



DÁIL ÉIREANN

Dé Céadaoin, 13 Meitheamh, 2018
Wednesday, 13th June, 2018

RIAR NA hOIBRE
ORDER PAPER

Dé Céadaoin, 13 Meitheamh, 2018
Wednesday, 13th June, 2018

10.30 a.m.

ORD GNÓ
ORDER OF BUSINESS

7. Tairiscint *maidir leis* an Acht um Chiontaí in aghaidh an Stáit (Leasú), 1998.
Motion *re* Offences against the State (Amendment) Act 1998.
8. Tairiscint *maidir leis* an Acht um Cheartas Coiriúil (Leasú), 2009.
Motion *re* Criminal Justice (Amendment) Act 2009.
23. (l) An Bille um Thrácht ar Bhóithre (Leasú), 2017 — An Tuarascáil (*atógáil, Leasú 9 – Athchúrsa I gCoiste*).
(a) Road Traffic (Amendment) Bill 2017 — Report (*resumed, Amendment 9 – Recommittal*).
46. (l) An Bille um Shaoire do Thuismitheoirí (Leasú), 2017 — Ordú don Tuarascáil.
(a) Parental Leave (Amendment) Bill 2017 — Order for Report.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

180. (l) Tairiscint *maidir le* Tithíocht.
(a) Motion *re* Housing.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- a5. An Bille um Dhliteanas Sibhialta (Leasú), 2018 — An Chéad Chéim.
Civil Liability (Amendment) Bill 2018 — First Stage.

I dTOSACH GNÓ PHOIBLÍ
AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh : Initiation of Bills

Tabhairt Isteach:

Introduction:

- a5.** An Bille um Dhliteanas Sibhialta (Leasú), 2018 — An Chéad Chéim.
Civil Liability (Amendment) Bill 2018 — First Stage.

Bille dá ngairtear Acht do leasú an dlí a bhaineann le dliteanas sibhialta.

Bill entitled an Act to amend the law relating to civil liability.

—Alan Kelly.

Fógraí Tairisceana : Notices of Motions

7. “Go mbeartaíonn Dáil Éireann go leanfaidh ailt 2 go 4, 6 go 12, 14 agus 17 den Acht um Chiontaí in aghaidh an Stáit (Leasú), 1998 (Uimh. 39 de 1998) i ngníomh ar feadh na tréimhse dar tosach an 30 Meitheamh 2018 agus dar críoch an 29 Meitheamh 2019.

That Dáil Éireann resolves that sections 2 to 4, 6 to 12, 14 and 17 of the Offences against the State (Amendment) Act 1998 (No. 39 of 1998) shall continue in operation for the period beginning on 30th June, 2018 and ending on 29th June, 2019.”

—An tAire Dlí agus Cirt agus Comhionannais.

8. “Go mbeartaíonn Dáil Éireann go leanfaidh alt 8 den Acht um Cheartas Coiriúil (Leasú), 2009 (Uimh. 32 de 2009) i ngníomh ar feadh na tréimhse dar tosach an 30 Meitheamh 2018 agus dar críoch an 29 Meitheamh 2019.

That Dáil Éireann resolves that section 8 of the Criminal Justice (Amendment) Act 2009 (No. 32 of 2009) shall continue in operation for the period beginning on 30th June, 2018 and ending on 29th June, 2019.”

—An tAire Dlí agus Cirt agus Comhionannais.

ORDUITHE AN LAE
ORDERS OF THE DAY

- 23.** (l) An Bille um Thrácht ar Bhóithre (Leasú), 2017 — An Tuarascáil (*atógáil, Leasú 9 – Athchúrsa I gCoiste*).
(a) Road Traffic (Amendment) Bill 2017 — Report (*resumed, Amendment 9 – Recommittal*).
- 46.** (l) An Bille um Shaoire do Thuismitheoirí (Leasú), 2017 — Ordú don Tuarascáil.
(a) Parental Leave (Amendment) Bill 2017 — Order for Report.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

Fógraí Tairisceana:

*Notices of Motions:***180.** “That Dáil Éireann:

notes that:

- the worsening shortage of social and affordable housing and emergency accommodation in Ireland now constitutes a national emergency;
- almost 10,000 people are living in emergency accommodation and 144,000 applicants are on housing waiting lists, including the Rental Accommodation Scheme and Housing Assistance Payment fixed transfer lists;
- tens of thousands of people on low- and middle-incomes are paying unaffordable rents and are simultaneously locked out of the house purchase market due to the lack of supply and the knock-on dramatic increase in property prices;
- the State has failed in its duty to directly build public and affordable housing on publicly owned land despite local authorities controlling, as of December 2017, 1,317 hectares of zoned residential land with capacity for 48,724 dwellings;
- the delivery of directly provided public and local authority housing in recent years has been negligible, with only 1,058 new units built/acquired, including regeneration, by local authorities in 2017 and no affordable housing schemes, despite repeated commitments by the Government to do so;
- the central pillar of any Government policy must prioritise a decisive shift towards the direct provision of public and affordable housing on public land rather than the current reliance on private sector solutions; and
- notwithstanding the above, it is incumbent on the Government and the Dáil to use all other measures that could help accelerate the rapid delivery of public and affordable homes;

further notes that:

- the Central Statics Office identified 183,312 empty homes in 2016;
- it must be a matter of urgency to take measures to return to use any and all vacant units, properties and sites suitable for residential use, particularly given that the Government’s Vacant Homes Strategy has delivered only 416 homes to local authorities in 2016 and 2017;
- the delivery of social housing on private developments, through Part V of the Planning and Development Act 2000 (Part V), has been minimal with only 388 homes delivered in 2017;
- the failure of Part V to deliver any affordable homes arises from the reduction of the Part V obligation from twenty per cent to ten per cent;
- slow delivery of residential development by the private sector has almost certainly been exacerbated by land hoarding, property speculation and the drip-feeding of development to keep property prices high;
- with market prices of completed units at record levels, the cost of local authorities acquiring the Part V ten per cent obligation will, in many cases, be prohibitive and generally more expensive than the cost of local authority builds;

- according to the Minister for Housing, Planning and Local Government, the all-in cost of building a new social housing unit is between €175,000 and €211,000, whereas average prices on the property market are now at €380,000 in Dublin, therefore, the cost of acquiring Part V units is enormously more expensive to local authorities than it would be to build on ten per cent of land acquired at existing-use-value;
- waiting for the completion of units by private developers before acquiring the ten per cent will also mean, in many cases, a much slower delivery of public homes and uncertainty about the timeline of such delivery if the private developers decide to drip-feed development of sites, or sit on all or part of such sites for long periods of time for speculative purposes, or in expectation of higher market prices in the future; and
- the National Asset Management Agency (NAMA) has now discharged almost all of its debt obligations through property and asset sales, removing any justification for further disposal of development land or property that could be used to address the current housing emergency, but still controls, as of December 2017, 1,691 hectares of zoned residential land with capacity for 65,399 dwellings, and in Dublin alone controls land with the potential to build 43,075 dwellings;

demands a radical shift in policy to address the housing and homelessness emergency which will contain as its central pillar the provision of public and affordable housing on publicly owned land; and

notwithstanding the above, demands in addition:

- the establishment of multi-disciplinary empty home and property teams in each local authority, dedicated to proactively identifying vacant housing units, properties and sites with potential for refurbishment as residential units;
- that empty home and property teams will, in the first instance, attempt to engage with property owners with a view to working with them to return to residential use the unit, property or site;
- that, where suitable units, properties or sites are vacant for more than six months, without good reason, or where a property owner refuses to engage with the empty home and property teams, the local authority shall employ its compulsory acquisition powers to bring these units, properties or sites into use;
- that the remit of the empty home and property teams will also include the identification of suitable vacant units, properties or sites owned by Government departments, semi-State agencies or agencies under the aegis of Government departments, and the power to acquire the property for development as public and affordable housing;
- that empty home and property teams shall include officers responsible for identifying suitable units, properties and sites and making contact with owners, and all necessary qualified professionals such as architects, engineers, quantity surveyors, etc., to ensure the timely return to use of all suitable units, properties and sites;
- that empty home and property teams will set out options for vacant units, sites and properties to return them to residential use, which shall include a range of assistance measures;
- that in any option where financial support is provided by local authorities for returning units to residential use, these units will be used for public and affordable housing;
- that the Part V requirement be immediately increased from ten per cent social housing to a minimum of twenty per cent public and affordable housing;

- that where there has been any State aid for private development, such as the Local Infrastructure Housing Activation Fund (LIHAF), Home Building Finance Ireland or Strategic Development Zone designation, the Part V requirement would be a minimum of thirty per cent (forty per cent with LIHAF funding) public and affordable housing;
- that all definitions of affordable housing are at a price that is accessible to those on incomes above the eligibility criteria for social housing and below €80,000 per annum, adhering to the standard of repayments being no more than thirty five per cent of net income after tax and social insurance;
- that, in agreeing Part V arrangements with developers, the Minister for Housing, Planning and Local Government will, by regulation, instruct local authorities to, from now on, prioritise the transfer of land option rather than completed units, as the cheapest and most timely mechanism to deliver public and affordable housing, stipulating that the land transfer must be completed within six months of the decision date of the planning permission or the application will be deemed invalid; and
- that the Government legislate immediately to change the mandate of NAMA to be a vehicle for public and affordable housing and ensuring that it immediately ceases the sale or disposal of development land or residential units on the open market.” — *Richard Boyd Barrett, Gino Kenny, Brid Smith.*

[12 June, 2018]

*Leasuithe:**Amendments:*

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

“recognises:

- that the housing crisis is a national economic, social and moral challenge;
- the need for affordable housing to dampen-down unsustainable property price rises and ensure ordinary families can secure home ownership; and
- that the Confidence and Supply Arrangement for a Fine Gael-led Minority Government contains a commitment to ‘significantly increase and expedite the delivery of social housing units, remove barriers to private housing supply and initiate an affordable housing scheme’;

criticises:

- the Fine Gael decision to abolish the Affordable Housing Scheme in 2012;
- the failure to adequately invest in social and affordable housing from 2011;
- the ongoing failure of the Department of Housing, Planning and Local Government to spend the €10 million allocated to an affordable rental model in Budget 2016;
- the lack of specific targets, dates and locations for affordable homes under the Affordable Purchase Scheme announced in January 2018; and
- that the capital housing budget is still 24 per cent behind 2008 levels and is projected to remain at €1.16 billion per annum under the new National Development Plan, still just 84 per cent of the €1.385 billion Fianna Fáil spent on social housing capital investment in 2008; and

calls on the Government to:

P.T.O.

- launch a new off-balance sheet housing delivery agency to lead in delivering social and affordable housing;
- compulsory purchase and develop State and State agency lands in key areas of demand;
- reduce construction costs and expand finance to ensure construction is viable; and
- initiate a new tenant purchase scheme to enable local authority tenants to avail of home ownership at an affordable level.” — *Darragh O'Brien, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Thomas Byrne, 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, 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.*

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

- “— the very significant impact that the economic downturn had on housing supply and the construction industry, with housing construction falling by over 90 per cent between the peak in 2006 and the trough in 2013;
- that with the economy returning to significant and consistent growth, and with the unemployment rate at 5.8 per cent in May (its lowest since May 2008), a significant increase in the supply of new homes is needed;
- that, having regard to this, the Government has made the delivery of new homes across all tenures - social, affordable and private, a top priority through the development, resourcing and implementation of the Rebuilding Ireland Action Plan for Housing and Homelessness;
- that the Government’s initial focus has been on delivering homes for households in the lowest income brackets, through the commitment of over €6 billion to deliver 50,000 new social housing homes by 2021, with eligible households also able to avail of the Housing Assistance Payment (HAP), the Rental Accommodation Scheme (RAS) and other targeted programmes, with the aim of meeting the housing needs of over 137,000 households under the Rebuilding Ireland Action Plan by the end of 2021;
- that almost 26,000 households had their social housing needs met in 2017, exceeding the target set by 23 per cent, and almost doubling the levels achieved in 2015;
- that the social housing construction programme included some 850 schemes (or phases), with 13,400 homes in the pipeline, at the end of 2017, almost 5,000 more than a year earlier;
- the 2018 target for all building programmes across local authorities and Approved Housing Bodies (AHBs) of 4,970 homes, more than 50 per cent higher than the 2017 target;
- the changes made to Part V of the Planning and Development Act 2000, in 2015, which were designed to prioritise social housing provision on site, and maximise its contribution to increased social housing output and the creation of sustainable mixed-tenure communities across the country;
- the important contribution made by the National Asset Management Agency

- (NAMA) in the delivery of social housing, sourcing almost 2,500 houses and apartments for social housing use by local authorities and AHBs;
- the wide-ranging actions taken by Government to bring vacant or under-utilised properties back into use, particularly in the cities and large urban areas where housing demand is greatest;
 - the establishment of a Vacant Homes Unit within the Department of Housing, Planning and Local Government to drive and co-ordinate actions at central and local government levels and the funding and appointment of Vacant Homes Officers in local authorities to support action on the ground in identifying available properties in their area and assisting owners to bring them back into early use for social housing, private sale or rent, or where appropriate, using Compulsory Purchase Orders (CPO) and other powers;
 - that a suite of measures is being implemented to facilitate increased residential construction activity and ensure the sector's capacity to produce more affordable homes through, *inter alia*:
 - fast-track planning reforms and more flexible planning guidelines;
 - €200 million capital investment in enabling infrastructure to service/open up housing lands with proportionate affordability dividends for house purchasers; and
 - the progression of large-scale mixed-tenure housing projects, with social, affordable and private housing, on publicly-owned lands;
 - that the Government has also introduced targeted and time-bound measures to limit excessive rent increases (e.g. through Rent Pressure Zones), and to provide further protections and effective support services to both tenants and landlords;
 - that, in Budget 2018, significant obstacles to building more homes more quickly were removed, by:
 - investing more capital funding in direct house-building by the State;
 - removing the Capital Gains Tax incentive to hold on to residential land, as well as escalating penalties for land hoarding; and
 - providing a new, more affordable finance vehicle for builders through House Building Finance Ireland (HBFI);
 - that these measures are having a positive impact, with all relevant indicators clearly showing that the supply-based measures under Rebuilding Ireland are working, with latest planning permissions and commencements data up 27 per cent and 23 per cent year-on-year respectively, and house scheme registrations up 35 per cent;
 - that a new National Regeneration and Development Agency is being established under Project Ireland 2040 in line with the compact growth objective and targets in the National Planning Framework;
 - the Government's commitment to addressing the affordability pressures faced by some households, particularly low- and moderate-income households in the major urban centres, through:
 - the new Rebuilding Ireland Home Loan, which provides long-term, fixed-rate mortgages for first-time buyers;
 - the imminent activation of a new Affordable Homes Scheme that will

- leverage affordable properties from publicly-owned lands;
- provision of at least €25 million infrastructure funding under the new Serviced Sites Fund, with a call for proposals to issue later this month, to deliver lower-cost affordable housing from local authority sites;
- the development of large-scale cost rental initiatives in Dublin to help deliver new homes at affordable levels; and
- new ‘Build to Rent’ and ‘co-living’ planning guidelines which will facilitate investment and innovative design of more rental accommodation at more affordable rents.” — *An tAire Tithíochta, Pleanála agus Rialtais Áitiúil*.

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

Reachtúil***Statutory****Tairiscint Ceadaithe ag Teastáil**Requiring Motion of Approval*

Comhaontú idir an Eagraíocht Eorpach um Thaighde Réalteolaíoch sa Leathsféar Theas agus Éire i dtaobh aontachas na hÉireann leis an Eagraíocht Eorpach um Thaighde Réalteolaíoch sa Leathsféar Theas. (D)

Agreement between the European Organisation for Astronomical Research in the Southern Hemisphere and Ireland concerning the accession of Ireland to the European Organisation for Astronomical Research in the Southern Hemisphere. (D)

Nil aon scríbhinn á leagan faoin gCatagóir seo

None

In-neamhnithe le Tairiscint

Open to Motion to Annul

Nil aon scríbhinn á leagan faoin gCatagóir seo

None

Eile

Other

Togra le haghaidh Cinneadh ón gComhairle maidir leis an seasamh a bheidh le glacadh, thar ceann an Aontais Eorpaigh, sna Coistí iomchuí de Choimisiún Eacnamaíochta na Náisiún Aontaithe don Eoraip maidir leis na tograí le haghaidh leasuithe ar Rialacháin NA Uimh. 13, 13-H, 14, 16, 22, 44, 49, 51, 54, 75, 83, 85, 89, 96, 106, 108, 109, 120, 129, 137, 139 agus 140, ar Rialacháin Theicniúla Dhomhanda NA Uimh. 15 agus 19, agus i ndáil le tograí le haghaidh dhá Rialachán nua NA agus i ndáil le dhá liostú

Proposal for a Council Decision on the position to be taken on behalf of the European Union in the relevant Committees of the United Nations Economic Commission for Europe as regards the proposals for amendments to UN Regulations Nos. 13, 13-H, 14, 16, 22, 44, 49, 51, 54, 75, 83, 85, 89, 96, 106, 108, 109, 120, 129, 137, 139 and 140, to UN Global Technical Regulations Nos. 15 and 19, and as regards the proposals for two new UN Regulations and two new listings in the Compendium of Candidate Global

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.

nua i gCoimre Rialachán Teicniúil Domhanda Molta mar aon le nóta faisnéise míniúcháin.

COM (2018) 363.

Togra le haghaidh Rialachán ó Pharlaimint na hEorpa agus ón gComhairle maidir le líonra Eorpach oifigeach idirchaidrimh inimirce a chruthú (athmhúnlú) mar aon le nóta faisnéise míniúcháin.

COM (2018) 303.

An tOmbudsman do Leanaí. An Tuarascáil Bhliantúil, 2017.

Tuarascáil ón Aire Dlí agus Cirt agus Comhionannais ar Oibriú Ailt 2 go 4, 6 go 12, 14 agus 17 den Acht um Chiontaí in aghaidh an Stáit (Leasú), 1998, de bhun Alt 18(3) den Acht sin, don tréimhse 1 Meitheamh 2017 go 31 Bealtaine 2018.

Tuarascáil ón Aire Dlí agus Cirt agus Comhionannais ar Oibriú Alt 8 den Acht um Cheartas Coiriúil (Leasú), 2009, de bhun Alt 8(6) den Acht sin, don tréimhse 1 Meitheamh 2017 go 31 Bealtaine 2018.

Neamhrechtúil

An tOrdú um Ainm Bhord Scannán na hÉireann a Athrú go Fís Éireann (An Lá Ceaptha), 2018 (I.R. Uimh. 182 de 2018).

Rialachán na gComhphobal Eorpach (Tuaslagóirí Eastósctha a úsáidtear le linn Earraí Bia agus Comhábhair Bia a Tháirgeadh) (Leasú), 2018 (I.R. Uimh. 190 de 2018).

Comhairle Chomhairleach Bhuiséadach na hÉireann. An Tuarascáil Measúnachta Buiséadaí. Meitheamh 2018.

Technical Regulations together with explanatory information note.

COM (2018) 363.

Proposal for a Regulation of the European Parliament and of the Council on the creation of a European network of immigration liaison officers (recast) together with explanatory information note.

COM (2018) 303.

Ombudsman for Children. Annual Report, 2017.

Report by Minister for Justice and Equality on the Operation of Sections 2 to 4, 6 to 12, 14 and 17 of the Offences against the State (Amendment) Act 1998 pursuant to Section 18(3) of that Act for the period 1 June, 2017 to 31 May, 2018.

Report by Minister for Justice and Equality on the Operation of Section 8 of the Criminal Justice (Amendment) Act 2009 pursuant to Section 8(6) of that Act for the period 1 June, 2017 to 31 May, 2018.

Non-Statutory

Change of Name of Bord Scannán na hÉireann to Fís Éireann (Appointed Day) Order 2018 (S.I. No. 182 of 2018).

European Communities (Extraction Solvents used in the Production of Foodstuffs and Food Ingredients) (Amendment) Regulations 2018 (S.I. No. 190 of 2018).

Irish Fiscal Advisory Council. Fiscal Assessment Report. June, 2018.