St. Margaret's and the Ward. It is an excellent and realistic plan. A lot of time and effort by the local residents went into developing this plan and the DAA needs to be a good neighbour and step in to work closely with the communities to deliver it, along with the Minister and the Government as a whole.

The independent assessment of noise is needed promptly. As I said, a public consultation is currently under way about the northern runway flight path, which will conclude in approximately 11 weeks, but we need one on the noise levels as well. I would like the Minister of State to bring that point back to the Minister. It is a point I have made several times to him and I hope there will be action when this Bill passes.

We need, at all times, to keep in mind the health impacts of prolonged noise, particularly noise at night. That is what the residents in north County Dublin have been facing. I have been working with stakeholders and I am a resident of north County Dublin and a neighbour of Dublin Airport. All these issues are ones I am experiencing. The Minister, Deputy O'Brien, has met various stakeholders. He engaged positively with the Committee on Transport and I am hopeful we will see resolution of many of these issues. We understand the airport cap needs to be lifted, but it cannot be done in a vacuum. I will not stand in the way of the airport cap being lifted, but I certainly will be standing four-square behind all the local residents for them to get what they deserve once and for all.

I would like to touch on a point the Minister of State made when he was talking about the airport cap and its legacy. He said it was a condition imposed when terminal 2 was being developed. He also said there have been significant upgrades to the roads and public transport but that is not the case. The Minister of State can come out with me someday if he wants and I will bring him around the local roads, where he will see the lack of public transport. We are

getting the metro but that is some time away. We really need to look at all the other issues there and move forward collectively. I thank the Minister of State for listening to me.

Senator Joe Conway: Cuirim fáilte roimh an Aire Stáit anocht. I am going to speak on the Dublin Airport (Passenger Capacity) Bill 2026 in the context of aviation safety, aviation security, operational resilience and public participation. A lot of the opening remarks I am going to make here are based on a report done in June 2026 by an airspace safety advocate from the perspective of aviation reporting and governance. I refer to his covering letter:

I write further to my previous correspondence regarding aviation safety, aviation security, operational resilience and the Dublin Airport Passenger Capacity Bill. The Joint Committee on Public Petitions and the Ombudsmen has suggested that you [that is, the Minister], or a senior official, meet with me. Given the pace at which the legislation is [now] progressing, I have consolidated my outstanding questions into this briefing.

These questions arise from more than five years of research and engagement with Irish, European and international stakeholders and form part of the SAFE-AIR White Paper, now exceeding fifty pages. They are intended to assist [us in our] parliamentary scrutiny by seeking clarification on aviation safety, security, operational resilience, governance and public participation.

Stemming from the report, the writer wants to ask the Minister the following pointed questions. In relation to aviation safety, what formal aviation safety assessment accompanied the Bill? Which aviation authorities were consulted? Can the Minister publish the safety assessments relied upon for the formulation of the Bill? In relation to aviation security and resilience, what aviation security assessment was undertaken? Were defence, Garda and national resilience bodies consulted? What operational resilience assessments considered global navigation satellite system, GNSS, interference, drones and emerging risks? In relation to reporting and investigation, who owns an assessment after a report is made? Who owns the escalation of that report? Who owns the investigation? Who owns closure of a safety-relevant anomalous aerial observation?

The writer of the letter, as a resident of Swords, made a statutory planning submission in 2004 and paid the prescribed fee. How was that submission and those of other members of the public considered once the Government changed the legislative framework? Also, how were aviation safety, security and operational resilience and community concerns carried forward? His closing request was that the Minister publish any and all safety and security resilience assessments, provide written responses to submissions from members of the public and that he, or a senior official, meet with the writer of this correspondence, as recommended by the Oireachtas committee.

The writer underscores key principles in his submission here to us, which include that pilots are not investigators; uncertainty must be captured first and assessed afterwards; reporting and the investigation that follows are completely separate matters; it is not sufficient to take reports from the same aircraft, the same crew and the same flight; and radar detects what is in the skies above Dublin and the nation, but good procedures protect.

I will now turn to the concerns of our Independent councillors in Fingal. I agree with what Senator Clifford-Lee said when she mentioned that so many jobs attend the progress and

viability of Dublin Airport. In fact, for our local authority out there, Fingal County Council, Dublin Airport is its largest ratepayer; I think I am right in saying that. This is an indication of the integral part it plays in the community and the economy out there. The core stance of the council encompasses several key points. It consistently highlights that the passenger limits, such as the 32 million cap, were legally binding conditions tied to the infrastructure permissions. The council strongly points out that when the DAA's planning applications to lift the limit were rejected or deemed invalid by the local authorities, this was done because of procedural or planning mechanism issues.

The local residents assert the broader concerns of the Airport Regions Council, ARC, which advocates for strict environmental controls, controls on noise and quality-of-life boundaries for the communities directly impacted or overflowed by the airport expansion. When all comes to all and we get down to brass tacks, it looks like this is a sort of joust between Michael O'Leary, on the one hand, and, as the *Dublin Opinion* used to say, Seán Citizen on the other hand. I do not think that the result of any such joust was ever more clearly foreseen. It is an unequal contest and I think we all know the result. We know who the losers are going to be.

In this House, we have had one, at least, and maybe two good debates about balanced regional development. It might be in the programme for Government as well to work for balanced regional development. If we counterbalance the expansion of the passenger load at Dublin Airport and the possibility of balanced regional development involving airports, such as the one starting in Waterford and those in Cork, Kerry, Mayo and in Shannon, it is anathema to their viable development if Dublin Airport is hogging the passenger numbers. It is said that people want to fly into Dublin Airport, but this is only because the situation is similar to that which pertained when the railway line between Waterford and Rosslare was closed. This was closed because it was said nobody was using it, but nobody was using it because the trains were being run at 2 o'clock in the morning or something like that. It is a question of generating the result that you want.

There are many things about this that we are unhappy about. It is regrettable that certain people say that the people of Swords knew what they were buying into when they bought their houses 30 or 35 years ago. I think Michael O'Leary said it was tough on them. However, would anybody care to speculate on what the number of passenger movements or plane movements were in Collinstown 35 years ago? It was a much more benign environment out there. Go raibh maith agat.

Senator Mark Duffy: I thank the Minister of State for being in the House this evening for this important discussion. I put my support on the record for the removal of the passenger cap, notwithstanding the issues identified by the community. I acknowledge all the work of local representatives in the localities around the airport. We need to manage and have a balanced approach to development and economic growth, while also trying to bring as many people with us as possible in these localities and communities.

Dublin Airport, as we know, is such a key and important strategic asset for the country because we are an island nation. It is vital that we have strong connectivity and links right around the world. There is a great opportunity to promote further links as we have a strong diaspora in all corners of the globe.

The economic vitality that breeds throughout the island is very pronounced and we know its importance. Dublin Airport provides over 30,000 jobs. As has been mentioned in previous debates, for every 1 million passengers that Dublin Airport has each year it promotes 1,000 jobs. The passenger cap of 32 million passengers is an artificial cap considering that over 36 million people passed through the airport last year. Given the fact there has been a lot of international interest in the removal of the cap because of economic challenges that have been faced by certain airlines that want to grow and improve connectivity, it is important it is removed.

However, considering the points that have been raised, and I am sure will be raised and discussed, it is very important that we listen and are as skilful as possible in mitigating some of the issues caused by high-volume passenger numbers in communities. It is not for me to get into the weeds on that but we must lend support to local representatives and local communities to make sure that the principle of Dublin Airport being a good neighbour and a stakeholder within the community is embraced, not just in name only but factually and in a sincere way to at least mitigate some of the issues. I also strongly support the lifting of the cap. It would send a strong signal that Ireland is open for business and we can further develop links throughout the world. Especially given the reality of Brexit, there are increased opportunities for the airport and for Ireland in general.

I know the importance of key infrastructure like airports, being from Mayo and the fact that Ireland West Airport Knock recently celebrated its 40th anniversary. That airport transformed the west of Ireland and is one of the most important assets we have there. I would like to see the airport further promoted and strengthened. As Senator Joe Conway mentioned, regional airports need to be supported. They can play a smaller part in connectivity for the regions, both for economic reasons and tourism opportunities. There are many people who live outside of the larger cities who can commute for work and regional airports improve business links for people, especially across the continent. They help us utilise the fact that we are a member of the European Union and have access to a market of over 400 million people.

I reiterate my thanks to all who have engaged on this legislation so far. I also acknowledge the work of local representatives. Indeed, I acknowledge the work done by the Minister and the Minister of State, Deputy Buttimer, in bringing it to this Stage. It is a positive step but it is important that this is not just a step forward while ignoring people in the community. It is important that the door is always open in a sincere way for engagement with local representatives and representatives of the airport. I support the Bill and thank everyone for their work on it.

Senator Joanne Collins: I welcome the Minister of State. As has been said, we are an island nation and depend on connectivity. Aviation in this country is not a luxury but an essential part of the Irish economy, tourism sector, exporters, diaspora and our ability to attract investment. We cannot pretend otherwise. That is why Sinn Féin agrees that the current 32 million passenger cap at Dublin Airport is no longer fit for purpose. The cap was introduced many years ago as a planning condition linked to the construction of terminal 2 and was based on circumstances that have long since changed. Last year alone, Dublin Airport handled approximately 36 million passengers, which is 4 million passengers above the current cap. The reality is that passenger demand has outgrown the planning framework. Continuing with a cap

that no longer reflects operational reality creates uncertainty for airlines, businesses and workers whose livelihoods depend on aviation.

We are also conscious of the looming legal uncertainty around slot allocation. If the cap is not addressed then Ireland risks reduced connectivity, fewer routes and potential damage to the tourism sector and the wider economy. For those reasons Sinn Féin supports lifting the passenger cap. However, supporting the principle does not mean giving the legislation a blank cheque. There are significant shortcomings within the Bill that must be addressed on Committee Stage.

First, local communities cannot simply be expected to absorb the consequences of expansion without being listened to. Residents who live around Dublin Airport have legitimate concerns, which we have heard about at the Joint Committee on Transport over the last few months. We have heard about the increased number of night flights, aircraft noise, air pollution, traffic congestion and the reduction in the overall quality of life within their own communities. Too many people feel like their voices have been ignored for years by both the DAA and the authorities. The irony is that the original passenger cap was introduced because commitments were made regarding transport infrastructure and local impacts. Many of those still remain unresolved today.

Deputy Jerry Buttimer: Not true.

Senator Joanne Collins: If the Government wants public confidence in this legislation then meaningful engagement with local residents cannot be optional and must be built into the legislation. That is why Sinn Féin will bring forward amendments that require meaningful consultation with local community groups, and the strengthening of community mitigation and compensation measures.

Second, the Bill raises important questions about ministerial powers. While we recognise that the Government needs a mechanism to address an outdated passenger cap, the legislation must clearly define the scope of those powers. The Minister's authority should be confined to dealing with the passenger cap capacity issue alone and should not become a mechanism for overriding broader planning protections or creating uncertainty about future planning decisions. We intend to examine these provisions carefully and bring forward amendments to ensure that the legislation is proportionate, transparent and respects proper planning processes, and the independence of the relevant authorities.

Third, we cannot discuss Dublin Airport in isolation. The Government continues to speak about balanced regional development while allowing Dublin Airport to dominate aviation policy. Nearly nine out of ten passengers who travel through airports in this State travel through Dublin Airport. Meanwhile, airports like Shannon, Cork, Kerry, Knock and Waterford continue to receive piecemeal support instead of the strategic investment needed to unlock their full potential. Shannon Airport has increased its passenger numbers year on year over the last couple of years, which is great, but we need to encourage more airlines to fly out of regional airports. Galway no longer has commercial services. Sligo has no commercial passenger operation. Waterford has struggled for years to secure the investment necessary to restore its scheduled service. If the Government is serious about balanced regional development then

regional airports must become economic drivers in their own right supported by investment in infrastructure, route development and integrated transport links.

We also need to recognise the all-island dimension of aviation. Brexit has demonstrated the vulnerability of our transport links. The disruption at Holyhead showed how quickly our supply chain can come under pressure. Therefore, our aviation strategy should look beyond Dublin and consider how airports across the island can complement one another, improve reliance and strengthen connectivity for people, and businesses, both North and South.

Tourism deserves a mention. Almost one in ten jobs across the island depend on tourism, yet international visitor numbers and visitor spending declined last year. At a time when many hospitality workers continue to struggle with low pay and rising living costs, we need policies that strengthen rather than weaken Ireland's attractiveness as a destination. Strong aviation links are central to that.

Sinn Féin supports removing the passenger cap that has become outdated and no longer serves Ireland's interests. We also believe that growth must be properly planned and respect local communities. We need correct and balanced regional development when it comes to aviation.

Senator Dee Ryan: I welcome the Aire Stáit and thank him for giving us the opportunity to discuss this important issue.

I rise today feeling conflicted. I am a Limerick woman from the mid-west. I spent the six years before I came into this House advocating on behalf of the business community in the mid-west. A key pillar of that was pushing increased investment in the region and promoting balanced regional development.

9 o'clock

A key component of that balanced regional potential for us is Shannon Airport. It is very difficult as a mid-west woman - I am sure my Clare colleagues will agree - to stomach the dominance of Dublin Airport. I disagree and refute completely that it has not come at a cost to the regions. With the recent figures for growth in regional airport numbers, it absolutely has. How can an airport with passenger numbers of a record high at 2.3 million compete with 36 million? There is no competition.

The airports are self-financing. They have to generate their own revenues. For a layperson's understanding, they use part of the revenue they generate not only to maintain and upkeep the airport, improve facilities and provide services within the airport but also to entice airlines to put on new routes. The Minister of State cannot tell me an airport like Shannon with 2.3 million passengers per annum has anywhere near the pockets the DAA and Dublin Airport have to compete and bid for route development. It is not the case.

I appreciate and acknowledge the Minister has included Shannon Airport in the regional airports programme which I have been seeking for eight years. It is an important extension of Government supports to Shannon Airport but if we are serious about regional development and balanced economic development, we have to recognise the strategic importance of our airports in that. As an island nation, we need those connections to other markets which will support

foreign direct investment into regions and support companies in the regions to make those business connections, develop those markets and potentially invest out.

In Limerick and the mid-west region at the moment we do not have daily business connectivity to an EU hub airport. It is shocking as members of the EU - this is our key asset in terms of international trade. We know how important that is to us as an economy. Shannon Airport does not have daily business connectivity to the EU marketplace. Much as we have done in a dysfunctional housing market where we intervened and funded where necessary to provide critical supports and subsidies for people to achieve housing and get on the housing market, we need to look more closely at what policy measures can be drawn up and what funding can be brought into place to fund strategic routes. I am not talking about Ibiza or Santa Ponsa, I am talking about Charles de Gaulle Airport and Amsterdam Schiphol - meaningful connections that will help to develop our regional economy.

I am glad we are finally saying the emperor has no clothes. Dublin Airport has been exceeding its cap for many years. It does not observe it. It is appropriate that we legislate to allow it to continue to grow. I recognise the significant role it has played in our overall economic development and the growth of Dublin but I would like to see meaningful parallel investment in our regional airports.

Senator Victor Boyhan: I welcome the Minister of State to the House.

Deputy Jerry Buttimer: Sorry; I was taking notes.

Senator Victor Boyhan: The Minister of State is listening.

Deputy Jerry Buttimer: I have taken five pages of notes.

Senator Victor Boyhan: I welcome the Minister of State, Deputy Buttimer, to the House. I know he takes notes, he listens and he follows through. I am sorry the Minister himself cannot be here.

I will start by referencing what Senator Clifford-Lee spoke about because I fully support what she said. She lives on the ground, as does the Minister. She knows the constituency better than most. I have heard from local representatives of all parties and none there who are deeply concerned. There is a lot of mixed messaging. They represent the people, as does the Senator, which is important. I do not have any problem in developing and wishing well and success to Dublin Airport. It is critical, as its relationship with Fingal, but it has a planning history. I took the time to look at some documents from An Bord Pleanála and Fingal County Council. There is a long, protracted history and concern. For anyone to suggest that people who bought houses there in the sixties, seventies and eighties knew what they would be getting into today is grossly insulting. They did not know what they were getting into. I would not compliment the individual who is purported to have said it, to give him any more publicity than he has already had today. It is important as a public representative, if I were out there. I want to send a clear message to the councillors listening tonight who are aware of it. I have had a few phone calls today about it. We hear what they are saying but unfortunately the reality is the Dublin Airport (Passenger Capacity) Bill 2026 was passed by 118 votes to 28 in Dáil Éireann.

We have to be realistic in this Chamber. We are a revising Chamber. That is where we are coming from. We are talking about a very large number in government on that side of the House which has a simple majority. We have a record of a Government that has rarely accepted any amendments to any legislation in the past year and a half since it came into power. The facts speak for themselves. I am happy to share that spreadsheet with anybody. I ask the Minister of State to convey to the Minister, Deputy O'Brien, who is responsible in this area, that I hope he will be genuinely open to dialogue, to listening and taking on board some of the amendments that come from all sides of the House, if both sides of the House are minded to table amendments. There is such a thing as leverage, be it in business or politics. For this Bill to go through, it is open to Government Members of course to propose amendments or seek to negotiate amendments. The Minister may take them on himself. I do not care whose amendments they are. There is scope for it. We can be sure going out of here today, and the Minister of State can take it back to the Minister, that there will be amendments. We will discuss them and tease them out. That is particularly important.

Getting back to the Bill itself, to be fair, it sets out the processes. The Minister of State set that out very well. We talk about environmental impact assessments, appropriate assessments, An Coimisiún Pleanála, its role, timeframes and timescale. There is great clarity in all of that. Whether we like it or not, the process is clear. I commend the people who drew up the process because it is very easy. I read the explanatory memorandum completely in a few minutes. It is logical and sets out in a fair way processes and perhaps tighter timelines but there is discretion to extend some in certain circumstances which is all set out in the explanatory memorandum. I could not argue with the processes as set out in the legislation, which is important.

I want to spend the last few seconds I have endorsing what other Members such as Senator Ryan have said about regional development. We have heard all these platitudes about regional development. The Minister of State is from Cork and Senator Joe Conway is from Waterford. The Cathaoirleach is a great champion of Kerry and everything that comes in and out of Kerry. Regional airports play a key role. I would like to think those on all sides of this House will fight hard to push for balanced regional development. We have leverage and opportunity. I look forward with great anticipation and excitement to reading the amendments in the coming days because this is the time. This is our opportunity. Let us bring our amendments before the House in relation to this legislation.

Senator Martin Conway: I too welcome the Minister of State, Deputy Buttimer, to the House. He has a deep interest in aviation and has advocated for Cork Airport for many years. On what Senator Clifford-Lee and others regarding residents, it is only good manners that should be done. I sincerely hope it is being done. If it is not, it should be enshrined in the legislation to ensure it will be done.

I fully agree with the principle of removing the passenger cap in Dublin Airport. The cap as presented is bonkers. It just does not make sense. Why would you try to stop people coming into the country who want to come into the capital city? It has been violated extensively anyway so let us just deal with that particular issue, as we are doing. What Senator Ryan and others said about regional development is important. Shannon has struggled over the years yet is doing exceptionally well. Knock airport has a proud tradition and is doing exceptionally well at the moment.

Kerry Airport is holding its own. We have an opportunity here to do something constructive to support these airports. I was doing a bit of research before speaking. DAA, which comprises Dublin Airport, Cork Airport and Aer Rianta International, still an exceptionally profitable company, had a turnover in 2024 of €1.1 billion. I am considering tabling an amendment to provide that 1% of the turnover of DAA be ring-fenced for a development fund for regional airports to support what is already being done by the Government.

Senator Jerry Buttimer: Shannon Airport would not qualify for that.

Senator Martin Conway: It would qualify. I am suggesting that a 1% levy on DAA be made available to the regional airports that are not part of DAA. Based on the 2025 figures, that would amount to €11 million.

Senator Jerry Buttimer: They would fly into Cork then.

Senator Martin Conway: Cork is part of DAA.

An Cathaoirleach: Allow Senator Conway to continue, without interruption.

Senator Martin Conway: This additional €11 million would be available to support new routes that are of strategic importance, as Senator Ryan pointed out. It would also be available to assist in marketing, expand routes and support airlines that are prepared to take the risk of flying into places like Knock, Shannon and Waterford airports and, potentially, Galway, Donegal and other airports. While €11 million is not a huge sum, it would still go a significant way to enhancing the budgets of these airports. It would create more scope for critical infrastructure developments but, much more importantly, for supporting strategically important routes. We have tourism and regional development policies, and the rural first policy. Here is an opportunity to take just 1% of the turnover of Dublin Airport Authority and balance it in that way.

I reiterate that I am not a fan of the cap. I think it is punitive and ridiculous but there are other ways to skin the cat, and this is one of them. Let us talk about it. I would be happy to engage with the Minister of State's officials to come up with a wording that would be acceptable to him.

Minister of State at the Department of Transport (Deputy Jerry Buttimer): I thank Members for a great debate. This is why I love coming back to the Seanad. I miss this debate in the other House.

Senator Victor Boyhan: We will keep the seat warm for the Minister of State.

Deputy Jerry Buttimer: I would never come back as Cathaoirleach again.

Senator Victor Boyhan: The Minister of State did a fabulous job the last time.

Senator Jerry Buttimer: I will come back to what I was going to say in a second. The speech I have been given has been made redundant, but that is okay. The world of aviation has changed. We have to look at it through the prism of various things. I will not name any individual but the number one issue is what the airline wants. The second is what the population mass of the catchment area of an airport is, and the third is what the passenger loads are going to be. We are an island nation which, whether we like it or not, is very much beholden to the connectivity provided by airlines to bring us to and from the island.

The fundamental point, which was well articulated by Senator Clifford-Lee and other speakers, is that we must not dismiss the frustration of residents. Senator Boyhan is right that the residents who bought their houses in the 1960s, 1970s and 1980s did not foresee where we would be today; none of us did. I say this as somebody who grew up in a family home under the flight path to Cork Airport. I remember sitting in the back garden as a child waving at planes and thinking the passengers could wave back at me. I could nearly see in the windows, and I am not exaggerating. We have to understand the frustration of neighbours and residents. Senator Clifford-Lee made a point about a school. We have to take cognisance of that, and I say that genuinely.

Senator Conway spoke about Seán Citizen but the balance we need to get right is that if we do not do what we are doing tonight, Seán Citizen will lose because jobs will go, our reputation in aviation will be lost and people will vote with their feet. We have to get the balance right. We cannot dismiss jobs or the local economy. I hear the point about connectivity, roads and transport, which is important. Senators Clifford-Lee and Duffy referred to listening to the residents. We must do that. Nothing I say is meant to dismiss in any way the views of residents because we cannot do that. I mean that most genuinely, having been a public representative now for 22 years.

I will bring back to the Minister the need to emphasise the principle of good neighbourliness, which DAA must live up to. I go back to the people of Cork and the model Cork Airport uses in its engagement with stakeholders. It may not be perfect but the airport will sit down with neighbours, residents and groups. We have had issues but it dealt with them comprehensively through engagement and by being honest and up-front. When the Minister issues the stakeholder expectation letter to the new chair and the board, I will ask him to engage further and make that clear.

Senator Conway referred to the letter in terms of aviation. The Senator is right that I have a huge interest in aviation. I am also a former member of the transport committee. Aviation is a highly regulated area and safety and security are of the upmost importance. We debated the aviation Bill in the House with Senator Craughwell before I left to go to the Chair. The Department, our officials and the Ministers in the Department are very much aware of the concerns raised by the letter the Senator read to the House tonight. Officials are examining it and will come back to him on it.

I am smiling because when I was here I often spoke up for Cork Airport and the need for balanced regional development. I will make this point to Members. If there is a preponderance of Government policies towards Dublin Airport, and it does feel like that sometimes, many of us also advocate for other areas. In my case, it is Cork. I will put a couple of figures on the record. I congratulate Senator Duffy on Ireland West Airport in Knock celebrating its significant anniversary this year.

Senator Martin Conway: Hear, hear.

Deputy Jerry Buttimer: When Monsignor Horan showed vision, many, including the then leader of my party, did not listen to him. It shows the importance of that airport in the west. Last year saw an increase in passenger numbers at all regional airports, with numbers up by 13% to almost 3.5 million in Cork, by 9% to 2.3 million in Shannon, by 13% in Ireland West Airport and by 6% at Kerry Airport. At Donegal Airport, which nobody mentioned tonight, passenger numbers were up by 9%. If it were the case that we were all focusing on Dublin as the only place to go to, why are passenger numbers increasing in regional airports?

Senator Joe Conway: What might the reason be?

Deputy Jerry Buttimer: Here is the point. Senators should not fall into the trap of blaming Government policy. They should look at what many of us have done and do. Senator Boyhan made a point and I will name Michael O'Leary of Ryanair. He has changed aviation-----

Senator Martin Conway: He has.

Deputy Jerry Buttimer: He has transformed it, but we cannot just bend the knee to him at every opportunity, as some airports on this island have done. We have to work to ensure we have balanced regional growth. I was in Frankfurt last week visiting Lufthansa with representatives of Cork Airport to do a new direct route from Cork to Frankfurt.

Senator Martin Conway: Well done.

Deputy Jerry Buttimer: I am not taking the credit for it. We must all promote the routes and ensure we have the offering. It is not about Ibiza or Santa Ponsa, which are important, but about the lines or routes of quality. It is important that we stress that. I want to ensure we have balanced regional development, as does the Government and the Minister for Transport.

Senator Collins is right that it is about an all-island initiative. That is why the Taoiseach, through the shared island initiative, is pushing Dublin to Derry links and I hope we see Cork to Belfast links. Having an all-island dimension is what Brexit has taught us.

I have gone off-piste tonight. The officials will never send me out again. We must not forget the slot allocation and the importance of Heathrow. We see the difficulty Aer Lingus is in. We cannot lose that slot allocation as an island because it is critical to flying out of Europe and beyond. I am genuinely interested in this area because I see the potential damage that can be done. Let us look at the number of airlines in America and Europe that have folded. In Cork, we thought Norwegian Airlines was going to be the panacea for everything that had gone wrong. We thought things would get better but, as Senators know, they did not.

It is important that we have balanced regional development. To be fair to the Minister, he is emphasising the importance of the DAA acting as a good neighbour and being a conduit. The other point I will give the senior Minister in the Department credit for is that, for the first time, the regional airports programme, which Members discussed tonight, is being expanded

to include airports with up to 3 million passengers. Cork Airport does not qualify for that. Shannon Airport is on an even playing field already. It is flying ahead of us in Cork already at one level. The previous threshold was 1 million. The Minister has changed it now.

There was consensus among Senators on the need for an ongoing commitment to our regional airports. The experience of flying through any of the regional airports is phenomenal in terms of waiting times and security. The investment in Cork Airport means the new security operation is unbelievable. For me, working with my colleagues, this is about ensuring that all of our airports continue to play an essential role in the Irish economy, that we do what we are trying to do here in increasing the passenger cap, while recognising at the same time that people in the Fingal area have genuine concerns. This is landmark legislation which will ensure the country maintains its existing connectivity and employment, while facilitating the new strategic routes we all want, driving national economic growth and creating employment in the future. The hub part of aviation is here to stay, no matter where we live or where we go.

The Minister is committed to listening to and working with Senators. I welcome the tabling of amendments. One of the best things I ever did as Cathaoirleach was to sit down with Martin Groves, the then Clerk of the Seanad, to parse amendments. I learned so much about what the thought process was and what we could all do.

The Minister made a commitment in the Dáil on the flight plans raised by Senators. We will address that on Committee Stage and Report Stage. I thank Senators for the debate. I am sorry for going off script. It was an invigorating debate. I thank Members for their interest. I hope the Bill goes through to the next Stage, so that we can continue to parse it in the debate.

Question put and agreed to.

An Cathaoirleach: When is it proposed to sit again?

Senator Lorraine Clifford-Lee: At 9.30 a.m. tomorrow.

Cuireadh an Seanad ar athló ar 9.24 p.m. go dtí 9.30 a.m., Déardaoin, an 2 Iúil 2026.

The Seanad adjourned at 9.24 p.m. until 9.30 a.m. on Wednesday, 2 July 2026.