



## **DÁIL ÉIREANN**

*Déardaoin, 14 Feabhra, 2019*  
*Thursday, 14th February, 2019*

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**RIAR NA hOIBRE**  
**ORDER PAPER**



*Déardaoin, 14 Feabhra, 2019*  
*Thursday, 14th February, 2019*

10.30 a.m.

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**ORD GNÓ**  
**ORDER OF BUSINESS**

17. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le téarmaí an Chomhaontaithe Aersheirbhísí idir Rialtas Réigiún Riaracháin Speisialta Hong Cong Dhaonphoblacht na Síne agus Rialtas na hÉireann.  
Motion *re* Proposed approval by Dáil Éireann of the terms of the Air Services Agreement between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Government of Ireland.
215. (l) Tairiscint *maidir le* Stailceanna na nAltraí, na gCnáimhseach agus na nOibrithe Paraimhíochaine (*vótáil a cuireadh siar*).  
(a) Motion *re* Nurses, Midwives and Paramedics Strikes (*postponed division*).
2. An Bille um Chosaint Tomhaltóirí (Dearbháin Bhronntanais), 2018 [*Seanad*] — An Dara Céim (*atógáil*).  
Consumer Protection (Gift Vouchers) Bill 2018 [*Seanad*] — Second Stage (*resumed*).
39. An Bille chun Mangaireacht Ticéad os cionn Costais a Thoirmeasc, 2017 — An Dara Céim (*atógáil*).  
Prohibition of Above-cost Ticket Touting Bill 2017 — Second Stage (*resumed*).

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA**  
**PRIVATE MEMBERS' BUSINESS**

216. (l) Tairiscint *maidir le* hEaspa Dídine.  
(a) Motion *re* Homelessness.
59. An Bille um Chumainn Tionscail agus Soláthair (Leasú), 2018 — An Dara Céim.  
Industrial and Provident Societies (Amendment) Bill 2018 — Second Stage.

**FÓGRA I dTAOBH GNÓ NUA**  
**NOTICE OF NEW BUSINESS**

- 224b. Tairiscint *maidir le* Tionól Saoránach.  
Motion *re* Citizens' Assembly.

**I dTOSACH GNÓ PHOIBLÍ**  
**AT THE COMMENCEMENT OF PUBLIC BUSINESS**

*Fógraí Tairisceana: Notices of Motions*

17. “Go gceadaíonn Dáil Éireann, faoi Airteagal 29.5.2<sup>o</sup> den Bhunreacht, téarmaí an Chomhaontaithe Aersheirbhísí idir Rialtas Réigiún Riaracháin Speisialta Hong Cong Dhaonphoblacht na Síne agus Rialtas na hÉireann, ar leagadh cóip de faoi bhráid Dháil Éireann an 7 Feabhra 2019.
- That Dáil Éireann approves, under Article 29.5.2<sup>o</sup> of the Constitution, the terms of the Air Services Agreement between the Government of the Hong Kong Special Administrative Region of the People’s Republic of China and the Government of Ireland, a copy of which was laid before Dáil Éireann on 7th February, 2019.”

*—An tAire Iompair, Turasóireachta agus Spóirt.*

**ORDUITHE AN LAE**  
**ORDERS OF THE DAY**

2. An Bille um Chosaint Tomhaltóirí (Dearbháin Bhronntanais), 2018 [*Seanad*] — An Dara Céim (*atógáil*).  
Consumer Protection (Gift Vouchers) Bill 2018 [*Seanad*] — Second Stage (*resumed*).

39. An Bille chun Mangaireacht Ticéad os cionn Costais a Thoirmeasc, 2017 — An Dara Céim (*atógáil*).  
Prohibition of Above-cost Ticket Touting Bill 2017 — Second Stage (*resumed*).

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA**  
**PRIVATE MEMBERS' BUSINESS**

*Gnó a ordáíodh:*  
*Business ordered:*

59. An Bille um Chumainn Tionscail agus Soláthair (Leasú), 2018 — An Dara Céim.  
Industrial and Provident Societies (Amendment) Bill 2018 — Second Stage.

*—Clare Daly, Joan Collins, Maureen O’Sullivan, Catherine Connolly, Thomas Pringle,  
Mick Wallace, Thomas P. Broughan.*

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

215. “That Dáil Éireann:

notes that:

- nurses and midwives have taken industrial action to end wage restraint and lack of pay parity and against the working conditions they are faced with;
- there is a crisis in recruitment and retention of nurses and midwives as a result of the pay and conditions they are faced with;

- like all workers, nurses and midwives have seen a massive rise in the cost of living, such as childcare, rent and housing generally;
- there is considerable support and solidarity for nurses and midwives as a result of ordinary people’s direct experiences of the health service;
- paramedics have taken strike action seeking recognition of their union, the National Ambulance Service Representative Association (NASRA);
- there is enormous wealth in our society and yet our health service is being starved of resources, resulting in nurses and midwives being underpaid;
- €270 million was used to pay Anglo Irish Bank junior bondholders in December 2018;
- BAM Ireland, the construction company that is building the new children’s hospital, saw its turnover rise by 28 per cent in 2017 to €465 million, while its pre-tax profits for that year were €15.9 million; and
- Ireland’s richest 300 people have €79 billion in wealth;

believes that:

- there is a need to reverse austerity measures that have hit the health service;
- there is a need for a national health service that is free at the point of use and under the democratic control of working-class people;
- a victory for nurses and midwives in this strike would be a victory for all workers and our health service;
- strike action by nurses and midwives has demonstrated the effectiveness of strike action in seeking just and necessary pay increases and improvements to working conditions;
- the recommendations from the Labour Court on 11th February, 2019, which are supported by Government, fall short of the demands of nurses and midwives in their dispute; and
- if this offer is rejected, the Irish Congress of Trade Unions must give full support for the nurses so that the struggle can be brought to a quick but satisfactory outcome; and

calls on the Government to recognise NASRA as the representative union of their members and to accede to the full pay demands of nurses and midwives.” — *Mick Barry, Ruth Coppinger, Paul Murphy.*

[12 February, 2019]

*Leasuithe:*

*Amendment:*

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

“notes that:

- the Irish Nurses and Midwives Organisation’s Executive Council and the Psychiatric Nurses Association have suspended industrial action, following a recommendation from the Labour Court;
- the Labour Court recommendation makes progress across all areas of concern to the nursing unions, including the key areas of safe staffing and addressing recruitment

and retention problems; and

- the agreement by both sides that the resolution to the dispute must be found within the framework of the Public Service Stability Agreement;

welcomes proposals for:

- enhanced practice in nursing and midwifery with the development of a new Enhanced Nurse Practice salary scale;
- guaranteed multi-annual funding to maintain safe staffing levels;
- increased education and training opportunities;
- an expert review of the nursing profession to be undertaken in the medium term; and
- the addressing of other issues of concern to the union side as part of the resolution of the dispute; and

calls for all sides to the dispute to be given time to consider the recommendations without interference.” — *Stephen S. Donnelly, James Browne, Bobby Aylward, John Brassil, Declan Breathnach, Mary Butler, Thomas Byrne, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Lisa M. Chambers, Niall Collins, Barry Cowen, John Curran, 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.*

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

“notes:

- the industrial action already taken by nurses and midwives in recent weeks;
- the decision of the Labour Court to intervene in the dispute is in the public interest; and
- the acceptance by the Government of the Labour Court recommendation; and

believes that:

- while respecting the requirement on nursing unions to ballot their members, the recommendation represents a fair and balanced solution to the dispute which is consistent with the Public Sector Stability Agreement; and
- an important opportunity exists to enhance the status and significance of nursing and midwifery through collaboration and dialogue, and through the implementation of *Sláintecare*.” (*resumed*) — *An tAire Sláinte*.

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

“condemns the Government for their role in allowing the dispute in nursing and midwifery to escalate to the point of industrial action; and

notes the recent recommendation of the Labour Court and agrees that the democratic process within the trade unions involved be allowed to conclude and that the decision to accept or reject the proposals is one for the members of these trade unions only.” — *Louise O'Reilly, Gerry Adams, John Brady, Pat Buckley, Seán Crowe, David Cullinane, Pearse Doherty, Dessie Ellis, Martin J. Ferris, Kathleen Funchion, Martin Kenny, Mary Lou McDonald, Denise Mitchell, Imelda Munster, Jonathan O'Brien, Eoin Ó Broin, Caoimhghín Ó Caoláin, Donnchadh Ó*

*Laoghaire, Aengus Ó Snodaigh, Maurice Quinlivan, Brian Stanley.*

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*Fógraí Tairisceana:*

*Notices of Motions:*

**216.** “That Dáil Éireann:

notes that the homeless figures continue to rise month on month and, at the end of October 2018, there were 9,724 people and 3,725 children in homeless accommodation according to the statistics provided by the Department of Housing, Planning and Local Government;

further notes that:

- at least 1,600 people were removed and recategorised from these homeless figures;
- people and children in domestic violence refuges and direct provision accommodation are not included in these figures;
- people and children living in unsuitable, overcrowded accommodation and ‘couch surfing’ are also not included in these figures;
- some children are spending their second and third Christmases in emergency accommodation;
- the most recent rough sleeper count was 156, up from 110 in the spring count;
- over 10,000 attended the rally on 1st December, #HomesForAll, which was also the fourth anniversary of the death of Jonathan Corrie;
- over 14,000 people signed the recent Barnardos Ireland petition to call for an end to the use of bed and breakfasts and hotels to house homeless children; and
- public opinion is ahead of the political will to end the crisis, and the majority of the public believe that housing is a human right which should be enshrined in the Constitution, according to a recent Amárach poll published on the 70th anniversary of the Universal Declaration of Human Rights on 10th December; and

calls on the Government to:

- immediately declare a housing emergency and implement the necessary emergency measures to urgently address the crisis;
- hold a referendum on the right to housing in May 2019;
- commit to re-housing families who have been in emergency homeless accommodation, including hubs, for 18 months or more, no later than by the end of quarter 1, 2019;
- commit to re-housing all other families experiencing homelessness by the end of quarter 2, 2019;
- limit the use of hubs and emergency accommodation for families with children to three months maximum;
- increase supports to schools in areas with large populations of homeless families;
- provide free counselling to all families and children experiencing homelessness should they wish to avail of the service;

- increase the number of available emergency beds and single rooms in dry hostels; and
- extend the Housing First programme by doubling all targets in the Housing First National Implementation Plan 2018-2021.” — *Thomas P. Broughan, Joan Collins, Clare Daly, Mick Wallace, Catherine Connolly.*

[13 December, 2018]

*Leasú:*

*Amendment:*

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

“acknowledges that:

- the Government recognised the urgency of the housing crisis over two years ago and introduced the Rebuilding Ireland - Action Plan for Housing and Homelessness, providing a comprehensive framework for addressing the range of complex issues needing to be addressed across the housing sector;
- the Rebuilding Ireland - Action Plan for Housing and Homelessness is underpinned by over €6 billion in funding to support the delivery of 50,000 new social housing homes and 87,000 other housing supports over the six years 2016 to 2021;
- very significant progress has been made from 2016 to the end of 2018, in partnership with local authorities, Approved Housing Bodies and a range of other delivery partners, with over 72,000 individuals and families having their housing needs met during those three years, over 27,000 of which were supported in 2018 alone, and a further 27,300 households are expected to be supported this year, and this will bring to almost 100,000 the total number of households who will have been assisted under Rebuilding Ireland by the end of 2019;
- the level of progress being made is reflected in social housing waiting lists, which have reduced by 22 per cent, from 91,600 households to 71,858, between 2016 and 2018;
- to date, Rebuilding Ireland has increased the active social housing stock by over 21,200 homes, with some 8,420 of these being delivered in 2018;
- in 2018, over 18,000 new homes were built, a 25 per cent increase on the previous year and the highest number of newly built homes any year this decade, and in addition, more than 2,500 homes were brought out of long-term vacancy, with almost 800 dwellings in unfinished housing developments completed, meaning the number of new homes available for use increased by almost 21,500 in 2018, which does not include the 3,742 bed spaces completed in the student sector in 2018;
- the Government is committed to supporting those single persons, families and their dependents who are experiencing homelessness, and Budget 2019 reflects this commitment, with an increase of 25 per cent in the current spending budget for the provision of homeless services (bringing the total to €146 million for this year);
- the most recent published statistics show there were 9,753 persons in emergency accommodation in the month of December 2018, comprised of 6,194 adults and 3,559 associated dependants, and this represents a reduction of 215 people nationally on the numbers recorded in November;
- in December 2018, there were 111 fewer families and 252 fewer dependants in emergency accommodation than was the case in November, and that for the fifth consecutive month there was a reduction recorded in the number of families presenting to homeless services in the Dublin region;
- 111 families exited emergency accommodation into new homes in Dublin in December

2018, while 72 per cent of families in emergency accommodation in the Dublin region at the end of December had been homeless for less than one year, and through service level agreements with service providers, local authorities are working towards ensuring that exits from homelessness are achieved within six months of entering emergency accommodation;

- while the most recent count of rough sleepers in the Dublin region showed that 156 individuals were recorded sleeping rough, which was an increase on the numbers recorded in March 2018, there was a decrease of 28 on the number of persons recorded as sleeping rough during the equivalent winter count in 2017;
- the number of beds in use for single adults has risen from 2,000 beds at the end of 2017 to 2,300 beds in the Dublin region at the end of 2018, and all of these beds are supported temporary accommodation where single individuals and couples receive the accommodation and health supports that they need, with those presenting as homeless being matched to the best available accommodation, according to their needs, and emergency accommodation capacity fluctuates and is dictated by demand, with extra contingency beds being put in place during periods of adverse weather;
- increased outreach and prevention measures are working and will continue to be supported by the Government, including through the Homeless Housing Assistance Payment (HAP) Placefinder Service, and 19 HAP Placefinders are now in place and to the end of quarter 3, 2018, in excess of 5,300 households have been supported through Homeless HAP nationally, 4,350 of whom were in the Dublin region;
- the Government will continue to provide more suitable temporary accommodation to homeless families, increasing the number of family hubs to 26 at the end of 2018, with a total capacity for over 600 families, and with further hubs spaces to be added in 2019, as hubs provide a greater level of stability than is possible in hotel accommodation, with the capacity to provide appropriate play-space, cooking and laundry facilities, communal recreation space, while move-on options to long-term independent living are identified and secured;
- the most recently available performance reports show 3,752 adults exiting homelessness into independent tenancies in the nine-month period between January and September 2018, and this represents an increase of 431 (13 per cent) on the 3,321 exits recorded over the same period in 2017;
- an error was discovered in 2018, whereby households who were not in emergency accommodation had been counted in the emergency accommodation numbers, and this error was rectified and reports on the matter were published; and
- extensive supports are also provided to families experiencing homelessness by the Department of Children and Youth Affairs, and the Child and Family Agency, Tusla, and supports include:
  - a special provision under the existing Community Childcare Subvention Programme of free childcare for children from homeless families;
  - Tusla's School Completion Programme, which places an emphasis on children from homeless families;
  - Home School Community Liaison Scheme co-ordinators proactively engaging with parents from homeless families to provide supports and assistance where required; and
  - children in homeless accommodation being prioritised within the School Completion Programme for services such as breakfast and homework clubs; and

further acknowledges that:

- Housing First is delivering permanent housing solutions for rough sleepers and long-term users of emergency accommodation, and by the end of 2018, the Dublin Region Housing First Service had created Housing First tenancies for 243 unique individuals, of whom 86 per cent have successfully retained their homes, and the Housing First National Implementation Plan 2018-2021 contains targets for each local authority, with an overall national target of an additional 663 tenancies to be delivered by 2021;
- a high-level Homelessness Inter-Agency Group has been established, with representation from the Department of Justice and Equality, the Department of Health, the Department of Employment Affairs and Social Protection, the Department of Education and Skills, local authorities, Tusla and the Health Service Executive, and a report from this Group was submitted to Cabinet in June 2018, and a range of recommendations are now being implemented, including better co-ordination of responses, particularly in the areas of health, justice and family homelessness;
- the provision of accommodation to those in the international protection process and the provision of domestic violence refuges, and reporting on progress in these areas, will continue to be prioritised by the Minister for Justice and Equality and the Minister for Children and Youth Affairs/Tusla, respectively; and
- the Eighth Report of the Convention on the Constitution recommended that the State should progressively realise economic, social and cultural rights, including the right to housing, subject to maximum available resources, by inserting such a right into the Constitution of Ireland, and the Convention’s recommendation raises substantial questions, including for example, the suitability or otherwise of the Constitution of Ireland as a vehicle for providing for detailed rights in this area, the possible cost, and the fact that there is already power by legislation to confer rights and determine expenditure via primary and secondary legislation and an elected and accountable Government and Oireachtas, and for these reasons the issue of the right to housing was referred, for further consideration, to the appropriate Oireachtas Committee, the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach, in October 2017.” — *An tAire Tithíochta, Pleanála agus Rialtais Áitiúil*.

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**224b.** “That Dáil Eireann:

reaffirms the principles of Article 6.1 of the Constitution of Ireland which states: ‘All powers of government, legislative, executive and judicial, derive, under God, from the people, whose right it is to designate the rulers of the State and, in final appeal, to decide all questions of national policy, according to the requirements of the common good.’;

notes that:

- the 32nd Dáil established a Citizens’ Assembly by resolution on 13th July, 2016; and
- on 14th January, 2018, the Citizens’ Assembly voted overwhelmingly for citizens’ initiatives to be provided for;

upholds the principle of direct democracy and the holding of constitutional referenda to effect legislative change;

acknowledges that a newly-constituted Citizens’ Assembly would help implement the principles of direct democracy by adding citizen-initiated referenda to amend the Constitution of Ireland;

supports empowering a Citizens’ Assembly for the period of one year, so that it can devise a new mechanism that will enable citizens to robustly scrutinise proposed legislation, assess and

advocate for citizens' initiatives and table amendments and counter proposals to Government-sponsored legislation;

agrees that membership of the new, one-year Citizens' Assembly will consist of:

- a chairperson, to be appointed by An Taoiseach;
- a minimum of 66 citizens, randomly selected so as to be broadly representative of Irish society and who are entitled to vote in a referendum and in local authority elections;
- one member from each of the political parties of the Northern Ireland Assembly;
- one member appointed by each political party/grouping of the Oireachtas; and
- substitutes, who may be appointed by each political party/grouping, and who will be entitled to full participation rights, including the right to vote; and

further agrees that:

- the Citizens' Assembly-
  - will agree its own rules of procedure to ensure effective conduct of its business which will be done in as economical a manner as possible;
  - will give appropriate regard to the conventions and clauses contained within the Good Friday and St. Andrews' Agreements;
  - will present an interim report to the Houses of the Oireachtas, including its recommendations, within two months of completing its deliberations; and
  - may invite and accept submissions from interested bodies and members of the public, and will seek advice and guidance whenever necessary to aid its members in their deliberations;
- all matters before the Citizens' Assembly will be determined by a majority of the votes cast by members present;
- the chairperson will have the casting vote in the event of a hung vote; and
- An Taoiseach will provide, to the Houses of the Oireachtas, a response to the recommendation/s of the Citizens' Assembly within one month of receiving the interim and final reports, and will indicate a timeframe as to when the holding of any related referendum is envisaged." — *Aengus Ó Snodaigh, Gerry Adams, John Brady, Pat Buckley, Seán Crowe, David Cullinane, Pearse Doherty, Dessie Ellis, Martin J. Ferris, Kathleen Funchion, Martin Kenny, Mary Lou McDonald, Denise Mitchell, Imelda Munster, Jonathan O'Brien, Eoin Ó Broin, Caoimhghín Ó Caoláin, Donnchadh Ó Laoghaire, Louise O'Reilly, Maurice Quinlivan, Brian Stanley.*

[14 February, 2019]

**SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA dTITHE  
DOCUMENTS LAID BEFORE THE HOUSES<sup>1</sup>**

*Reachtúil*

*Statutory*

<sup>1</sup> 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.

*Tairiscint Ceadaithe ag Teastáil*

Níl aon scríbhinn á leagan faoin gCatagóir seo

*In-neamhnithe le Tairiscint*

Níl aon scríbhinn á leagan faoin gCatagóir seo

*Eile*

Na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001. Clár Leasanna Chomhaltáí Dháil Éireann de bhun alt 6 de na hAchtanna thuasluaite maidir leis an tréimhse chláirúcháin 1 Eanáir 2018 go 31 Nollaig 2018. (D)

Bord Oideachais agus Oiliúna Chill Dara agus Chill Mhantáin. Na Ráitis Airgeadais don bhliain dar chríoch an 31 Nollaig 2015.

Institiúid Teicneolaíochta na Gaillimhe – Mhaigh Eo. Na Ráitis Airgeadais Chomhdhlúite don bhliain dar chríoch an 31 Lúnasa 2017.

Togra le haghaidh Cinneadh ón gComhairle maidir leis an seasamh a bheidh le glacadh thar ceann an Aontais Eorpaigh i gComhairle na hEagraíochta Eitlíochta Sibhialta Idirnáisiúnta, maidir le Leasú 17 ar Iarscríbhinn 13 a Ghlacadh mar aon le nóta faisnéise míniúcháin.

COM (2019) 72.

Cuntas Infheistíochta an Chiste Cosanta Taistealaithe. Na Cuntais don bhliain dar chríoch an 31 Nollaig 2017 mar aon leis an Tuarascáil ón Ard-Reachtair Cuntas agus Ciste orthu.

Ciste na nIasachtaí Áitiúla. Na Cuntais ar Fháiltais agus Íocaíochtaí sa bhliain dar chríoch an 31 Nollaig 2017 mar aon leis an Tuarascáil ón Ard-Reachtair Cuntas agus Ciste orthu.

*Neamhrechtúil*

An Phríomh-Oifig Staidrimh. Staidreamh Trádála. Samhain 2018.

*Requiring Motion of Approval*

None

*Open to Motion to Annul*

None

*Other*

Ethics in Public Office Acts 1995 and 2001. Register of Interests of Members of Dáil Éireann pursuant to section 6 of the above mentioned Acts in respect of the registration period 1 January, 2018 to 31 December, 2018. (D)

Kildare and Wicklow Education and Training Board. Financial Statements for the year ended 31<sup>st</sup> December, 2015.

Galway – Mayo Institute of Technology. Consolidated Financial Statements for the year ended 31<sup>st</sup> August, 2017.

Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Council of the International Civil Aviation Organization, in respect of the Adoption of Amendment 17 to Annex 13 together with explanatory information note. COM (2019) 72.

Travellers' Protection Fund Investment Account. Accounts for the year ended 31 December, 2017 together with Report of the Comptroller and Auditor General thereon.

Local Loans Fund. Accounts of Receipts and Payments in the year ended 31 December, 2017 together with Report of the Comptroller and Auditor General thereon.

*Non-Statutory*

Central Statistics Office. Trade Statistics. November 2018.