



DÁIL ÉIREANN

Dé Céadaoin, 3 Aibreán, 2019
Wednesday, 3rd April, 2019

RIAR NA hOIBRE
ORDER PAPER

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Wednesday, 3rd April, 2019

10.30 a.m.

ORD GNÓ
ORDER OF BUSINESS

28. Bille na gCuideachtaí (Leasú), 2019 [*Seanad*] — Ordú don Tuarascáil.
Companies (Amendment) Bill 2019 [*Seanad*] — Order for Report.
51. (l) An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Colscaradh), 2016 —
Ordú don Tuarascáil.
(a) Thirty-fifth Amendment of the Constitution (Divorce) Bill 2016 — Order for Report.
- 11a. Tairiscint *maidir leis* an Ráiteas mar Fhaisnéis do Vótálaithe i ndáil leis an mBille um an
Ochtú Leasú is Tríocha ar an mBunreacht (Scaoileadh ar Phósadh), 2016.
Motion *re* Statement for Information of Voters in Relation to the Thirty-eighth
Amendment of the Constitution (Dissolution of Marriage) Bill 2016.
29. (l) An Bille um Fheidhmeannacht na Seirbhíse Sláinte (Rialachas), 2018 [*Seanad*] —
Ordú don Tuarascáil.
(a) Health Service Executive (Governance) Bill 2018 [*Seanad*] — Order for Report.
30. Ráitis maidir le Tosaíochtaí don Mhargadh Talmhaíochta/Bia i ndiaidh Brexit.
Statements on the Agri-Food Market Priorities Post Brexit.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

217. Tairiscint *maidir le* Tacaíochtaí Oideachais do Leanaí atá Buailte le hEaspa Dídine.
Motion *re* Educational Supports for Children Experiencing Homelessness.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- a10. An Bille um Thrácht ar Bhóithre (Feithiclí Uile-Thír-Raoin agus Gluaisrothair
Streachailte) (Leasú), 2019 – An Chéad Chéim.
Road Traffic (All Terrain Vehicle and Scrambler Motor-cycle) (Amendment) Bill 2019 –
First Stage.
- 27a. Tairiscint *maidir leis* an Tuarascáil maidir le Póilíneacht Phobail agus Coireacht Tuaithe.
Motion *re* Report on Community Policing and Rural Crime.

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

Billí a thionscnamh: Initiation of Bills

Tabhairt Isteach:

Introduction:

a10. An Bille um Thrácht ar Bhóithre (Feithiclí Uile-Thír-Raoin agus Gluaisrothair Streachailte) (Leasú), 2019 – An Chéad Chéim.

Road Traffic (All Terrain Vehicle and Scrambler Motor-cycle) (Amendment) Bill 2019 – First Stage.

Bille dá ngairtear Acht do leasú an Achta um Thrácht ar Bhóithre, 1961 chun úsáid feithiclí uile-thír-raoin agus gluaisrothar streachailte in áit phoiblí a rialáil tuilleadh, do dhéanamh socrú breise maidir leis an nGarda Síochána d'urghabháil na bhfeithiclí agus na ngluaisrothar sin in imthosca áirithe, do dhéanamh socrú chun an céanna a choigistiú agus a dhiúscairt nuair a sháraíonn duine an dlí i ndáil le húsáid feithiclí uile-thír-raoin agus gluaisrothar streachailte araon in áit phoiblí agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Road Traffic Act 1961 to further regulate the use of all terrain vehicles and scrambler motor-cycles in a public place, to make further provision for the seizure, by An Garda Síochána, of said vehicles and motorcycles in certain circumstances, to provide for the confiscation and disposal of same when a person contravenes the law in relation to the use of both all terrain vehicles and scrambler motor-cycles in a public place and to provide for related matters.

—*John Lahart, John Curran.*

Fógraí Tairisceana: Notices of Motions

11a. “GO nDÉANFAR an ráiteas atá leagtha amach sa Sceideal a ghabhann leis an Rún seo a fhorordú mar fhaisnéis do vótálaithe, de bhun alt 23 d’Acht an Reifrinn, 1994 (Uimh. 12 de 1994), i ndáil leis an togra chun an Bunreacht a leasú atá ar áireamh sa Bhille um an Ochtú Leasú is Tríocha ar an mBunreacht (Scaoileadh ar Phósadh), 2016 agus is ábhar do reifreann bunreacht.

THAT the statement set out in the Schedule to this Resolution be prescribed for the information of voters, pursuant to section 23 of the Referendum Act 1994 (No.12 of 1994), in relation to the proposal to amend the Constitution which is contained in the Thirty-eighth Amendment of the Constitution (Dissolution of Marriage) Bill 2016 and is the subject of a constitutional referendum.

An Sceideal

Schedule

An Bille um an Ochtú Leasú is Tríocha ar an mBunreacht (Scaoileadh ar Phósadh), 2016 - An páipéar ballóide uaine

Thirty-eighth Amendment of the Constitution (Dissolution of Marriage) Bill 2016 - Green ballot paper

An Ráiteas mar Fhaisnéis do Vótálaithe

Statement for the Information of Voters

Fiafraítear díot, sa reifreann seo, an aontaíonn tú leis an togra -

You are being asked, in this referendum, if you agree with the proposal -

(a) chun an mhír seo a leanas a

(a) to delete the following paragraph

scriosadh as Airteagal 41.3.2^o den Bhunreacht:

‘i go raibh, ar dháta thionscnamh na n-imeachtaí, tréimhse ceithre bliana ar a laghad, nó tréimhsí ceithre bliana ar a laghad san iomlán, caite ag na céilí ina gcónaí ar leithligh óna chéile le linn na gcúig bliana roimhe sin,’ agus

(b) chun an fo-alt seo a leanas a scriosadh as Airteagal 41.3 den Bhunreacht:

‘3^o I gcás pósadh duine ar bith a scaoileadh faoi dhlí sibhialta aon Stáit eile agus an pósadh sin, agus bail dlí air, a bheith ann fós faoin dlí a bheas i bhfeidhm in alt na huairé taobh istigh de dhlínse an Rialtais agus na Parlaiminte a bhunaítear leis an mBunreacht seo, ní fhéadfaidh an duine sin pósadh ar a mbeadh bail dlí a dhéanamh taobh istigh den dlínse sin an fad is beo don duine eile a bhí sa chuing phósta a scaoileadh amhlaidh.’

agus an méid seo a leanas a chur in ionad an fho-ailt sin:

‘3^o Féadfar socrú a dhéanamh le dlí chun aitheantas a thabhairt faoi dhlí an Stáit do scaoileadh ar phósadh arna thabhairt faoi dhlí sibhialta stáit eile.’

Má **thoilíonn** tú leis an togra, cuir X os coinne an fhocail **Tá** ar an bpáipéar ballóide.

Mura **dtoilíonn** tú leis an togra, cuir X os coinne an fhocail **Níl** ar an bpáipéar ballóide.

Féadfar féachaint ar chóip den Bhille ar an idirlíon ar www.oireachtas.ie.

from Article 41.3.2^o of the Constitution:

‘i at the date of the institution of the proceedings, the spouses have lived apart from one another for a period of, or periods amounting to, at least four years during the previous five years,’ and

(b) to delete the following subsection from Article 41.3 of the Constitution:

‘3^o No person whose marriage has been dissolved under the civil law of any other State but is a subsisting valid marriage under the law for the time being in force within the jurisdiction of the Government and Parliament established by this Constitution shall be capable of contracting a valid marriage within that jurisdiction during the lifetime of the other party to the marriage so dissolved.’

and to substitute that subsection with the following:

‘3^o Provision may be made by law for the recognition under the law of the State of a dissolution of marriage granted under the civil law of another state.’

If you **approve** of the proposal, mark X opposite the word **Yes** on the ballot paper.

If you do **not approve** of the proposal, mark X opposite the word **No** on the ballot paper.

A copy of the Bill may be viewed on the internet at www.oireachtas.ie.”

—An tAire Tithíochta, Pleanála agus Rialtais Áitiúil.

27a. “Go dtabharfaidh Dáil Éireann dá haire an Tuarascáil ón gComhchoiste um Dhlí agus Ceart agus Comhionannas dar teideal ‘Tuarascáil maidir le Póilíneacht Phobail agus Coireacht Tuaithe’ ar leagadh cóipeanna di faoi bhráid Dháil Éireann an 28 Márta 2019.

That Dáil Éireann shall take note of the Report of the Joint Committee on Justice and Equality entitled ‘Report on Community Policing and Rural Crime’, copies of which were laid before Dáil Éireann on 28th March, 2019.”

—*Caoimhghín Ó Caoláin,*
Chairman of the Joint Committee on Justice and Equality.
[3 April, 2019]

ORDUITHE AN LAE ORDERS OF THE DAY

28. Bille na gCuideachtaí (Leasú), 2019 [*Seanad*] — Ordú don Tuarascáil.
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GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

Fógraí Tairisceana:
Notices of Motions:

217. “That Dáil Éireann:

notes that:

- all children, including those who are homeless or living in emergency accommodation, have the constitutional right to free primary education;
- all children and young people should have access to secondary education and not have to leave before they have completed their education because of a lack of resources;
- according to the latest statistics provided by the Department of Housing, Planning and Local Government, there are currently 3,784 children living in emergency accommodation;
- a recent survey by the Irish Primary Principals’ Network found that there are children experiencing homelessness in 27 per cent of primary schools;

- there is no Government policy to cater for the educational needs of children who are homeless or living in emergency accommodation and the needs of these children are mentioned neither in the Action Plan for Education, nor the Department of Education and Skills Statement of Strategy 2019-2021;
- many children experiencing homelessness do not attend Delivering Equality of Opportunity in Schools (DEIS) schools, and do not have access to the same level of supports that students in DEIS schools would be provided with; and
- the delay in processing the Back to School Clothing and Footwear Allowance in 2018 by the Department of Employment Affairs and Social Protection, placed additional pressure on families with limited incomes;

agrees that:

- families with children experiencing homelessness should be provided with material assistance and support programmes to ensure their right to education can be fulfilled;
- in placing families in emergency and temporary accommodation, every possible attempt should be made to maintain children's educational stability and continuity of school placement; and
- all schools and educational settings making provision for children experiencing homelessness should have access to resources and/or facilities to provide children with regular, nutritious food;

recognises that:

- school is often the only stable environment for children in emergency accommodation;
- disruption to children's lives and instability arising from homelessness negatively impacts on children's capacity for learning and ability to develop and retain relationships with peers and staff in the school setting;
- pupils experiencing homelessness have been shown to present with a number of visible mental health issues, including high levels of anxiety, self-stigma, embarrassment and low levels of self-esteem, which ultimately impact on their ability to socialise in school and maintain friendships;
- homelessness can affect children's school attendance along with reduced engagement and participation in school life and learning;
- principals and teachers have been to the forefront of limiting the negative impacts of homelessness on children's education but with no assistance from the Government; and
- schools will receive a 5 per cent increase in capitation funding from September 2019, but that this increase remains significantly lower than previous years; and

calls on the Government to:

- collect information on the prevalence of children experiencing homelessness who do not have access to the additional supports provided by the Department of Education and Skills;
- establish a €5 million initial ring-fenced fund for schools to provide for the needs of children experiencing homelessness attending school throughout the academic year, through the Department of Education and Skills;
- have the Department of Education and Skills issue a circular to provide advice and

guidance regarding educational provision for children experiencing homelessness, including recommendations to boards of management to address additional school costs;

- examine whether the Department of Education and Skills could consider increasing Home School Community Liaison provision where there is increased demand and extend the service to non-DEIS schools who are supporting children experiencing homelessness;
- expand the Rebuilding Ireland Action Plan on Housing and Homelessness Inter-Agency Group to include representatives from the Department of Education and Skills;
- examine whether the July Education Programme could be extended to children who have experienced significant disruption to their education as a result of homelessness and produce a report on this matter within three months;
- develop appropriate professional development training for teachers and schools making provision for children experiencing homelessness through the Teacher Education Section of the Department of Education and Skills;
- plan ahead for the longer-term impact of homelessness on the educational experience of these children and the disruption that it may have caused through the Department of Education and Skills, the Department of Children and Youth Affairs and Tusla;
- examine the expansion of the School Meals Local Projects Scheme to schools that report increases in homelessness; and
- implement the recommendations of the Children’s Rights Alliance Home Works report.” — *Thomas Byrne, Fiona O’Loughlin, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Lisa 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, Frank O’Rourke, Anne Rabbitte, Eamon Scanlon, Brendan Smith, Niamh Smyth, Robert Troy.*

[2 April, 2019]

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

Reachtúil

Statutory

Tairiscint Ceadaithe ag Teastáil

Requiring Motion of Approval

Na Rialacháin um Pobalbhreith chun Méara a Thoghadh go Díreach, 2019 [Dréacht].

Direct Election of Mayor Plebiscite Regulations 2019 [Draft].

In-neamhnithe le Tairiscint

Open to Motion to Annul

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.

Rialacháin an Aontais Eorpaigh (Seirbhísí Poirt), 2019 (I.R. Uimh. 128 de 2019).

Eile

An Chomhairle um Ghairmithe Sláinte agus Cúraim Shóisialaigh. An Tuarascáil Bhliantúil, 2018.

Tuarascáil Stiúrthóir na Cartlainne Náisiúnta, 2016.

An Coláiste Náisiúnta Ealaíne is Deartha. Na Ráitis Airgeadais don bhliain dar chríoch an 30 Meán Fómhair 2017.

Togra le haghaidh Rialachán ó Pharlaimint na hEorpa agus ón gComhairle maidir le gnéithe áirithe den tsábháilteacht agus nascacht iarnróid ó thaobh tharraingt siar Ríocht Aontaithe na Breataine Móire agus Thuaisceart Éireann as an Aontas mar aon le nóta faisnéise míniúcháin.

COM (2019) 88.

An tOrdú um an Acht Airgeadais, 2004 (Alt 91) (Géilleadh don Phríomh-Chiste a Iarchur), 2019 (I.R. Uimh. 125 de 2019). (D)

An Roinn Forbartha Tuaithe agus Pobail. An Plean Forfheidhmithe Earnála um Thús Áite do Leanaí. Márta, 2019.

Neamhrechtúil

Tithe an Oireachtais. An Comhchoiste um Achainíochas ón bPobal. An Tuarascáil Bhliantúil, 2018.

An Roinn Caiteachais Phoiblí agus Athchóirithe. Próifílí Caiteachais a Vótáladh, 2019.

European Union (Port Services) Regulations 2019 (S.I. No. 128 of 2019).

Other

Health and Social Care Professionals Council. Annual Report, 2018.

Report of the Director of the National Archives, 2016.

National College of Art and Design. Financial Statements for the year ended 30 September, 2017.

Proposal for a Regulation of the European Parliament and of the Council on certain aspects of railway safety and connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union together with explanatory information note.

COM (2019) 88.

Finance Act 2004 (Section 91) (Deferred Surrender to Central Fund) Order 2019 (S.I. No. 125 of 2019). (D)

Department of Rural and Community Development. Children First Sectoral Implementation Plan. March, 2019.

Non-Statutory

Houses of the Oireachtas. Joint Committee on Public Petitions. Annual Report, 2018.

Department of Public Expenditure and Reform. Voted Expenditure Profiles 2019.