



DÁIL ÉIREANN

Déardaoin, 6 Aibreán, 2017
Thursday, 6th April, 2017

RIAR NA hOIBRE
ORDER PAPER

Déardaoin, 6 Aibreán, 2017
Thursday, 6th April, 2017

12 meán lae
12 noon

ORD GNÓ
ORDER OF BUSINESS

91. (l) Tairiscint *maidir le Fórsaí Cosanta Éireann (vótáil a cuireadh siar)*.
(a) Motion *re* Defence Forces Ireland (*postponed division*).
19. An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Colscaradh), 2016 — An Dara Céim.
Thirty-fifth Amendment of the Constitution (Divorce) Bill 2016 — Second Stage.
1. An Bille um Shainmharcáil (Leasú), 2016 — Ordú don Dara Céim.
Hallmarking (Amendment) Bill 2016 — Order for Second Stage.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

20. An Bille um Reacht na dTréimhsí (Leasú), 2017 — An Dara Céim.
Statute of Limitations (Amendment) Bill 2017 — Second Stage.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- 4b. An Bille Rialtais Áitiúil (Leasú), 2017 — An Chéad Chéim.
Local Government (Amendment) Bill 2017 — First Stage.
- 4c. An Bille um Rialáil Iompair Phoiblí (Leasú), 2017 — An Chéad Chéim.
Public Transport Regulation (Amendment) Bill 2017 — First Stage.
- 4d. Bille an Gharda Síochána (Leasú), 2017 — An Chéad Chéim.
Garda Síochána (Amendment) Bill 2017 — First Stage.
- 19a. Bille na gCúirteanna (Uimh. 2), 2016 — Ordú don Tuarascáil.
Courts (No. 2) Bill 2016 — Order for Report.
- 19b. An Bille um Bannaí (Leasú), 2016 — Ordú don Tuarascáil.
Bail (Amendment) Bill 2016 — Order for Report.

I dTOSACH GNÓ PHOIBLÍ AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh: Initiation of Bills

Tíolactha:

Presented:

1. An Bille um Shainmharcáil (Leasú), 2016 — Ordú don Dara Céim.
Hallmarking (Amendment) Bill 2016 — Order for Second Stage.

Bille dá ngairtear Acht do leasú agus do leathnú an dlí a bhaineann le hearraí de mhíotal lómhar a mheisiúnú agus a shainmharcáil; do dhéanamh socrú chun earraí de mhíotal lómhar a mheisiúnú agus a shainmharcáil lasmuigh den Stát in imthosca áirithe; agus, chun na gcríoch sin, do leasú an Achta um Shainmharcáil, 1981; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend and extend the law relating to the assaying and hallmarking of articles of precious metal; to make provision for the assaying and hallmarking in certain circumstances of articles of precious metal outside the State; and, for those purposes, to amend the Hallmarking Act 1981; and to provide for related matters.

—*An tAire Post, Fiontar agus Nuálaíochta.*

Tabhairt Isteach:

Introduction:

- 4b. An Bille Rialtais Áitiúil (Leasú), 2017 — An Chéad Chéim.
Local Government (Amendment) Bill 2017 — First Stage.

Bille dá ngairtear Acht do leasú an Achta Rialtais Áitiúil, 1991 chun a chinntiú nach n-athrófar stádas contae pobail gan toiliú follasach thromlach a thoghlachta.

Bill entitled an Act to amend the Local Government Act 1991 to ensure that the county status of a community shall not be altered without the explicit consent of the majority of its electorate.

—*Eugene Murphy.*

- 4c. An Bille um Rialáil Iompair Phoiblí (Leasú), 2017 — An Chéad Chéim.
Public Transport Regulation (Amendment) Bill 2017 — First Stage.

Bille dá ngairtear Acht do leasú an Achta um Rialáil Iompair Phoiblí, 2009.

Bill entitled an Act to amend the Public Transport Regulation Act 2009.

—*Brendan Ryan.*

- 4d. Bille an Gharda Síochána (Leasú), 2017 — An Chéad Chéim.
Garda Síochána (Amendment) Bill 2017 — First Stage.

Bille dá ngairtear Acht do leasú Achtanna an Gharda Síochána, 2005 go 2015 chun socrú a dhéanamh go ndeonófar

Bill entitled an Act to amend the Garda Síochána Acts 2005 to 2015 to provide for enhanced powers to be granted to the

cumhachtaí feabhsaithe don Údarás Póilíneachta chun maoirseacht a dhéanamh ar fheidhmíocht Choimisinéir an Gharda agus ar chomhlíonadh a fheidhmeanna maidir le seirbhísí póilíneachta ag an nGarda Síochána; do leasú fhorálacha na nAchtanna a bhaineann le Cigireacht an Gharda Síochána; agus do dhéanamh socrú maidir le nithe gaolmhara.

Policing Authority for the purpose of overseeing the performance of the Garda Commissioner and the Garda Síochána of its functions relating to policing services; to amend the provisions of the Acts relating to the Garda Síochána Inspectorate; and to provide for related matters.

—*Jim O'Callaghan.*

ORDUITHE AN LAE ORDERS OF THE DAY

- 19.** An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Colscaradh), 2016 — An Dara Céim.
Thirty-fifth Amendment of the Constitution (Divorce) Bill 2016 — Second Stage.

- 19a.** Bille na gCúirteanna (Uimh. 2), 2016 — Ordú don Tuarascáil.
Courts (No. 2) Bill 2016 — Order for Report.

- 19b.** An Bille um Bannaí (Leasú), 2016 — Ordú don Tuarascáil.
Bail (Amendment) Bill 2016 — Order for Report.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

*Gnó a ordáiodh:
Business ordered:*

- 20.** An Bille um Reacht na dTréimhsí (Leasú), 2017 — An Dara Céim.
Statute of Limitations (Amendment) Bill 2017 — Second Stage.

—*Mick Wallace.*

*Tairiscint (vótáil a cuireadh siar):
Motion (postponed division):*

- 91.** “That Dáil Éireann:

acknowledges the pride that Irish people take in our Defence Forces and the contribution made by the Permanent Defence Force, the Reserve Defence Force and by Civil Defence;

remembers those members who have made the ultimate sacrifice in the service of the State, including those on overseas peacekeeping missions;

agrees that the single greatest asset the Defence Forces has is its personnel;

recognises that the dedication and professionalism manifested by the Defence Forces is inspiring;

compliments the Defence Forces on its central role in marking the 100th anniversary of the Easter Rising;

believes that a career in the Defence Forces is a form of patriotism that provides an outstanding example to all of Irish society;

welcomes the publication of a new White Paper on Defence in 2015;

notes that:

- the current allowed strength of the Defence Forces at 9,500 has stretched its ability to fulfil its assigned roles and maintain a credible contingent capability;
- the current effective strength of the Defence Forces is below 9,000;
- the geographical deployment of the Defence Forces is uneven;
- concentrating the majority of the Defence Forces in the east and south of the country removes the traditional place of the military with and from Irish society, ignores organisational linkages and histories, and erodes geographical and family military service traditions;
- the expressed view of one representative organisation in the Defence Forces that problems exist in a range of areas including commuting, work life balance and stress, and that morale is at the lowest it has been for some time, with comradeship and brotherhood fading;
- the significant difficulties that the Defence Forces has in the retention of personnel; and
- the widespread belief that the 2012 re-organisation has not been a success;

further notes that:

- the effective membership of the Reserve Defence Force fell from 2,280 to 2,049 during 2016 and has fallen further to 1,970 this year;
- if the net loss of 200 members, that the Reserve Defence Force experienced last year, continues into the future it will cease to exist by 2026 and it is likely that it will be seen as impractical to sustain long before that; and
- the single force concept has not benefited the Reserve Defence Force;

agrees that:

- Ireland needs a defence policy that is measured, fit for purpose and appropriately resourced;
- Irish defence spending is very low, even by the standards of neutral countries;
- at €639 million in 2015, defence expenditure (excluding pensions) amounted to just 0.25 per cent of Gross Domestic Product (GDP); and
- a low level of resources is not ultimately consistent with a credible defence policy; and

calls for:

- military professionals to be allowed play a meaningful and worthwhile role in the formulation of policy advice to Government;
- reservists to be allowed play a meaningful and worthwhile role in support of the

Permanent Defence Force;

- annual updates on the implementation of the 2015 White Paper to be provided to the Oireachtas Joint Committee on Foreign Affairs and Trade, and Defence;
- consultation with the representative organisations in the Defence Forces on the practicalities of implementing the 2015 White Paper;
- a review of legislation and Defence Forces' regulations governing the Reserve Defence Force;
- regular recruitment campaigns for both Permanent and Reserve Defence Forces and new retention initiatives;
- the re-instatement of Defence as a lead portfolio in Cabinet;
- the restoration of the Army to a three brigade structure by re-establishing the 4th Western Brigade based in Custume Barracks, Athlone;
- the establishment and strength of the Permanent Defence Forces to be increased to 10,500 personnel across the Army, Air Corps and Naval Service by 2021; and
- renewed efforts to ensure that the Reserve Defence Force reaches its establishment strength of 4,069.” — *Lisa M. Chambers, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Thomas Byrne, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Niall Collins, Barry Cowen, John Curran, Stephen S. Donnelly, Timmy Dooley, Sean Fleming, Pat the Cope Gallagher, Seán Haughey, Billy Kelleher, John Lahart, James Lawless, Marc MacSharry, Micheál Martin, Charlie McConalogue, Michael McGrath, John McGuinness, Aindrias Moynihan, Michael Moynihan, Eugene Murphy, Margaret Murphy O'Mahony, Darragh O'Brien, Jim O'Callaghan, Éamon Ó Cuív, Willie O'Dea, Kevin O'Keeffe, Fiona O'Loughlin, Frank O'Rourke, Anne Rabbitte, Eamon Scanlon, Brendan Smith, Niamh Smyth, Robert Troy.*

[4 April, 2017]

Leasuithe:

Amendments:

1. (a) To insert the following after “publication of a new White Paper on Defence in 2015;”:

“acknowledges that the State has a duty of care to all its enlisted men and women, in terms of health and safety and pay and conditions while they are serving with the Defence Forces, and to ensure their health needs are catered for after serving their full contract especially if it has been affected by the rigours of service, including overseas deployment;”

- (b) To insert the following after “effective strength of the Defence Forces is below 9,000;”:

“— the 2015 White Paper on Defence commits to maintaining the strength of the Permanent Defence Force at 9,500 personnel, comprising of 7,520 Army, 886 Air Corps and 1,094 Naval Service personnel, yet as of 28th February, 2017, the strength of the Permanent Defence Force stands at 9,070 (whole-time equivalent) i.e. 7,293 Army, 701 Air Corps and 1,076 Naval Service personnel;

— the current efforts to recruit personnel into the Defence Forces is falling well short of what is required and that in total, 590 general service recruits

(501 Army and 89 Naval Service) were inducted in 2016, along with 100 cadets between all services and that to date in 2017, 106 general service recruits (103 Army and 3 Naval Service) and 10 Air Corps trainee military aircraft technicians have been inducted, which fails to make-up the short-fall from personnel who have retired or left the service, thus negating the impact of any current recruitment drive;

- the significant turnover of personnel in the Permanent Defence Force can in part be directly attributed to cuts in pay and allowances that have contributed to low morale and the loss of experienced personnel in the three services, resulting in a serious skills deficit, particularly in the Air Corps which has lost 12 air traffic controllers since 2012;
- the starting salary for a private in the Army is €21,000 a year and new entrants and enlisted personnel are so badly paid that an estimated 7,000 are in receipt of Family Income Supplement;" and

(c) To insert the following after "reaches its establishment strength of 4,069":

- " Ireland to remain exempt from having to increase its spending on weapons and military capabilities from 0.6 per cent to 2 per cent of GDP through the European Union Common Security and Defence Policy; and
- the closure of Ireland's liaison office to the North Atlantic Treaty Organisation (NATO) and the Partnership for Peace delegation saving the State an average of €450,000 annually; and

further agrees to:

- address the disparity in pay for new recruits whose weekly take home pay is under €300 and that this could be achieved by reversing the reduction in new entrants pay and allowances by 10 per cent;
- re-examine:
 - the flat rate security duty allowance and related payments which had been paid to Defence Forces personnel at the standard weekday rate prior to the cuts;
 - the 10 per cent reduction in certain Defence Forces allowances;
 - the voluntary buyout of border duty allowances for enlisted personnel; and
 - the additional incremental points in pay scales for new enlisted personnel posts;
- reflect in law the European Court of Human Rights ruling ECHR 280 (2014) which found that the blanket ban on trade unions within the armed forces is a violation of Article 11, freedom of assembly and association, of the European Convention on Human Rights;
- increase the level of female participation, with the goal of doubling the rate of participation from the current 6 per cent to 12 per cent in the next 3 years;
- allow Defence Forces personnel the option of serving an additional 4 years' service upon completion of their 21 years contract, as was the case prior to 1997; and
- the development of employment schemes involving the Defence Forces targeting young people in the 18-24 age group." (*resumed*) — *Aengus Ó Snodaigh, Pat Buckley, Gerry Adams, John Brady, David Cullinane, Seán*

Crowe, Pearse Doherty, Dessie Ellis, Martin J. Ferris, Kathleen Funchion, Donnchadh Ó Laoghaire, Martin Kenny, Mary Lou McDonald, Imelda Munster, Denise Mitchell, Carol Nolan, Louise O'Reilly, Jonathan O'Brien, Eoin Ó Broin, Caoimhghín Ó Caoláin, Maurice Quinlivan, Brian Stanley, Peadar Tóibín.

Leasú ar Leasú 1 (atógáil):

Amendment to Amendment 1 (resumed):

1. To delete paragraph (c).

— *Lisa M. Chambers.*

2. To insert the following after “reaches its establishment strength of 4,069;”:

“acknowledges:

- that the Government intends to introduce legislation to provide access for the Garda Associations to the Workplace Relations Commission and the Labour Court;
- that the agreement on 11th November, 2016, through an independent adjudicator, that crews serving in Operation Pontus in the Mediterranean should be paid the armed allowance of €15 per day;
- that over 20 per cent of enlisted personnel in our Defence Forces are in receipt of Family Income Supplement;
- the ongoing concerns of personnel and their families due to the continued use of Lariam, and the lack of proper support and after care services for members, and fears over the impact of any mental health side-effects from Lariam on their career if noted on their medical records; and
- the impact of the restructuring of the Defence Forces Brigades from three to two, and the additional travel and other costs this has placed on soldiers; and

further calls for:

- legislation to provide staff representative associations in our Defence Forces, including PDForra with access to the Workplace Relations Commission and the Labour Court;
- a review of the terms and conditions of staff in our Defence Forces separate to the ongoing analysis of the Public Service Pay Commission, with a particular focus on enlisted personnel, to ensure that members can pursue a rewarding and sustainable career that acknowledges the costs of serving, and gives due regard to their service, and the dangers and risks they face on our behalf;
- all payments due to those who served in Operation Pontus to be paid immediately; and
- an independent outside medical review of the continued use of Lariam.” — *Brendan Ryan, Joan Burton, Brendan Howlin, Alan Kelly, Jan O'Sullivan, Willie Penrose, Sean Sherlock.*

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

“acknowledges the pride that Irish people take in those who carry out their work in our lifesaving emergency services including ambulance crews, firefighters, the Irish Coast Guard

and Defence Forces (Naval Service, Army and Air Corps) as well as the contribution made by volunteers involved in lifesaving, including those involved in lifeguard, lifeboat and mountain rescue services, the Reserve Defence Force and the Civil Defence;

remembers those members of the emergency services who have lost their lives in the course of lifesaving duties, especially of late the Irish Coast Guard, and including those on overseas lifesaving missions in humanitarian emergency situations including natural disasters, famine and war;

agrees that the single greatest asset the Defence Forces has is its personnel;

recognises the dedication and professionalism shown by members of the Defence Forces;

notes:

- that the current allowed strength of the Defence Forces at 9,500 has stretched its ability to fulfil its potential roles and maintain a credible contingent capability;
- that the current effective strength of the Defence Forces is below 9,000;
- the concerns that exist within the Defence Forces about the poor terms and conditions of members, and a range of other concerns including gender balance, commuting, work life balance and stress, and that morale is at the lowest it has been for some time;
- the significant difficulties that the Defence Forces have in the retention of personnel; and
- the widespread belief that the 2012 re-organisation has not been a success;

further notes that:

- members of the Defence Forces earn extremely low initial wages of €21,800 per annum and there is a low level of participation by women in the Defence Forces;
- the effective membership of the Reserve Defence Force fell from 2,280 to 2,049 during 2016 and has fallen further to 1,970 this year; and
- if the net loss of 200 members, that the Reserve Defence Force experienced last year, continues into the future it will cease to exist by 2026;

agrees that:

- global threats to human security, emphasised by the United Nations, caused by social and economic stresses such as poverty, environmental degradation and outbreaks of infectious diseases are rated higher for likelihood and impact than geopolitical risks such as terrorist attacks or weapons of mass destruction according to the World Economic Forum's Global Risks Report with the most likely and highest impact risks in its most recent report, in 2014, being unemployment and climate change;
- Ireland needs a defence policy that emphasises a coordinated lifesaving emergency service function at home and abroad, and that is fit for purpose and appropriately resourced;
- Irish spending on emergency services is low and emergency services are inadequately coordinated;
- at €639 million in 2015, defence expenditure (excluding pensions) amounted to just 0.25 per cent of Gross Domestic Product (GDP); and
- a low level of resources is not consistent with a credible emergency services and Defence policy; and

calls for:

- regular recruitment and retention campaigns for emergency services, including both Permanent and Reserve Defence Forces, as part of a review of emergency services generally including consideration of the establishment and strength of the Permanent Defence Forces target of 10,500 personnel across the Army, Air Corps and Naval Service, 4,000 for the Reserve Defence Force by 2021 and emphasising a radical improvement in the gender balance of members of the Defence Forces;
- the urgent improvement of defence force supports to the Irish Coast Guard, so that top cover is available for emergency requests on a 24/7 basis;
- the improvement of the terms and conditions of members of the Defence Forces, in line with the standards of other public servants providing emergency services, and an end to the two-tier pay structure for recently recruited members of private rank;
- a review of legislation and Defence Forces' regulations, including the Reserve Defence Force, to reorient and reorganise Ireland's Defence Forces towards providing coordinated emergency services at home and abroad, towards actively opposing military alliances and/or military operations serving economic and political interests contrary to humanitarian principles or contrary to the effective development and delivery of lifesaving emergency services, to reduce the proliferation of conventional and unconventional weapons, and to improve the democratic civil control of the Defence Forces in any external or domestic security role;
- consultation with the representative organisations in the Defence Forces on the practicalities of reorientation and reorganisation;
- the coordination of Defence as a portfolio with other portfolios involved in emergency services in Cabinet; and
- an end to the use of Irish airports or ports by United States armed forces.” — *Brid Smith, Richard Boyd Barrett, Gino Kenny.*

MEMORANDA

Déardaoin, 6 Aibreán, 2017
Thursday, 6th April, 2017

Cruinniú den Choiste um Chuntais Phoiblí i Seomra Coiste 3, TL2000, ar 9 a.m.
 Meeting of the Committee of Public Accounts in Committee Room 3, LH2000, at 9 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha agus Trádáil, agus Cosaint i Seomra Coiste 1, TL2000, ar 9.30 a.m.
 Meeting of the Joint Committee on Foreign Affairs and Trade, and Defence in Committee Room 1, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Choimirce Shóisialach i Seomra Coiste 4, TL2000, ar 10 a.m. (*priobháideach*).
 Meeting of the Joint Committee on Social Protection in Committee Room 4, LH2000, at 10 a.m. (*private*).

An Bille um Chaighdeáin san Earnáil Phoiblí, 2015:
Public Sector Standards Bill 2015:

Cruinniú den Roghchoiste um Airgeadas, Caiteachas Poiblí agus Athchóiriú, agus an Taoiseach i Seomra Coiste 2, TL2000, ar 10 a.m.
 Meeting of the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach in Committee Room 2, LH2000, at 10 a.m.

Cruinniú den Choiste Gnó i Seomra 2 (tríd an bPríomh-Halla), Teach Laighean, ar 10.30 a.m. (*príobháideach*).
 Meeting of the Business Committee in Room 2 (off the Main Hall), Leinster House, at 10.30 a.m. (*private*).

Cruinniú den Chomhchoiste um Ealaíona, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta i Seomra Coiste 4, TL2000, ar 2.15 p.m.
 Meeting of the Joint Committee on Arts, Heritage, Regional, Rural and Gaeltacht Affairs in Committee Room 4, LH2000, at 2.15 p.m.

Cruinniú den Chomhchoiste um Fhorfheidhmiú Chomhaontú Aoine an Chéasta i Seomra Coiste 2, TL2000, ar 2.15 p.m.
 Meeting of the Joint Committee on the Implementation of the Good Friday Agreement in Committee Room 2, LH2000, at 2.15 p.m.
