



DÁIL ÉIREANN

Dé Céadaoin, 24 Bealtaine, 2017
Wednesday, 24th May, 2017

RIAR NA hOIBRE
ORDER PAPER

Dé Céadaoin, 24 Bealtaine, 2017
Wednesday, 24th May, 2017

12 meán lae
12 noon

ORD GNÓ
ORDER OF BUSINESS

14. (l) An Bille um Cheartas Coiriúil, 2016 *athraithe ó* Bannaí (Leasú), 2016 — Ordú don Tuarascáil.
(a) Criminal Justice Bill 2016 *changed from* Bail (Amendment) Bill 2016 — Order for Report.
13. An Bille um Dhliteanas Sibhialta (Leasú), 2017 [*Seanad*] — An Dara Céim (*atógáil*).
Civil Liability (Amendment) Bill 2017 [*Seanad*] — Second Stage (*resumed*).
30. (l) An Bille um Fhorbairt Peitiriliam agus Mianraí Eile (Toirmeasc ar Scoilteadh Hiodrálach i dTír Mór), 2016 *athraithe ó* An Bille um Thoirmeasc ar Pheitiriliam i dTír Mór a Thaiscéaladh agus a Astarraingt, 2016 — Ordú don Tuarascáil.
(a) Petroleum and Other Minerals Development (Prohibition of Onshore Hydraulic Fracturing) Bill 2016 *changed from* Prohibition of the Exploration and Extraction of Onshore Petroleum Bill 2016 — Order for Report.
1. An Bille Oidhreacht, 2016 [*Seanad*] — An Dara Céim.
Heritage Bill 2016 [*Seanad*] — Second Stage.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

108. (l) Tairiscint *maidir le* Caranua.
(a) Motion *re* Caranua.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- 28a. Bille na gCuideachtaí (Leasú), 2017 [*Seanad*] — Ordú don Tuarascáil.
Companies (Amendment) Bill 2017 [*Seanad*] — Order for Report.
- 28b. An Bille Iomaíochta (Leasú), 2016 [*Seanad*] — Ordú don Tuarascáil.
Competition (Amendment) Bill 2016 [*Seanad*] — Order for Report.

I dTOSACH GNÓ PHOIBLÍ AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí ón Seanad: Bills from the Seanad

1. An Bille Oidhreacht, 2016 [*Seanad*] — An Dara Céim.
Heritage Bill 2016 [*Seanad*] — Second Stage.
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ORDUITHE AN LAE ORDERS OF THE DAY

13. An Bille um Dhliteanas Sibhialta (Leasú), 2017 [*Seanad*] — An Dara Céim (*atógáil*).
Civil Liability (Amendment) Bill 2017 [*Seanad*] — Second Stage (*resumed*).
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Companies (Amendment) Bill 2017 [*Seanad*] — Order for Report.
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- 28b. An Bille Iomaíochta (Leasú), 2016 [*Seanad*] — Ordú don Tuarascáil.
Competition (Amendment) Bill 2016 [*Seanad*] — Order for Report.
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30. (l) An Bille um Fhorbairt Peitríliam agus Mianraí Eile (Toirmeasc ar Scoilteadh Hiodrálach i dTír Mór), 2016 *athraithe ó* An Bille um Thoirmeasc ar Pheitríliam i dTír Mór a Thaiscéaladh agus a Astarraingt, 2016 — Ordú don Tuarascáil.
(a) Petroleum and Other Minerals Development (Prohibition of Onshore Hydraulic Fracturing) Bill 2016 *changed from* Prohibition of the Exploration and Extraction of Onshore Petroleum Bill 2016 — Order for Report.
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GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

Fógraí Tairisceana:
Notices of Motions:

108. “That Dáil Éireann:

recognises:

- that the statutory body Caranua has, to date, failed a large number of applicants in providing adequate access to the Residential Institutions Statutory Fund;
- the high number of complaints and reports of dissatisfaction and negative experiences

from applicants to that fund;

- the poor delivery of service and information to survivors based in the United Kingdom;
- the poor delivery of service and information to survivors in the deaf community in the State;
- that inadequate strategic planning, lengthy delays in the application process and poor communication practices have severely impacted on the experience of survivors accessing the fund;
- that there has been an unacceptable level of turnover in staff personnel;
- that there have been a number of serious and unacceptable breaches of the legislation relating to the fund;
- that the failure of previous Ministers for Education and Skills to carry out an undertaking to review the operation of the fund two years after its establishment, has added extra pain to survivors; and
- that there has been no operating board since March 2017; and

calls on the Minister for Education and Skills to:

- initiate a review of operations without further delay, to be concluded within a three month timeframe, and to consider the following recommendations:
 - review of the eligibility criteria;
 - review and expand the range of services available to applicants;
 - review the inclusion of section 43 of the Residential Institutions Statutory Fund Act 2012 to set up a special account in the name of the Minister for Health;
 - streamline the application process giving clear timescales for processing and communicating decisions; and
 - provide face to face appointments with applicants who wish to avail of them in order to breakdown communications barriers and reconcile with survivors who have had a negative experience during the application process;
- open up negotiations between the Office of Public Works and the Department of Education and Skills to provide office facilities for the day-to-day functions of Caranua, with no cost to be incurred by the survivor's fund;
- draw up a new survivor-led customer charter to be adhered to, without exception, by all Caranua staff; and
- establish and clarify a system of appropriate oversight for the operations of Caranua and to provide immediate and appropriate oversight in the current absence of a sitting board.” — *Catherine Connolly, Thomas P. Broughan, Joan Collins, Clare Daly, Maureen O'Sullivan, Thomas Pringle, Mick Wallace.*

[23 May, 2017]

Leasuithe:

Amendments:

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

P.T.O.

“recognises that:

- many individuals suffered horrific abuse when, as children, they were placed in industrial schools and other residential settings;
- successive Governments have put strategies in place to support former residents, through the provision of services including counselling, educational supports, etc.;
- many former residents continue to have ongoing needs; and
- Caranua (the Residential Institutions Statutory Fund Board) is an independent statutory body, established for the purpose of utilising contributions totalling €110 million from religious congregations being made available to Caranua to enable it to meet the needs of former residents;

acknowledges:

- the work being undertaken by Caranua to support former residents;
- that, to date, some €60 million has been spent by Caranua on supports to former residents and that some 4,000 individuals have received such support;
- that Caranua has expended some £8 million on supports to former residents residing in the United Kingdom;
- that decisions of Caranua may be appealed to the independent appeals officer appointed under section 21 of the Residential Institutions Statutory Fund Act 2012;
- that the outcome of a consultative process, inviting submissions on the draft terms of reference for a review of eligibility to apply to Caranua, will be published shortly;
- that in 2016 Caranua, in response to calls to do so from former residents, expanded the range of approved services it could support, simplified the applications process and introduced personal limits; and
- that under the provisions of section 30(1) of the Residential Institutions Statutory Fund Act 2012, Caranua’s costs, including all administrative costs, are charged on the National Treasury Management Agency investment account into which funds contributed by religious congregations are placed;

notes that:

- the Government has recently noted the Minister for Education and Skills’ intention to appoint a new board for Caranua, and that letters of appointment will be issuing this week;
- the provisions of section 43 of the Residential Institutions Statutory Fund Act 2012, which relate to the funding of the proposed National Children’s Hospital, will only apply if the fund receives more funding over and above the €110 million which has been committed;
- to engage in negotiations between the Office of Public Works (OPW) and the Department of Education and Skills is not possible under current legislation; and
- the building previously occupied by Caranua and the building that will shortly be occupied by Caranua are not owned by the OPW, meaning that rent is payable and that Caranua, in accordance with its legislation, must meet these accommodation costs; and

calls on the Government to:

- complete the review of eligibility in summer 2017;
- require that Caranua provides regular statistics to the Department of Education and

Skills and the public on waiting times for processing and communicating decisions;

- request Caranua to provide a greater level of face to face engagement with survivors/applicants, particularly after the organisation moves into new office accommodation which will be more suitable for this activity;
- require Caranua to review the current customer charter, in consultation with survivors, ensuring that the principles of equity, consistency and transparency are at the heart of its activities; and
- endeavour to ensure that Caranua will have the full €110 million in funding made available to it at the earliest opportunity.” — *An tAire Oideachais agus Scileanna*.

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

“resolves:

- to recognise the horrendous abuse suffered by former residents of residential institutions and industrial schools as children;
- to take account of recommendations of the review of eligibility for Caranua (the Residential Institutions Statutory Fund Board) which is ongoing and is expected to be concluded in July 2017;
- that there should be scrutiny of this review by the Oireachtas Committee on Education and Skills and for the Committee to consider and hold hearings that have regard, in particular, to ensure that any changes to Caranua do not give rise to any unintended consequences that create any adverse impact on the 15,000 former residents who qualify for support under the Residential Institutions Redress Scheme and the 4,000 former residents currently availing of approved services provided by Caranua;
- subsequent to the publication of the review, to identify and correct any potential legal issues arising from any revisions of definitions of eligibility and approved services as may be proposed by the review report or other stakeholders that are consulted, including former residents who qualify for support under the scheme;
- to facilitate the passage of any legislative changes as may be required to give effect to the recommendations of the review; and
- to urge Caranua to expeditiously, fairly and efficiently provide support and services to all survivors of institutional abuse and to acknowledge and address the dissatisfaction with some of its operations.” — *Thomas Byrne, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Lisa M. 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*.

MEMORANDA

*Dé Céadaoin, 24 Bealtaine, 2017
Wednesday, 24th May, 2017*

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.

An Bille Parúil, 2016:

Parole Bill 2016:

Cruinniú den Roghchoiste um Dhlí agus Ceart agus Comhionannas i Seomra Coiste 2, TL2000, ar 9 a.m.

Meeting of the Select Committee on Justice and Equality in Committee Room 2, LH2000, at 9 a.m.

Cruinniú den Chomhchoiste um Thithíocht, Pleanáil, Pobal agus Rialtas Áitiúil i Seomra Coiste 1, TL2000, ar 9.30 a.m. (*príobháideach*).

Meeting of the Joint Committee on Housing, Planning, Community and Local Government in Committee Room 1, LH2000, at 9.30 a.m. (*private*).

Cruinniú den Chomhchoiste um Iompar, Turasóireacht agus Spórt i Seomra Coiste 3, TL2000, ar 1.30 p.m.

Meeting of the Joint Committee on Transport, Tourism and Sport in Committee Room 3, LH2000, at 1.30 p.m.

Cruinniú den Chomhchoiste um Ghnóthaí an Aontais Eorpaigh i Seomra Coiste 1, TL2000, ar 2 p.m.

Meeting of the Joint Committee on European Union Affairs in Committee Room 1, LH2000, at 2 p.m.

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

Reachtúil

Statutory

In-neamhnithe le Tairiscint

Open to Motion to Annul

Rialacháin an Aontais Eorpaigh (Conarthaí Lamhálaí a Dhámhachtaí), 2017 (I.R. Uimh. 203 de 2017).

European Union (Award of Concession Contracts) Regulations 2017 (S.I. No. 203 of 2017).

Eile

Other

Oifig an Ombudsman do Leanaí. An Tuarascáil Bhliantúil, 2016.

Office of the Ombudsman for Children. Annual Report, 2016.

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.

Ráiteas i dtaobh an gaolta na Comhairleoirí Speisialta, Sarah O'Neill (Cúntóir Parlaiminte), Bernadette Lee (Rúnaí Cúnta), agus Frances Whelan (Cúntóir Rúnaíochta), a ghníomhaíonn nó a ghníomhaigh mar Chomhairleoirí Speisialta don Teachta Risteárd de Briotún, Aire den Rialtas ag an Roinn Oideachais agus Scileanna, leis an sealbhóir oifige, nó í a pháirtneir sibhialta aon duine acu, de bhun alt 19(4)(c) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

An tÚdarás um Fhaisnéis agus Cáilíocht Sláinte. An Tuarascáil Bhliantúil, 2016.

Ráiteas i scríbhinn maidir leis na téarmaí agus na coinníollacha (conradh) faoina ngníomhaíonn nó faoina ghníomhaigh an Comhairleoir Speisialta, Sarah O'Neill (Cúntóir Parlaiminte), mar Chomhairleoir Speisialta don Teachta Risteárd de Briotún, Aire den Rialtas ag an Roinn Oideachais agus Scileanna, le héifeacht ón 14 Iúil 2016, de bhun alt 19(4)(a) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Ráiteas i scríbhinn maidir leis na téarmaí agus na coinníollacha (conradh) faoina ngníomhaíonn nó faoina ghníomhaigh an Comhairleoir Speisialta, Bernadette Lee (Cúntóir Rúnaíochta), mar Chomhairleoir Speisialta don Teachta Risteárd de Briotún, Aire den Rialtas ag an Roinn Oideachais agus Scileanna, le héifeacht ón 9 Bealtaine 2016, de bhun alt 19(4)(a) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Ráiteas i scríbhinn maidir leis na téarmaí agus na coinníollacha (conradh) faoina ngníomhaíonn nó faoina ghníomhaigh an Comhairleoir Speisialta, Frances Whelan (Cúntóir Rúnaíochta Sealadach), mar Chomhairleoir Speisialta don Teachta Risteárd de Briotún, Aire den Rialtas ag an Roinn Oideachais agus Scileanna, le héifeacht ón 3 Deireadh Fómhair 2016, de bhun alt 19(4)(a) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Statement as to whether Special Advisers Sarah O'Neill (Parliamentary Assistant), Bernadette Lee (Secretarial Assistant), and Frances Whelan (Secretarial Assistant), who act or acted as Special Advisers to Deputy Richard Bruton, Minister of the Government at the Department of Education and Skills, are relatives or civil partners of the office holder, pursuant to section 19(4)(c) of the Ethics in Public Office Acts 1995 and 2001.

Health Information and Quality Authority. Annual Report, 2016.

Statement in writing of the terms and conditions (contract) under which Special Adviser, Sarah O'Neill (Parliamentary Assistant), acts or acted as a Special Adviser to Deputy Richard Bruton, Minister of the Government at the Department of Education and Skills, with effect from 14 July, 2016, pursuant to section 19(4)(a) of the Ethics in Public Office Acts 1995 and 2001.

Statement in writing of the terms and conditions (contract) under which Special Adviser, Bernadette Lee (Secretarial Assistant), acts or acted as a Special Adviser to Deputy Richard Bruton, Minister of the Government at the Department of Education and Skills, with effect from 9 May, 2016, pursuant to section 19(4)(a) of the Ethics in Public Office Acts 1995 and 2001.

Statement in writing of the terms and conditions (contract) under which Special Adviser, Frances Whelan (Temporary Secretarial Assistant), acts or acted as a Special Adviser to Deputy Richard Bruton, Minister of the Government at the Department of Education and Skills, with effect from 3 October, 2016, pursuant to section 19(4)(a) of the Ethics in Public Office Acts 1995 and 2001.

Ráiteas maidir leis na cáilíochtaí de chuid an Chomhairleora Speisialta, Michelle Clancy, a ghníomhaíonn nó a ghníomhaigh mar Chomhairleoir Speisialta don Teachta Seán Ó hAileagáin, Aire Stáit ag an Roinn Oideachais agus Scileanna, is iomchuí maidir lena feidhmeanna mar Chomhairleoir Speisialta, de bhun alt 19(4)(d) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

An tOrdú fán Acht um Bosca Forbartha Eolais (Deimhniú Aireagán), 2017 (Tosach Feidhme), 2017 (I.R. Uimh. 204 de 2017).

Na Rialacha um Paitinní, Trádmharcanna agus Dearaí (Táilli) (Leasú), 2017 (I.R. Uimh. 205 de 2017).

Rialacha na bPaitinní (Leasú), 2017 (I.R. Uimh. 206 de 2017).

Dlí-Chumann na hÉireann. An tOchtú Tuarascáil Bhliantúil maidir le hOiliúint Gaeilge d'Aturnaetha, dá bhforáiltear in Acht na nDlí-Chleachtóirí (An Ghaeilge), 2008.

Ráiteas i scríbhinn maidir leis na téarmaí agus na coinníollacha (conradh) faoina ngníomhaíonn nó faoinar ghníomhaigh an Comhairleoir Speisialta, Magdalene Hayden, Cúntóir Rúnaíochta/Parlaiminte mar Chomhairleoir Speisialta don Teachta Katherine Zappone, Aire den Rialtas ag an Roinn Leanaí agus Gnóthaí Óige, le héifeacht ón 20 Feabhra 2016, de bhun alt 19(4)(a) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Ráiteas i scríbhinn maidir leis na téarmaí agus na coinníollacha (conradh) faoina ngníomhaíonn nó faoinar ghníomhaigh an Comhairleoir Speisialta, Claire Murphy, Cúntóir Rúnaíochta, mar Chomhairleoir Speisialta don Teachta Katherine Zappone, Aire den Rialtas ag an Roinn Leanaí agus Gnóthaí Óige, le héifeacht ón 29 Feabhra 2016, de bhun alt 19(4)(a) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Statement of the qualifications of Special Adviser, Michelle Clancy, who acts or acted as a Special Adviser to Deputy John Halligan, Minister of State at the Department of Education and Skills, relevant to her functions as a Special Adviser, pursuant to section 19(4) (d) of the Ethics in Public Office Acts 1995 and 2001.

Knowledge Development Box (Certification of Inventions) Act 2017 (Commencement) Order 2017 (S.I. No. 204 of 2017).

Patents, Trade Marks and Designs (Fees) (Amendment) Rules 2017 (S.I. No. 205 of 2017).

Patents (Amendment) Rules 2017 (S.I. No. 206 of 2017).

Law Society of Ireland. Eighth Annual Irish Language Training for Solicitors Report, as provided for in The Legal Practitioners (Irish Language) Act 2008.

Statement in writing of the terms and conditions (contract) under which Special Adviser, Magdalene Hayden, Secretarial/Parliamentary Assistant, acts or acted as a Special Adviser to Deputy Katherine Zappone, Minister of the Government at the Department of Children and Youth Affairs, with effect from 20 February, 2016 pursuant to section 19(4)(a) of the Ethics in Public Office Acts 1995 and 2001.

Statement in writing of the terms and conditions (contract) under which Special Adviser, Claire Murphy, Secretarial Assistant, acts or acted as a Special Adviser to Deputy Katherine Zappone, Minister of the Government at the Department of Children and Youth Affairs, with effect from 29 February, 2016 pursuant to section 19(4)(a) of the Ethics in Public Office Acts 1995 and 2001.