



DÁIL ÉIREANN

Dé Céadaoin, 28 Eanáir, 2015
Wednesday, 28th January, 2015

RIAR NA hOIBRE
ORDER PAPER

Dé Céadaoin, 28 Eanáir, 2015
Wednesday, 28th January, 2015

9.30 a.m.

ORD GNÓ
ORDER OF BUSINESS

25. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le téarmaí an Chomhaontaithe Saorthrádála idir an tAontas Eorpach agus an Cholóim agus Peiriú.
 Motion *re* Proposed approval by Dáil Éireann of the terms of the Free Trade Agreement between the European Union and Colombia and Peru.
- 25a. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil leis an Dréacht-Ordú um Choimisiún Imscrúdúcháin (Nithe Áirithe i dtaobh Rannán an Chabháin/Mhuineacháin den Gharda Síochána), 2014.
 Motion *re* Proposed approval by Dáil Éireann of draft Commission of Investigation (Certain Matters relative to the Cavan/Monaghan Division of the Garda Síochána) Order 2014.
50. (l) An Bille fá Ghléasanna Éireannacha um Chomhbhainistiú Sócmhainní, 2014 — Ordú don Tuarascáil.
 (a) Irish Collective Asset-management Vehicles Bill 2014 — Order for Report.
8. An Bille um Shásamh do Mhná a raibh Cónaí Orthu i bhForais Áirithe 2014 — Ordú don Dara Céim.
 Redress for Women Resident in Certain Institutions Bill 2014 — Order for Second Stage.
51. (l) Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann maidir leis an Dréacht-Ordú um Choimisiún Imscrúdúcháin (Árais Máithreacha agus Naíonán agus Nithe Áirithe Gaolmhara), 2015 (*atógáil*).
 (a) Motion *re* Proposed approval by Dáil Éireann of the draft Commission of Investigation (Mother and Baby Homes and Certain Related Matters) Order 2015 (*resumed*).

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

189. (l) Tairiscint *maidir leis* Incheannaitheacht Tithe (*atógáil*).
 (a) Motion *re* Housing Affordability (*resumed*).

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- a18.** An Bille um an gCeathrú Leasú is Tríocha ar an mBunreacht (Dáil Éireann), 2015 — An Chéad Chéim.
Thirty-fourth Amendment of the Constitution (Dáil Éireann) Bill 2015 — First Stage.
- 48a.** Tairiscint *maidir le* Buan-Ordú 107I.
Motion *re* Standing Order 107I

I dTOSACH GNÓ PHOIBLÍ
AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh: Initiation of Bills

Tíolactha:

Presented:

- 8.** An Bille um Shásamh do Mhná a raibh Cónaí Orthu i bhForais Áirithe 2014 — Ordú don Dara Céim.

Redress for Women Resident in Certain Institutions Bill 2014 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú go gcuirfeadh seirbhísí sláinte áirithe ar fáil gan mhúirear do mhná áirithe a ligeadh isteach i bhforais áirithe agus a bhí ag obair iontu; do dhéanamh socrú nach gceanglófar ar na mná sin muirir a íoc as seirbhísí géarthinnis d'othair chónaithe agus, chun na gcríoch sin, do leasú an Achta Sláinte, 1970; do leasú an Achta fán Scéim um Thacaíocht Tithe Banaltrais, 2009; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to make provision for the making available without charge of certain health services to certain women who were admitted to and worked in certain institutions; to provide that those women shall not be required to pay charges for acute in-patient services and, for those purposes, to amend the Health Act 1970; to amend the Nursing Homes Support Scheme Act 2009; and to provide for related matters.

—*An tAire Dlí agus Cirt agus Comhionannais.*

Tabhairt Isteach:

Introduction:

- a18.** An Bille um an gCeathrú Leasú is Tríocha ar an mBunreacht (Dáil Éireann), 2015 — An Chéad Chéim.

Thirty-fourth Amendment of the Constitution (Dáil Éireann) Bill 2015 — First Stage.

Bille dá ngairtear Acht chun an Bunreacht a leasú.

Bill entitled an Act to amend the Constitution.

—*Brendan Griffin.*

Fógraí Tairisceana: Notices of Motions

25. “Go gceadaíonn Dáil Éireann téarmaí an Chomhaontaithe Saorthrádála idir an tAontas Eorpach agus a Bhallstáit, de pháirt, agus an Cholóim agus Peiriú, den pháirt eile, a síníodh an 26 Meitheamh 2012, agus a leagadh faoi bhráid Dháil Éireann an 2 Deireadh Fómhair 2014.

That Dáil Éireann approves the terms of the Free Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, which was signed on 26th June, 2012, and laid before Dáil Éireann on 2nd October, 2014.”

—*An tAire Post, Fiontar agus Nuálaíochta.*

25a. “Go gceadaíonn Dáil Éireann an tOrdú seo a leanas ina dhréacht:

An tOrdú um Choimisiún Imscrúdúcháin (Nithe Áirithe i dtaobh Rannán an Chabháin/Mhuineacháin den Gharda Síochána), 2014,

is Ordú ar leagadh cóipeanna de ina dhréacht faoi bhráid Dháil Éireann an 19 Nollaig 2014.

That Dáil Éireann approves the following Order in draft:

Commission of Investigation (Certain Matters relative to the Cavan/Monaghan Division of the Garda Síochána) Order 2014,

copies of which Order in draft were laid before Dáil Éireann on 19th December, 2014.”

—*An tAire Dlí agus Cirt agus Comhionannais.*

48a. “Go molann an Coiste um Nós Imeachta agus Pribhléidí, de bhun Bhuan-Ordú 99(1) (a), go ndéantar an Buan-Ordú breise seo a leanas a ghlacadh mar Bhuan-Ordú de Dháil Éireann i dtaobh Gnó Poiblí go dtí go gcuirfear a mhalairt in iúl sa 31ú Dáil:

Pribhléid: mainneachtain forálacha maidir le rúndacht ghairmiúil a chomhlíonadh i leith faisnéis rúnda arna soláthar faoi Acht an Bhainc Cheannais, 1942.

‘107I. (1) I gcás faisnéis rúnda a bheith soláthraithe de bhun alt 33AK(5)(*ahb*) d’Acht an Bhainc Cheannais, 1942, ní dhéanfaidh comhalta caint le linn na n imeachtaí ar mainneachtain í na forálacha maidir le rúndacht ghairmiúil a chomhlíonadh, is mainneachtain dá dtagraítear in ailt 33AK(6) agus (6A) den Acht a luadh cheana. I gcás ina ndéanfaidh comhalta caint den sórt sin le linn na n-imeachtaí, d’fhéadfadh sé gur mí-úsáid phribhléide *prima facie* é, ach sin faoi réir fhorálacha an Bhuan Ordaithe seo.

(2) Más rud é, le linn na n-imeachtaí, go bhfeicfear don Cheann Comhairle go bhfuil comhalta tar éis caint mar a thuairiscítear i mír (1) a dhéanamh, cuirfidh sé nó sí an ní faoi bhráid an Choiste um Nós Imeachta agus Pribhléidí: Ar choinníoll i gcónaí go bhféadfaidh an Ceann Comhairle, freisin, am ar bith ina dhiaidh sin, dá thoil nó dá toil féin, aon ní den sórt sin a chur faoi bhráid an Choiste.

(3) Am ar bith eile agus a luaithe is féidir, ach tráth nach déanaí ná dhá sheachtain i

That, pursuant to Standing Order 99(1)(a), the Committee on Procedure and Privileges recommends that the following additional Standing Order be adopted as a Standing Order of Dáil Éireann relative to Public Business until further notice in the 31st Dáil:

Privilege: failure to comply with professional secrecy provisions in respect of confidential information provided under the Central Bank Act 1942.

‘107I. (1) Where confidential information has been provided pursuant to section 33AK(5) (*ahb*) of the Central Bank Act 1942 a member shall not make an utterance during the course of proceedings which constitutes a failure to comply with the provisions of professional secrecy referred to in sections 33AK(6) and (6A) of the aforementioned Act. Where a member makes such an utterance during the course of proceedings it may *prima facie* be an abuse of privilege, subject to the provisions of this Standing Order.

(2) If, during the course of proceedings, it appears to the Ceann Comhairle that a member has made an utterance as described in paragraph (1), he or she shall refer the matter to the Committee on Procedure and Privileges: Provided always that the Ceann Comhairle may also at any time thereafter, on his or her own volition, refer any such matter to the Committee.

(3) At any other time and at the earliest opportunity, but not later than two weeks

ndiaidh caint mar a thuairiscítear i mír (1) a dhéanamh, féadfaidh aon duine aighneacht a dhéanamh i scríbhinn chuig an gCeann Comhairle lena n-éileoidh sé nó sí—

- (a) gur faoi alt 33AK(5)(ahb) a soláthraíodh an fhaisnéis a nochtadh, agus
- (b) gur mhainneachtain ag an gcomhalta atá i gceist na forálacha maidir le rúndacht ghairmiúil mar a leagtar amach iad in alt 33AK(6) agus (6A) d’Acht an Bhainc Cheannais, 1942 a chomhlíonadh an chaint a rinne an comhalta.

Más deimhin leis an gCeann Comhairle—

- (a) gur léir an aighneacht a bheith de chineál chomh mionchúiseach nó suaibhreasach sin nó chomh cráiteach nó maslach sin go bhfágfadh sé nárbh iomchuí aon ghníomh eile a dhéanamh ná aon bhreithniú a dhéanamh uirthi sa Choiste,
- (b) nach mbeidh sé indéanta don Choiste an aighneacht a bhreithniú faoin mBuan-Ordú seo,

féadfaidh an Ceann Comhairle a chinneadh nach ndéanfar aon ghníomh maidir leis an aighneacht.

In aon chás eile, cuirfidh an Ceann Comhairle an aighneacht faoi bhráid an Choiste.

(4) I gcás ina ndéanfar ní nó aighneacht a chur faoi bhráid an Choiste agus a bhreithniú faoin mBuan-Ordú seo, féadfaidh an Coiste cuireadh a thabhairt don chomhalta a rinne an chaint agus d’aon duine eile a mheasfaidh an Coiste a bheith iomchuí fianaise ó bhéal nó i scríbhinn a thabhairt don Choiste.

(5) Beidh de rogha ag an gCoiste ní nó aighneacht a bheidh curtha faoina bhráid faoin mBuan-Ordú seo nó a chuid imeachtaí i ndáil leis an ní nó leis an aighneacht sin a fhoilsiú, agus féadfaidh sé miontuairiscí ar a chuid imeachtaí agus an ní nó an aighneacht sin go léir nó cuid de nó di a leagan faoi bhráid na Dála.

(6) Féadfaidh an Coiste, maidir le haon ní nó aighneacht a bheidh curtha faoina bhráid faoin mBuan-Ordú seo, tuarascáil a chinneadh agus a ghlacadh ina léireofar—

- (a) nár tharla aon mhí-úsáid phribhléide agus

after an utterance as described in paragraph (1) is made, any person may make a submission in writing to the Ceann Comhairle claiming that—

- (a) the information disclosed was provided under section 33AK(5)(ahb), and
- (b) the utterance by the member in question constituted a failure by him or her to comply with the provisions of professional secrecy as set out in section 33AK(6) and (6A) of the Central Bank Act 1942.

If the Ceann Comhairle is satisfied that—

- (a) the submission is so obviously trivial or frivolous, vexatious or offensive in character as to make it inappropriate that further action be taken or that it be considered by the Committee,
- (b) it is not practicable for the Committee to consider the submission under this Standing Order,

the Ceann Comhairle may decide that no action shall be taken in respect of the submission.

In any other case the Ceann Comhairle shall refer the submission to the Committee.

(4) Where a matter or submission is referred to the Committee and is considered under this Standing Order, the Committee may invite the member who made the utterance and any other person as the Committee may deem appropriate to give evidence orally or in writing to the Committee.

(5) The Committee shall have discretion to publish a matter or submission referred to it under this Standing Order or its proceedings in relation to such matter or submission, and may lay minutes of its proceedings and all or part of such matter or submission before the Dáil.

(6) In relation to any matter or submission referred to it under this Standing Order, the Committee may decide and adopt a report to the effect that—

- (a) no abuse of privilege has occurred and it

- molfaidh sé nach ndéanfaidh an Dáil aon ghníomh eile i ndáil leis an ní nó leis an aighneacht; nó
- (b) gur tharla mí-úsáid phribhléide agus molfaidh sé go ndéanfar ceann amháin nó níos mó de na gníomhartha seo a leanas:
- (i) an comhalta atá i gceist a urscaoileadh ón gComhchoiste a bheidh ag seoladh an fhiosrúcháin de chuid Chuid 2;
- (ii) an comhalta atá i gceist a chur ar fionraí ó sheirbhís na Dála, agus féadfaidh sé go mbeidh sé nó sí ar fionraí go dtí an t-ochtú lá ar a suífidh an Dáil tar éis an dáta a aontófar tairiscint faoi mhír (8), ach ní bheidh sé nó sí ar fionraí ina dhiaidh sin;
- (iii) an comhalta atá i gceist a cháineadh.
- (7) Beidh tacaíocht trí cheathrú de na comhaltaí a bheidh i láthair agus a dhéanfaidh vótáil ag teastáil i gcomhair aon chinneadh a ghlacfaidh an Coiste faoi mhír (6) den Bhuan-Ordú seo.
- (8) A luaithe is indéanta tar éis dó tuarascáil faoi mhír (6) a ghlacadh, déanfaidh an Coiste um Nós Imeachta agus Pribhléidí an tuarascáil sin a leagan faoi bhráid na Dála, agus ainmneoidh sé duine dá chomhaltaí chun tairiscint a chur síos, a luaithe is indéanta—
- (a) lena dtugtar d’aire na Dála na moltaí agus na cinní sa tuarascáil, agus/nó
- (b) lena moltar go ndéanfar ceann amháin nó níos mó de na gníomhartha faoi mhír (6) (b).
- (9) Déanfaidh an Dáil an tairiscint faoi mhír (8) a bhreithniú a luaithe is indéanta.
- (10) D’ainneoin fhorálacha an Bhuan-Ordaithe seo (ach amháin forálacha mhír (6), a mbeidh feidhm acu i gcónaí), féadfaidh an Coiste, tar éis dó ní nó aighneacht a bhreithniú faoin mBuan-Ordú seo, cibé moltaí a dhéanamh a mheasfaidh sé a bheith iomchuí.
- (11) Chun críocha an Bhuan-Ordaithe seo—
- shall recommend that no further action be taken by the Dáil in relation to the matter or submission; or
- (b) an abuse of privilege has occurred, and it shall recommend that one or more of the following actions be taken:
- (i) the member in question be discharged from the Joint Committee that is conducting the Part 2 inquiry;
- (ii) the member in question be suspended from the service of the Dáil, and that suspension may continue until, but shall not surpass, the eighth day on which the Dáil shall sit after the date on which a motion under paragraph (8) is agreed;
- (iii) the member in question be censured.
- (7) Any decision taken by the Committee under paragraph (6) of this Standing Order shall require the support of three-quarters of the members present and voting.
- (8) As soon as is practicable after its adoption of a report under paragraph (6), the Committee on Procedure and Privileges shall lay such report before the Dáil, and shall nominate one of its members to table a motion, as soon as is practicable, which—
- (a) takes note of the recommendations and decisions in the report, and/or
- (b) proposes one or more of the actions under paragraph (6)(b) be taken.
- (9) The Dáil shall consider the motion under paragraph (8) as soon as is practicable.
- (10) Notwithstanding the provisions of this Standing Order (save the provisions of paragraph (6), which shall continue to apply), the Committee, following consideration of a matter or submission under this Standing Order, may make such recommendations as appear to it to be appropriate.
- (11) For the purposes of this Standing Order

ciallóidh “Coiste” Coiste na Dála um Nós Imeachta agus Pribhléidí nó Fochoiste den Choiste sin;

ciallóidh “imeachtaí” imeachtaí parlaiminte de chuid na Dála, Buan-Choiste, Roghchoiste nó Coiste Speisialta nó Fochoiste díobh sin.’

“Committee” shall mean either the Dáil Committee on Procedure and Privileges or a sub-Committee thereof;

“proceedings” shall mean parliamentary proceedings of the Dáil, a Standing, Select or Special Committee or a sub-Committee thereof.’.”

— *Pól Mac Eochaidh, Aire Stáit ag Roinn an Taoisigh.*

ORDUITHE AN LAE ORDERS OF THE DAY

50. (l) An Bille fá Ghléasanna Éireannacha um Chomhbhainistiú Sócmhainní, 2014 — Ordú don Tuarascáil.

(a) Irish Collective Asset-management Vehicles Bill 2014 — Order for Report.

51. “Go ndéanann Dáil Éireann:

— ag féachaint don tairiscint a rith Dáil Éireann an 11 Meitheamh, 2014 lenar aithníodh gur gá na fíorais maidir le bás na leanaí in Áras Máithreacha agus Naíonán an Bon Secours i dTuaim, Co. na Gaillimhe idir 1925 agus 1961 a shuíomh, lena n-áirítear na socruithe chun na leanaí sin a adhlacadh, agus lenar aithníodh thairis sin an inní mhór atá ar an bpobal faoi na dálaí i gcoitinne in árais máithreacha agus naíonán a d’oibrítí sa Stát sa ré sin;

— á thabhairt dá haire gurb é tuairim an Rialtais gur gá, ar mhaithe le leas an phobail, na nithe sin is ábhar mór buartha don phobal a scrúdú trí Choimisiún Imscrúdúcháin a bhunú;

— á thabhairt dá haire gurb é an tAire Leanaí agus Gnóthaí Óige a stiúir breithniú an Rialtais ar na nithe fógaire sin;

— á thabhairt dá haire an fhaisnéis fhíorasach a tiomsaíodh, agus na nithe sonracha a roghnaíodh lena mbreithniú tuilleadh, sa Tuarascáil ón nGasra Oibre Idir-Rannach ar Árais Máithreacha agus Naíonán, a leagadh faoi bhráid Dháil Éireann an 16 Iúil, 2014 agus a chuir le heolas an Rialtais ina mbreithniú ar an raon, ar an bhfoirm agus ar na téarmaí tagartha le haghaidh

That Dáil Éireann:

— having regard to the motion passed by Dáil Éireann on the 11th June, 2014 which recognised the need to establish the facts regarding the deaths of children at the Bon Secours Mother and Baby Home in Tuam, Co. Galway between 1925 and 1961, including arrangements for the burial of these children, and which further acknowledged the considerable public anxiety as to the conditions generally in mother and baby homes operational in the State in that era;

— noting that it is the opinion of the Government that these matters of significant public concern require, in the public interest, examination by the establishment of a Commission of Investigation;

— noting that the Minister for Children and Youth Affairs has led the Government’s consideration of these sensitive matters;

— noting the factual information compiled, and the specific matters identified for further consideration, in the Report of the Inter-Departmental Group on Mother and Baby Homes, which was laid before Dáil Éireann on the 16th July, 2014, and which has assisted to inform Government considerations on the scope, format and terms of reference for a Commission of

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| <p>Coimisiún Imscrúdúcháin;</p> <p>— agus á thabhairt dá haire thairis sin go bhfuil dréacht-ordú a bheartaíonn an Rialtas a dhéanamh faoin Acht um Choimisiúin Imscrúdúcháin, 2004 (Uimh. 23 de 2004) leagtha go cuí faoi bhráid Dháil Éireann an 16 Eanáir, 2015 i leith na nithe dá dtagraítear roimhe seo, mar aon le ráiteas ar na cúiseanna le Coimisiún a bhunú faoin Acht sin;</p> <p>an dréacht-Ordú um Choimisiún Imscrúdúcháin (Árais Máithreacha agus Naíonán agus Nithe áirithe gaolmhara), 2015 a cheadú, mar aon leis an ráiteas ar na cúiseanna le Coimisiún Imscrúdúcháin a bhunú.</p> | <p>Investigation;</p> <p>— and further noting that a draft Order proposed to be made by the Government under the Commissions of Investigation Act 2004 (No. 23 of 2004) has been duly laid before Dáil Éireann on 16th January, 2015 in respect of the forgoing matters referred to, together with a statement of reasons for establishing a Commission under that Act;</p> <p>approves the draft Commission of Investigation (Mother and Baby Homes and Certain Related Matters) Order, 2015 and the statement of reasons for establishing a Commission of Investigation.”</p> |
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—An tAire Leanaí agus Gnóthaí Óige.

Leasuithe:

Amendments:

1. To delete all words after “Dáil Éireann:” and substitute the following:

“having regard to the motion passed by Dáil Éireann on the 11th June, 2014 which recognised the need to establish the facts regarding the deaths of children at the Bon Secours Mother and Baby Home in Tuam, Co. Galway between 1925 and 1961, including arrangements for the burial of these children, and which further acknowledged the considerable public anxiety as to the conditions generally in mother and baby homes and related institutions and agencies operational in the State in that era;

noting that it is the opinion of the Government that these matters of significant public concern require, in the public interest, examination by the establishment of a Commission of Investigation;

noting that the Minister for Children and Youth Affairs has led the Government’s consideration of these sensitive matters;

noting the factual information compiled, and the specific matters identified for further consideration, in the Report of the Inter-Departmental Group on Mother and Baby Homes, which was laid before Dáil Éireann on the 16th July, 2014, and which has assisted to inform Government considerations on the scope, format and terms of reference for a Commission of Investigation;

noting that a draft Order proposed to be made by the Government under the Commissions of Investigation Act 2004 (No. 23 of 2004) has been duly laid before Dáil Éireann on 16th January, 2015 in respect of the forgoing matters referred to, together with a statement of reasons for establishing a Commission under that Act; and

noting the deficiencies of the Schedule to the draft Order (Terms of Reference for Commission of Investigation (Mother and Baby Homes and Certain Related Matters) Order 2015), establishing the Commission, as follows:

- in Article (1), the absence of express reference to ‘related institutions and agencies’ after the reference to ‘Mother and Baby Homes’, and the consequent exclusion of a list of such institutions in Appendix 1;
- in Article (1)(I), the absence of an express reference specifying inclusion of inter-institutional transfer across the island of Ireland, north and south, and elsewhere, after

the words ‘and the exit pathways on their leaving these institutions’;

- in all instances in Article (1)(III), the absence of the words ‘and morbidity’ after the word ‘mortality’;
- in Article (1)(IV), the absence of an express provision directing the Commission, where evidence of mass or otherwise unmarked graves are found, to endeavour to identify the remains, notify relatives where possible, establish cause of death including by use of scientific methods, and otherwise enable arrangements to be made for more appropriate reburial;
- in Article (1)(VIII), the absence of the words ‘including marital status, socio-economic status,’ before the words ‘religion, race, traveller identity or disability’;
- in Article (2), the setting of the timeframe as ‘1922 to 1998’ rather than ‘1922 to present’ and the absence of the words ‘or increase’ after the words ‘may reduce’; and
- the absence of the following provision, which should appear after Article (2):
 - ‘The Commission shall take proactive measures to alert individuals affected by its inquiry, in person where known, or through advertising and by means of public statements, in both jurisdictions on the island of Ireland, in Britain, in the United States, and in such other jurisdictions where those affected may reasonably be thought likely to reside, to ensure that they understand their rights to testify in private or in public.’;
- the absence of the following provision, which should appear before Article (3):
 - ‘Pursuant to the provisions at section 11 of the Act, the Commission shall provide for public hearing of testimony by persons who were formally resident or who worked in, or who were otherwise affected by, the institutions listed in Schedule 1 during the relevant period, as of right, if such persons so request, or if the Commission is satisfied that it is otherwise desirable in the interests of both the investigation and fair procedures to hear in public all or part of the evidence of a witness that the Commission has called. In this regard, the Commission shall make recommendations to the Minister as to necessary arrangements regarding the right to legal advice and/or other advocacy of those testifying before the Commission.’;
- the absence of the following provision, which should appear after Article (7):
 - ‘The Commission shall, in making its interim and final reports, make recommendations as to ensuring effective remedy to the victims and survivors of the institutions and practices identified in its report. As one component part of its consideration of the question of effective remedy, the Commission shall make recommendations as to official acknowledgment, apology and memorial. In making its recommendations as to all aspects of effective remedy in its reports, the Commission shall also consider the question of timing of remedies, taking into account the advanced age and infirmity of many of the identified survivors, ensuring justice is not denied them as a consequence of unnecessary delay.’;
- in Appendix I, the absence of a provision for ‘Related institutions as follows’, which should appear after the list of ‘Mother and Baby Homes as follows’ at (1) of Appendix I, and which should read:
 - (1) Avoca House, Co. Wicklow;
 - (2) Braemar House, Co. Cork;

- (3) Saint Gerard’s, Herbert Avenue, Dublin 4;
- (4) Saint Philomena’s, Leeson Street, Dublin 2/Northbrook Road, Dublin 6;
- (5) St Joseph’s Babies Home, Stamullen, Co. Meath;
- (6) St Kevin’s Institution, James Street, Dublin 8;
- (7) St Patrick’s Infant Dietetic Hospital, Temple Hill, Blackrock, Co. Dublin;
- (8) St Rita’s Nursing Home, Sandyford Road, Dublin 4;
- (9) The Nursery Rescue Society, Fermoy, Cork;
- (10) Westbank (Mayil) Orphanage, Co. Wicklow;
- (11) and any others as the Commission may identify during the course of its investigation.’; and

— in Appendix I, the absence of the following provisions after paragraph (2), which should read:

— ‘(3) Magdalene Laundries

The Magdalene Laundries constituted a significant “exit pathway” referred to in Article 1(I), as part of the institutional architecture of containment of “problem” women and girls together with the Mother and Baby Homes listed at (1) above, the Related Institutions listed at (1.1) above, and the County Homes referred to at (2) above. As there has not been a previous Commission of Investigation or other statutory inquiry regarding these institutions, and as the McAleese Report was limited to the question of State involvement, it is therefore specified that the Commission should also have specific regard to the experiences of the women who resided and worked in these institutions, and shall exercise its discretion to extend the scope and intensity of the investigation as provided for in Article (13) to include the Magdalene Laundries in its inquiries.

(4) Registered Adoption Agencies and Related Institutions

Registered adoption agencies constituted a significant “exit pathway” referred to in Article 1(I), as part of the institutional architecture for dealing with children born to unmarried women and girls, together with the Mother and Baby Homes listed at (1) above, the Related Institutions listed at (1.1) above, and the County Homes referred to at (2) above. It is therefore specified that the Commission should also have specific regard to the agencies, hospitals and other institutions, and related professionals alleged to have been involved in facilitating illegal or forced adoptions and/or illegal birth registrations, and shall exercise its discretion to extend the scope and intensity of the investigation as provided for in Article (13) to include registered adoption agencies and related institutions in its inquiries.’; and

noting the deficiency in the second paragraph of the Statement of Reasons, whereby the words ‘a comprehensive account of these institutions’ should instead read ‘a comprehensive account of these and related institutions and agencies’; and

approves the draft Commission of Investigation (Mother and Baby Homes and Certain Related Matters) Order, 2015, but strongly urges that the Government amend the terms of reference of, and the statement of reasons for establishing, the Commission of Investigation at the earliest opportunity, in the manner outlined above.” — *Mary Lou McDonald, Sandra McLellan, Caoimhghín Ó Caoláin.*

2. To delete all words after “establishing a Commission under that Act;” and substitute the following:

“— calls for Schedule (11) (B) of the draft Commission of Investigation (Mother and Baby Homes and Certain Related Matters) Order, 2015 to be amended by inserting after ‘their

children’, ‘with particular regard to the practices employed in obtaining the consent of mothers who had recently given birth to their treatment’;

- calls for Appendix 1(1) of the draft Commission of Investigation (Mother and Baby Homes and Certain Related Matters) Order, 2015 to be amended so as to include the following homes;

Braemar House, Cork.
 Ovoca (or Avoca) House, Co. Wicklow.
 Regina Coeli Hostel, Athlone, Co. Westmeath.
 Saint Gerard’s, 39 Mountjoy Square, Dublin 1.
 Saint Joseph’s Centre (aka Saint Clare’s Centre), Stamullen, Co. Meath.
 Saint Patrick’s Infant Hospital, Temple Hill, Blackrock, Co. Dublin.
 Saint Philomena’s Centre Lakelands, Stillorgan, Co. Dublin.
 Saint Rita’s Nursing Home, 68 Sandford Road, Ranelagh, Dublin 4.
 The Nurseries, Fermoy, Co. Cork
 Westbank Home, Greystones, Co. Wicklow; and

- calls for Appendix 1(2) of the draft Commission of Investigation (Mother and Baby Homes and Certain Related Matters) Order, 2015 to be amended by inserting after ‘these mothers and children.’, ‘Any former resident of any County Home will be entitled to be heard by the Commission of Investigation.’” *(resumed)* — *Robert Troy, John Browne, Dara Calleary, Niall Collins, Barry Cowen, Timmy Dooley, Sean Fleming, Colm Keaveney, Billy Kelleher, Seamus Kirk, Michael Kitt, Micheál Martin, Michael Moynihan, Charlie McConalogue, Michael McGrath, John McGuinness, Éamon O Cuív, Willie O’Dea, Seán Ó Feargháil, Brendan Smith.*

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

Tairiscint (atógáil) (1 ur. 30 n. fágtha):

Motion (resumed) (1 hr. 30 m. remaining):

189. “That Dáil Éireann:

notes:

- the significant fall in home ownership rates in Ireland;
- the legitimate aspiration of families to own their own home;
- that the lack of housing supply is causing distortions in the property market;
- that the dramatic increase in rents and the failure to increase rent supplement supports have put many individuals and families at serious risk of homelessness; and
- that 90,000 persons are currently on the social housing waiting lists around the country; and

agrees that:

- action is required to improve housing affordability, particularly in respect of mortgage interest rates;
- the level of savings required should not be prohibitive thereby preventing people from buying their first properties or progressing to a second home;
- a coordinated initiative by Government and local authorities is needed to improve the

supply of new housing; and

- the rent supplement scheme be urgently reviewed to take account of current rents in the market place.” — *Michael McGrath, John Browne, Dara Calleary, Niall Collins, Barry Cowen, Timmy Dooley, Seán Fleming, Colm Keaveney, Billy Kelleher, Seamus Kirk, Michael P. Kitt, Micheál Martin, Charlie McConalogue, John McGuinness, Michael Moynihan, Éamon Ó Cuív, Willie O’Dea, Seán Ó Feargháil, Brendan Smith, Robert Troy.*

[27 January, 2015]

Leasuithe:

Amendments:

1. To delete all words after “Dáil Éireann” and substitute the following:

“acknowledges that:

- the construction sector and the housing market were very heavily affected by the economic downturn and the bursting of the property bubble; and
- a poorly regulated banking sector, with lax lending standards combined with pro-cyclical and inappropriate fiscal policies adopted by the previous Government, led to a property bubble, the consequences of which are still evident throughout the country;

recognises the importance of ensuring a strong and sustainable construction sector and housing market that meets the needs of the economy and society;

notes that:

- in 2014 a total of 11,016 homes were completed in comparison to 93,019 units completed at the peak of the housing bubble; and
- at the peak of the housing bubble in 2007 over 270,000 persons were directly employed in the sector and that by 2012 this figure was below 100,000;

further acknowledges that new housing supply - both social and private housing - is a key issue that needs to be, and is being, addressed;

notes:

- in this context, that the Government's Construction 2020 Strategy for a Renewed Construction Sector is focused on addressing constraints that are inhibiting new housing supply, including as regards planning, mortgage and development finance, infrastructure and public investment, standards and regulation and education and skills;
- in addition, the recent announcement of the Government's Social Housing Strategy 2020 and the Government's commitment therein to deliver 35,000 new social housing units over the period to 2020;
- the additional €2.2 billion in funding announced for social housing in Budget 2015 and the publication of the Social Housing Strategy 2020 in November 2014, which builds on the provisions contained in Budget 2015 and sets out clear, measureable actions and targets to increase the supply of social housing, reform delivery arrangements and meet the housing needs of all households on the housing list;
- that the Central Bank has recently issued macro-prudential proposals in relation to residential mortgage lending and will shortly make decisions in relation to these in accordance with its independent mandate in such matters; and
- the encouraging signs of a recovery in the construction sector and the housing market; and

agrees that a whole of Government approach to the implementation of Construction 2020 and the Social Housing Strategy 2020 will deliver a sustainable housing market that meets the needs of our society.” (*resumed*) — *An tAire Airgeadais*.

2. To delete all words after “Dáil Éireann” and substitute the following:

“notes:

- the increasing numbers of people in rented accommodation in Ireland;
- that the lack of housing supply is causing distortions in the property and rental market;
- that the dramatic increase in rents and the failure to introduce rent controls have put many individuals and families into homelessness or at serious risk of homelessness;
- that 90,000 households, amounting to about 200,000 people, are currently on the social housing waiting lists around the country;
- the Government’s plans for housing relies on the private market providing the majority of new homes needed for those on waiting lists; and
- that private housing, either to rent or to buy, is currently not affordable or good value for ordinary working people;

agrees that:

- State owned banks must pass on the European Central Bank's interest rate cuts to the mortgage holder;
- the Affordable Housing Scheme should be reintroduced;
- a coordinated initiative by Government and local authorities is needed to build and refurbish thousands of houses every year for use by the local authority for social housing;
- the private market is unable or unwilling to provide affordable housing for a large section of society who must be facilitated by the State through local authorities; and
- subsidising the private market further will not result in the provision of sufficient housing to meet the needs of the State; and

resolves to:

- invest €1 billion from the Strategic Investment Fund for Ireland to deliver off books housing through local authority-run housing trusts and existing Approved Housing Bodies;
- recommit new funds earmarked for subsidising private housing to the building, refurbishing or acquisition of social housing by local authorities; and
- introduce a system of rent control to stabilise rents and stop the flow of private residential tenants into emergency accommodation.” — *Dessie Ellis*.

MEMORANDA

Dé Céadaoin, 28 Eanáir, 2015
Wednesday, 28th January, 2015

Cruinniú den Chomhchoiste Fiosrúcháin i dtaobh na Géarchéime Baincéireachta i Seomra Coiste 1, TL2000, ar 9.30 a.m.

Meeting of the Joint Committee of Inquiry into the Banking Crisis in Committee Room 1, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Iompar agus Cumarsáid i Seomra Coiste 4, TL2000, ar 9.30 a.m.

Meeting of the Joint Committee on Transport and Communications in Committee Room 4, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Iompar agus Cumarsáid i Seomra Coiste 4, TL2000, ar 9.30 a.m.

Meeting of the Joint Committee on Transport and Communications in Committee Room 4, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Dhlí agus Ceart, Cosaint agus Comhionannas i Seomra Coiste 2, TL2000, ar 10 a.m. (*príobháideach*).

Meeting of the Joint Committee on Justice, Defence and Equality in Committee Room 2, LH2000, at 10 a.m. (*private*).

Cruinniú den Chomhchoiste um Oideachas agus Coimirce Shóisialach i Seomra Coiste 3, TL2000, ar 1 p.m.

Meeting of the Joint Committee on Education and Social Protection in Committee Room 3, LH2000, at 1 p.m.

Cruinniú d'Fhochoistí um Ghrinnscrúdú Eorpach- Airgeadas agus Caiteachas Poiblí (den Chomhchoiste um Airgeadas, Caiteachas Poiblí agus Athchóiriú) i Seomra Coiste 4, TL2000, ar 2 p.m. (*príobháideach*).

Meeting of the Sub-Committee on European Scrutiny-Finance and Public Expenditure (of the Joint Committee on Finance, Public Expenditure and Reform) in Committee Room 4, LH2000, at 2 p.m. (*private*).

Cruinniú den Roghchoiste um Ghnóthaí Eachtracha agus Trádáil i Seomra Coiste 1, TL2000, ar 2.30 p.m.

Meeting of the Select Committee on Foreign Affairs and Trade in Committee Room 1, LH2000, at 2.30 p.m.

Meastacháin (Cosaint):

Estimates (Defence):

Cruinniú den Roghchoiste um Dhlí agus Ceart, Cosaint agus Comhionannas i Seomra Coiste 2, TL2000, ar 2.30 p.m.

Meeting of the Select Committee on Justice, Defence and Equality in Committee Room 2, LH2000, at 2.30 p.m.

Cruinniú den Chomhchoiste um Airgeadas, Caiteachas Poiblí agus Athchóiriú i Seomra Coiste 4, TL2000, ar 3 p.m.

Meeting of the Joint Committee on Finance, Public Expenditure and Reform in Committee Room 4, LH2000, at 3 p.m.

Cruinniú den Chomhchoiste um Fhormhaoirsiú ar an tSeirbhís Phoiblí agus Achainíochas i Seomra Coiste 3, TL2000, ar 4 p.m.

Meeting of the Joint Committee on Public Service Oversight and Petitions in Committee Room 3, LH2000, at 4 p.m.

Bille an Gharda Síochána (Leasú) (Uimh. 3), 2014:

Garda Síochána (Amendment) (No. 3) Bill 2014:

Cruinniú den Roghchoiste um Dhlí agus Ceart, Cosaint agus Comhionannas i Seomra Coiste 2, TL2000, ar 4 p.m.

Meeting of the Select Committee on Justice, Defence and Equality in Committee Room 2, LH2000, at 4 p.m.

**SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA dTITHE
DOCUMENTS LAID BEFORE THE HOUSES¹**

Reachtúil

Statutory

Eile

Other

Ráiteas faoi leasanna arna thabhairt ag an gComhairleoir Speisialta, William Lavelle, a ghníomhaíonn nó a ghníomhaigh mar Chomhairleoir Speisialta don Teachta Proinséas Mhic Gearailt, Aire den Rialtas ag an Roinn Dlí agus Cirt agus Comhionannais de bhun alt 19(4)(b) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Statement of interests furnished by Special Adviser, William Lavelle, who acts or acted as a Special Adviser to Deputy Frances Fitzgerald, Minister of the Government at the Department of Justice and Equality pursuant to section 19(4)(b) of the Ethics in Public Office Acts 1995 and 2001.

Neamhrechtúil

Non-Statutory

An tOrdú fán Acht um Ghníomhaireacht Bainistíochta an Chisteáin Náisiúnta (Leasú), 2014 (Tosach Feidhme), 2015 (I.R. Uimh. 22 de 2015).

National Treasury Management Agency (Amendment) Act 2014 (Commencement) Order 2015 (S.I. No. 22 Of 2015).

¹ I gcás nach leagtar scríbhinn ach faoi bhráid aon Teach amháin, cuirfear (D) – Dáil nó (S) – Seanad ina diaidh dá réir sin.

Where a document is laid before one House only it will be appended with (D) – Dáil or (S) – Seanad accordingly.