



DÁIL ÉIREANN

SALIENT RULINGS OF THE CHAIR

Fourth Edition

Covering the period to 8 March 2006
(to Volume 616 of the Official Report of the Debates)

February, 2011

SALIENT RULINGS OF THE CHAIR

Introduction to Fourth Edition

The Standing Orders do not form a complete code of the day to day procedure. They must be read in the context of how they have been applied or developed by the Chair over the years. The primary source for this is what are termed Rulings of the Chair.

Essentially, Rulings are decisions by the Chair on matters not specifically covered by Standing Orders or which apply the Standing Orders in specific circumstances. Rulings correspond with up-to-date practice and, when read in conjunction with Standing Orders, give a comprehensive picture of parliamentary procedure and practice.

Such decisions have been made over a considerable period and by quite a number of different Chairmen (whether as Ceann Comhairle or Leas-Cheann Comhairle). In this regard, it should be noted that:

The Chair is not necessarily bound by previous rulings but that, in a given situation, the Ruling is likely to be adhered to in the interests of consistency; and

Ruling of the Chair, when given, may not be altered; A Member who is dissatisfied with a particular Ruling may put down a motion or a private submission may be made to the Chair with a view to the Ruling being reconsidered when the particular point again arises.

Standing Orders have been amended on a number of occasions since the salient rulings were last published¹. Rulings which appeared in the previous edition and which are inconsistent with or now superfluous to the Standing Orders as so amended do not appear in this edition of the salient rulings.

This document, which has been prepared for the guidance of Deputies, covers the period up to 8 March 2006 and contains the more frequently referred to Rulings of the Chair. Each ruling (or group of rulings) is numbered for ease of reference (the numbers are particular to this edition). The numbers which follow each Ruling give the reference to the Ruling in the Official Report of Debates, that outside the bracket being the volume number and that inside being the column number.

References in the Rulings to Standing Orders are references to the most recent edition of Standing Orders, i.e. the 2011 edition.

It is intended that a further edition, including Rulings made to the end of the 30th Dáil, will be prepared and issued in a number of months time.

February, 2011

¹ The dates on which Standing Orders were amended can be found in the preface to the latest edition of Standing Orders (the 2011 edition). Dates on which individual Standing Orders were adopted or amended can be obtained from the Table included in that edition.

Salient Rulings of the Chair

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Salient Rulings of the Chair

Adjournment of Dáil

GENERAL

A motion for the adjournment of the Dáil can relate to an adjournment to next sitting day as prescribed in Standing Orders; to an adjournment during a sitting (i.e. other than at the normal time); or to an adjournment for a recess (on which a general debate frequently takes place).

Adjournment to next sitting day as prescribed in Standing Order 21(1)

1. It is a matter for House to decide if it wishes to adjourn before hour provided for in Standing Orders — 180(702).
2. Chair takes time from clock facing him — 31(353), 249(1320), 350(361), 356(598), 357(2166), 360(1504), 363(1693), 554(453).

Adjournment during a Sitting

3. Motion for adjournment is regarded as prerogative of member of Government — 26(1145), 32(1010), 224(2244).

Adjournment for a Recess

4. Motion fixing date for resumption may be moved at commencement of business — 84(2550-63).
5. Practice is to discuss Government policy — 69(2846).
6. It is usual to raise major issues and not individual cases — 112(2306), 185(1500), 191(2729).

SPECIAL SITTING (S.O. 24)

Under Standing Order 24(1), the Ceann Comhairle may, on the request of the Taoiseach, summon the Dáil for a Special Sitting on a date earlier than that fixed on the adjournment (e.g. during a recess)

7. On conclusion of business, Dáil adjourns, without question put, to date originally fixed — 43(1887), 45(1088), 53(2628), 85(1450).
8. Duration of sitting is not fixed by Standing Order as House sits until specified business is transacted — 43(1193).

SPECIFIC AND IMPORTANT MATTER OF PUBLIC INTEREST REQUIRING URGENT CONSIDERATION (S.O. 32).

Under Standing Order 32, any member may seek leave to bring forward a motion for the adjournment of the Dáil to discuss a

specific and important matter of public interest requiring urgent consideration; notice must be given 45 minutes before the commencement of the sitting; and the matter raised must be brief and concise.

An informal Committee on Reform of Dáil Procedure recommended in 1972 that a motion should be regarded as one contemplated by the Standing Order [only] if the matter raised is

- (a) specific*
 - (b) of general public importance*
 - (c) one that has arisen suddenly*
 - (d) likely to develop significantly before the Dáil will, in practice, have an opportunity of discussing it*
- and*
- (e) within the current responsibility of the Government.*

If the matter is allowed, it is taken in the last one and a half hours of the day's sitting or at such other time as the Dáil may order.

9. The only motion before the House is that the House do adjourn to allow discussion of the matters raised: there is no substantive motion before the House — 423(4).

- Chair refused permission as issue was of such significance that it should be dealt with by way of substantive motion — 424 (1790).

10. A motion for leave to adjourn the Dáil under Standing Order 32 is not in order when the Government is an acting Government: the unresolved constitutional business before the Dáil supersedes the ordinary routine of business — 425(248).

11. Chair follows, as did his predecessors, the rules in paragraph 22 of the Report of the Informal Committee on Reform of Dáil Procedure (1972) — 348(563), 372(1683).

12. Chair refused permission –

- (a) as Dáil will have an opportunity of discussing the matter — 434(1754), 443(1702), 469(1239~40), 470(161), 470(713), 471(477), 476(905).
- (b) as matter lacked the necessary urgency — 446(1129).
- (c) as matter had been dealt with extensively the previous week by way of private notice questions and as there were further oral and written questions to the Taoiseach and the Minister for Justice on that day — 466(199).
- (d) As matter had been selected for discussion on the adjournment — 466(1641), 470(714).
- (e) as matter was not within the current responsibility of the Government — 403(1714~5), 415 (1338).

13. It is disrespectful to the House to submit a request and not be present in the Chamber to make it — 584(1383).

- As members who had sought to raise the matter were not present in the Chamber at relevant time, Chair did not proceed with the matter — 464(1), 528(25).
- As Question Time had concluded early, Chair permitted member not present at relevant time to make request (Chair indicated that this should not be regarded as a precedent). — 600(707); Chair did not, however, rule on request — 600(715).
- 14. Chair did not deal with request as the member submitting was not identified in request submitted to Chair — 559(381).
 - Where member identified himself to Chair, Chair declined to call him as it would create a dangerous precedent — 584(954).
- 15. Chair rules on matter of which notice was given and not on an amended version — 195(175), 532(718), 556(265), 558(369), 568(50), 569(354), 582(1486).
 - A Deputy may not add to the notice he gave to the Chair — 434(1754), 434(2050~1), 436(180), 443(945), 443(1701), 444(565), 449(1393), 451(1), 451(1181), 458(1736), 459(1201), 462(493), 462(1355), 462(1782), 480(917), 481(36), 561(702), 567(332), 573(27), 602(1486), 604(11,317), 605(1497~8), 607(1504), 613(974), 614(1073).
- 16. Chair cannot postpone a decision — 312(1072).
 - Practice is that Chair announces decisions on requests to raise matter once requests have been made in House — 563(1152).
- 17. Minister may not intervene when the matter being raised (under S.O. 32) is being read out and the Chair is about to give his decision — 414(1270).
- 18. There can be no point of order in relation to decision after the Chair has ruled on the matter — 213(316), 553(163), 555(386).
- 19. It is usual to regard the motion, that the Dáil do now adjourn, as lapsed or withdrawn in order to allow Adjournments under Standing Order 21 to proceed — 498(1516).

MATTERS UNDER STANDING ORDER 21(3)

Under Standing Order 21(3), members may raise on the adjournment matters relating to public affairs connected with a Department of State or to matters of administration for which a member of the Government or Minister of State is officially responsible (including bodies under the aegis of a Department of State in respect of Government policy). Four such matters can be raised on any one day, 5 minutes being available to both the Deputy and the Minister to reply in each case.

- 20. Member may give notice of only one Question or matter — 89(517), 108(227), 176(1189), 346(1278), 349(443), 384(794).
- 21. Member cannot get option to raise matter at a future date; he must give notice anew on that date when it will be considered with any other matters which may arise; rights of other Members may not be pre-empted — 24(166), 85(885), 103(523), 123(1774), 186(722), 202(1724), 236(1460), 237(640), 336(1101), 362(133), 374(1287), 375(1552).
- 22. When Dáil meets on day other than a day specified in Standing Orders, no provision having been made for interruption of business, a matter may not be raised on

the adjournment — 335(1629), 373(1700), 374(1287).

23. It is duty of Ceann Comhairle to decide which matters should be selected — 181(1614).

24. Ceann Comhairle's decision on request to raise matter may not be discussed in House — 162(808), 175(89), 182(604), 228(305), 230(1497), 416(979~80).

25. It is not the practice to give in writing reasons for disallowance of a matter — 328(2383).

26. Ceann Comhairle, when considering whether matter is in order, does not consider whether answer to a Question was or was not unsatisfactory — 108(1117).

27. Office has consulted Department on aspects of a matter — 302(658).

28. Member may not seek to raise matter for which Chair has not given permission — 260(1768).

29. Only member giving notice can raise matter — 272(821).

— It is not usual to select a member other than the member who sought to raise the matter: however the Chair, with the approval of the House, has done so in the unavoidable absence of the member raising the matter and where he had prior notice of the intention to share time — 444(552).

30. Notice of matter which it is intended to raise should be as precise as possible — 27(428), 37(996), 39(1576), 208(1245).

31. Debate is confined to specific matter of which notice was given — 32(182, 894), 40(1347), 49(2364), 89(546), 98(1658), 122(395), 123(2224), 127(812), 154(490), 180(2183), 183(981), 197(1603), 384(215~6), 389(773).

32. Matter is raised for further elucidation of facts and to get further information from Minister — 51(1212, 1216), 54(1525), 59(2343), 62(1700), 69(3263), 122(1178), 138(949), 181(1618), 326(1669).

33. Should be particular grievance or matter of administration — 48(703), 50(1525), 138(949).

34. Matters of general policy, which more properly arise on a substantive motion, may not be raised — 29(897), 48(703), 50(1525), 66(3, 489), 69(3263), 122(1177).

35. Neither judicial decisions, nor the President's prerogative may be raised — 95(1136, 1232).

36. Where Minister indicates in his reply to a Question that he cannot give further information, matter cannot be raised on adjournment — 326(1667, 1669).

37. Question to which Minister has refused to reply is not a suitable matter to be raised — 38(931), 72(1114).

38. Member may quote from, but may not read in full, a newspaper article; he must state his own case, not that made by a journalist — 62(1699-1704).

39. Member is entitled to speak once only — 21(1983), 25(890), 40(2735).

— The Minister's reply concludes the debate — 426(824), 427(685), 427(1299), 428(735), 428(957), 428(1701), 433(392), 435(1412), 438(1437), 438(1904), 439(669), 440(248), 442(233), 442(707), 448(295), 448(1636), 451(420), 454(291), 457(288), 465(1833), 472(1041), 473(171).

- Questions to the Minister are not permitted — 601(1641).
- 40. Member selected to raise matter is given adequate notice of that fact by the Office of the Ceann Comhairle and ought to be present at the appropriate time — 474(1415).
 - When business has concluded ahead of time, maximum consideration is allowed for Deputies who have been given permission to raise a matter under Standing Order 21(3) to reach the Chamber: in the event of a failure to locate the Deputies, the Chair has no option but to adjourn the House — 388 (2047~8).
 - As member giving notice might reasonably be expected to be in House at the appropriate time—
 - (a) House adjourned in his absence — 150(806), 478(734).
 - (b) Chair ruled that matter could not be taken — 481(1362).
- 41. Chair adjourned House during a debate on a matter
 - as great disorder had arisen — 123(1894).
 - as member had refused to withdraw from the Chamber when ordered so to do (*member named and suspended the following day*) — 454(1552).
- 42. Chair does not have any power or say regarding the attendance of the Minister — 435(2280), 461(2091).
- 43. Chair takes the view that Ministers should not share time during adjournment debate as time for Minister is limited enough without being eroded by other members; the practice of time-sharing by Ministers is to the disadvantage of the member who raised the issue, who is entitled to the fullest possible information when raising a matter by way of parliamentary question or adjournment debate — 469(639), 477(1326).
- 44. Practice is that matters are dealt with in accordance with the status of Ministers in the House; however where member seeking to raise matter had an urgent engagement, Chair changed order of items as an exceptional measure, by agreement of members present — 472(171).

Adjournment of Debate

- 45. Mover of motion to adjourn debate —
 - (a) has right to speak when debate is resumed — 21(578).
 - unless informed otherwise, Chair presumes that Member who moved adjournment of debate wishes to continue his speech on resumption of debate — 379(1850).
 - (b) may not speak later if he is not present at resumption of debate — 103(1892).
 - (c) may not, on resumption of debate, reserve the right to speak later since he is already in possession — 95(1583).
- 46. Private Member not permitted to move motion —
 - (a) to give member time to read Minister's speech on stage of a Bill — 47(109).
 - (b) as Minister had refused to reply to a debate — 81(2420).

(c) as no quorum was present — 92(244).

47. Debate on an item of Government business is adjourned automatically at time fixed for the taking of private members' business — 327(1483).

Amendments

Amendments to Bills — *see* **Bills**.

48. Officers of House are available to assist members in drafting amendments — 12(1745), 374(1803).

49. Inclusion of amendment on Order Paper does not necessarily mean that it is in order — 21(1395), 200(413).

50. The Office of the Ceann Comhairle adjudicates on amendments in respect of their appropriateness under Standing Orders: Ministers have no function in the matter — 392 (1171), (1888).

51. Chair does not decide offhand on amendments and a decision is come to only after consideration; a point of order may be raised any time up to putting of question from Chair — 24(1045, 1112), 32(2228).

52. If Chair in courtesy informs a Member, in advance, of its attitude towards amendments, that information should not be debated in House — 60(2062).

53. Member putting point of order on amendment may not discuss merits of amendment nor Chair's ruling on amendment — 31(996), 32(1346), 160(1496), 209(1365).

54. Chair, in calling amendment, is taken to have proposed the appropriate question and amendment is therefore properly before House for consideration — 255(2993).

55. Member moving amendment on behalf of another has plenary powers with regard to it — 6(1751).

56. A member may not move an amendment on behalf of another member unless he has express permission from that member to do so — 421 (156), 460(21).

57. Member may move his amendment either at the beginning or the end of his contribution — 334(116).

58. Amendment which has been moved and discussed cannot be amended without consent of House — 57(1017).

59. Amendment which has been moved cannot be withdrawn except by consent of House; it is not customary to have debate on motion for leave to withdraw — 43(803), 172(1105), 376(690).

60. Amendment cannot be withdrawn when Chair has risen to put question — 2(1761).

61. It is always privilege of Chair, when same matter is covered by two amendments, to say that they will be discussed together, with two decisions, if necessary — 104(1135).

62. Amendment ruled out of order on grounds of insufficient notice may be referred to in course of debate on motion to which it was addressed — 382(216).

63. If amendments have not been moved, they should not be a matter for debate — 429(927).

64. Amendment to amendment is moved after main amendment has been moved — 176(1886), 260(1657).

65. Amendment to amendment must be disposed of before main amendment can be decided — 88(2356), 96(1859), 260(1657).

66. Member moving amendment to motion cannot reserve his speech until later in debate — 24(1053), 60(1158), 81(922), 124(1124), 206(107), 301(1476), 339(1368).

67. In complicated cases, Chair has power to put questions in form he thinks most convenient for arriving at a decision — 24(563).

68. Consideration of an amendment, once entered upon, cannot be deferred — 438(2058).

Announcements

Formal announcements are made for the information of members and do not require any action by the House.

69. Permission of House to make an announcement is not required — 384(562).

70. Chair is entitled to notice in respect of proposed announcements — 467(1745).

71. Announcement by Chair of Messages from President communicating decision of Supreme Court and signature of a Bill may not be discussed — 78(1725).

72. As there is no motion before the House, announcement may not be debated or statements made — 164(1084), 317(1961), 318(140), 319(841), 339(121), 340(714), 354(2905), 363(2773), 371(255, 947), 373(4044), 384(560,754), 485(754), 402(886), 412(853~4), 415(1698), 447(1499), 467(1745), 467(1747~8), 480(145).

- Where Chair considered that announcement in relation to appointment of Commissioner for European Communities went beyond scope of announcement procedure, he has permitted replies, as if it were a statement — 333(974), 352(2135).
- Strictly speaking an announcement is made for the information of the House only and normally there should be no debate, statement or comment thereon: the Chair may allow brief comments in exceptional circumstances or for valedictory purposes — 391(735), 402(1105), 416(1867~8), 425(397), 445(1343).
- On announcement of nomination of Tánaiste, Chair permitted brief contributions from leaders of Opposition parties — 402(1105).
- Where no notice had been given to the Chair, Chair ruled that any debate should take place in a structured and formal way and be arranged in the normal way through the Taoiseach's office and the Whips — 467(1745), 467(1747~8), 612(9).

Anticipation

Standing Order 56(3) provides that no member shall anticipate the discussion of any subject of which notice has been given:

subject to the proviso that, in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Ceann Comhairle to the probability of the matter anticipated being brought before the Dáil within a reasonable time.

73. Private Member's motion on economic situation ruled as anticipatory of debate for following week on adjournment for Summer recess — 322(794).

74. Motion relating to substantive taxing provision in Budget not permitted to be moved as Budget debate still in progress — 311(1595).

Attendance of Advisors

75. If the House has no objection, the attendance of an advisor to a Minister who is not a civil servant can be facilitated in the appropriate place — 403 (1259).

Attorney General

76. It is a longstanding rule of the House that the Government of the day is not officially responsible to the Dáil for advice sought or received from the Attorney General — 439(5).

Bills, Public

A Bill undergoes 5 stages of passage. With the exception of 1st Stage, each is preceded by an Order of the Dáil fixing the date for the taking of that Stage. The Stages are:

- 1st Stage (initiation by way of introduction or presentation)*
- 2nd Stage (during which the general principles of the Bill are debated)*
- Committee (3rd) Stage (during which the Bill is examined in detail section by section and amendments may be proposed). Committee Stage may be taken in Committee of the whole Dáil or, as is more usually the case, in Select Committee.*
- Report (4th) Stage (during which amendments arising out of Committee Stage are considered)*
- Fifth (Final) Stage (during which the contents of the Bill may be debated).*

In the case of a Bill initiated in or amended by the Dáil, the Bill is then sent to the Seanad.

Bills initiated in the Seanad are automatically set down for Second Stage on reaching the Dáil, the First Stage being waived.

GENERAL

77. Where two versions of Bill were published, Chair ruled, in advance of decision on motion to refer Bill to Select Committee, as to the version of the Bill that would thereby stand referred— 576(994~5).

- In deciding whether proceeding at second stage were thereby affected, Chair ruled that those proceedings were not affected in the circumstances applying as the general principles were common to both bills — 576(994~5).

78. Where Bill is introduced in one year and reprinted following year, resultant changes in dates are formal corrections to be made by Clerk — 299(1487).

79. Debate on motion for leave to withdraw a Bill is confined to the merits of such withdrawal — 279(1227).

80. It is not for Chair to pronounce on the constitutionality of a Bill, a section of a Bill or an amendment — 25(696), 29(1859), 69(454), 74(1495), 119(765).

81. Bills are not required to be issued in the Irish language — 47(1111).

82. Explanatory memorandum should not be read through in debate — 76(772).

83. Members should not read long extracts from Bill — 24(975), 179(443).

APPROPRIATION BILL

84. It is unusual to discuss any stage other than Second Stage — 63(1182), 76(1519), 84(2414), 97(2893).

85. Taxation cannot be debated — 76(1517), 90(642).

86. Amendments on Committee Stage to section relating to issue out of Central Fund ruled out of order as that section is but statutory form of what has been agreed to by House; amendment for reduction of grant in Schedule also ruled out — 48(2970).

ORDERS FIXING DATE FOR TAKING OF STAGE OF BILL

87. No notice is required of motion for order — 24(1446), 32(2217).

88. Motion for Order is not a subject for general debate; Chair rules as to discussion to be allowed — 24(1456-8), 50(2130).

89. In fixing the date, the phrase "by agreement between Whips" is superfluous to Order — 344(541).

90. Contents of Bill do not arise on motion for order — 314(1838).

91. In the case of a private Member's Bill, the motion for order for Second Stage is "That the Second Stage be taken in private Members' time" — 307(67), 374(235).

FIRST STAGE

Unopposed Bills

92. No statement may be made unless introduction is opposed but occasionally, on

a Government Bill, Minister is allowed to make a brief statement — 49(1431), 84(1096), 228(1046).

Opposed Bills

See Standing Orders 124(2) & 124(4)

93. At discretion of Chair, statements from more than two members may or may not be allowed — 24(167, 174, 182), 382(1432).

94. Making of explanatory statement when introduction is opposed is not mandatory — 18(316), 24(205).

95. Chair construes word "statement" as being restrictive: Nothing in nature of Second Reading speech is permitted — 24(182, 207, 211, 418), 171(622), 177(460), 188(1540), 244(1647).

96. It is within discretion of Chair to allow more than one opposing statement if there is more than one Opposition party; Parties for the purpose of this rule mean groups who came into House as organised Parties — 106(1397), 138(1335), 171(617-32), 232(1545) [*See also Rulings on the definition of "Party" under the heading Statements*].

Private Members' Bills

97. Bill may be taken in Government time if Government so agrees — 186(163), 188(1537).

98. If leave is granted to introduce a private Members' Bill, the Bill will be printed and circulated and go into private Members' time for Second Stage; if opposed, it will go for First Stage — 368(1923), 369(645), 370(966).

SECOND STAGE

Order Fixing Date for Taking of Second Stage of Bill

BILLS PRESENTED BY PRIVATE MEMBERS

99. The motion must be made at the Commencement of Public Business — 366(1667).

100. Private Member wishing to discharge Order for Second Stage of his Bill and to withdraw Bill must do so in private Members' time; he may do so in Government time only with its agreement — 312(1393).

General

101. If Bill initiated in Seanad is adopted as Government business, it is taken in Government time; if adopted by Private Member, it is taken in private Members' time — 23(1937), 33(419), 208(351).

102. When no Member offers to speak, practice is that Chair calls on Minister who

will be replying to conclude — 27(695), 103(1046).

- If any Deputy offers to contribute, the Minister may not conclude the debate — 399(2618).

103. General principles of Bill are before House and details should be reserved for Committee Stage — 177(142), 180(582), 209(1807), 239(2078), 277(1282), 278(1182), 285(463), 286(1155), 291(1721), 293(1633), 345(1940, 2040), 369(1492), 386(1393), 392(1449), 403(1639).

104. Member is entitled to refer to what can relevantly be put in Bill as well as to its actual provisions — 18(1032), 24(2191), 98(1474), 123(321), 147(131), 167(693), 204(1510), 280(1807), 345(1314), 392(1449), 398(1369), 400(1324), 403(2675), 463(1840), 466(1945), 471(74), 590(415, 1461, 1462, 1509, 1514).

- Member should discuss contents of the Bill, and other matters should be referred to by way of passing reference only — 463(335), 583(1064, 1066).
- Minister in replying should similarly limit himself to passing references only — 582(1071).

105. Member may refer to, but not go into, the details of an amendment he intends to move in Committee — 233(747).

- where private member circulated an amended text of a private Members' Bill under consideration at Second Stage, to illustrate how the Bill would appear if amended a particular way in committee, Chair deemed it premature, irregular and confusing to talk of an amended text of a Bill as this is a matter for a later Stage if the Bill is proceeded with and preempts any consideration by the Chair of the allowance of any proposed amendments in that regard — 463(257~8).

106. In debating Bill to amend an Act, administration of Principal Act cannot be discussed except in so far as it is affected by Bill — 57(510, 865), 69(2251), 92(274), 123(321), 162(43).

107. Where related Bills are before the House, passing reference only may be made to those Bills — 515(1052~4).

108. Second Stages of two related Bills have been debated together, debate taking place on one Bill, question on other Bill being put without debate; in Committee, Bills took their separate courses — 40(2495, 2610), 171(540), 199(485), 232(1948), 331(1511).

Amendments at Second Stage

109. Chair accepted amendment without notice where all five stages were being taken on same day — 223(95).

110. Amendment must not relate to detailed provisions which can be amended in Committee unless these are of a fundamental nature and amendment in Committee might not meet case — 108(735).

111. There cannot be more than one amendment to the motion for second reading of a Bill before the House at any one time — 572(253).

112. Member is not permitted formally to move amendment and reserve his right to speak later — 60(1158), 124(1124), 339(1368).

113. Proposer of amendment has not the right of reply — 177(661).

114. Agreed amendments to Bill itself cannot be moved on Second Stage; principle of Bill only may be debated and amendments of detail are effected in Committee — 23(106), 191(1604).

COMMITTEE (THIRD) STAGE

General

115. Where a Bill is referred to Select Committee, the taking of committee stage is a matter for the Committee itself — 613(68), 614(64, 449).

116. Motion to postpone consideration of a section cannot be made when consideration of section has already been entered upon — 32(2226), 357(2392).

117. Marginal notes are not under consideration when sections are being debated — 38(2409), 196(1534).

— Amendment to marginal note is out of order and is not printed on list of amendments — 280(1191).

118. Groups of sections dealing with particular matter may be discussed together — 30(1534), 61(2150), 76(1401), 212(607).

119. There is no "section by section" procedure on a schedule; it is considered as a unit and question put on schedule as a whole — 13(1902), 33(350), 172(155-62), 179(505), 187(79), 270(400), 281(1106).

— Instruction to Committee in case of certain Bills that it had power to consider schedule section by section — 172(206), 188(1266).

120. Second reading debate is not permissible on a section or schedule or on amendments thereto — e.g. 26(1155), 31(870), 85(2238), 177(976), 286(309), 320(946), 327(1758), 397(1841), 400(504), 406(14), 414(989), 421(292~5), 421(279), 422(677), 424(2255), 426(466), 426(490), 478(1488~90), 584(754).

— Debate is confined to provisions of section and no more than passing reference to other matters is permitted 390(942~3), 390(1209~11), 417(663), 423(1245).

121. Section already disposed of cannot be gone back upon nor can matters discussed thereon be re-discussed — 20(1456), 37(1488), 69(1391), 84(618), 106(1539), 185(1304), 223(974).

122. While Member has right to discuss section, he may not repeat what has already been said on the various amendments to it — 196(445, 447, 1163, 1165).

123. It is not permissible to debate citation section where there is no amendment to short title nor to debate provisions of other sections on citation section — 84(70), 309(1013).

124. On interpretation section, only the interpretation of terms arises — 181(1506), 400(1337).

125. Schedule which cannot be amended should be discussed only on governing section — 13(1944).

126. Chair has ruled that discussion should take place on schedule or on related sections but not on both; as amendments had been proposed to schedule, sections postponed — 172(153), 234(1362), 366(1609).

Bills to amend the Constitution

127. It is a longstanding practice in relation to Bills to amend the Constitution that the sections are postponed until consideration of the Schedule has been completed — 480(654), 504(853), 489(10, 1447).

Amendments

NOTICE AND DRAFTING (Standing Order 127)

128. Chair refused to admit without notice amendments of which due notice could have been given — 65(377), 69(2595), 354(400).

129. Chair is averse to admitting amendments to amendments on verbal notice — 63(2506).

— Chair indicated that it would be preferable to have sight of the amendment in writing and that, if necessary, sitting could be suspended to facilitate this — 605(116).

130. Amendment offered in House to amendment was not admitted when objection was made on grounds of notice — 63(183).

131. Amendment offered in House to amendment which had been debated for some time was not admitted — 43(833).

132. It is not a matter for Chair to decide whether amendments are properly drafted — 18(775).

133. Amendments tabled for Bill in Committee of whole Dáil fall if Bill is subsequently committed to a Select Committee; amendments have to be tabled again by Members of Select Committee — 147(1571).

GENERAL MATTERS OF ORDER

134. Amendment seeking to set up Select Committee ruled out of order; Committee can be set up only by substantive motion of Dáil itself — 195(735).

135. Amendment equivalent to direct negative of section may not be moved in Committee as section may be voted against as a whole — 81(701).

136. Amendment which is derisory or frivolous or which is offered in a spirit of derision is out of order — 4(430), 236(676).

137. Amendment inconsistent with section agreed to earlier on Stage is out of order — 3(1918).

138. Agreement scheduled to Bill is not subject to amendment — 13(1902), 73(106).

139. Amendment which is simply declaratory is out of order — 13(1841), 78(601).

140. Scope of Bill is determined by its contents and not by its Title — 9(2497), 32(2107), 337(2228), 346(2000, 2002), 615(1914).

141. Amendments need not necessarily be relevant to the Title but must be relevant to subject matter of Bill as read a second time — 4(919).

142. Amendments to amending Bill —
- (a) must be relevant to some provision in Bill as read a second time and question as to admissibility has frequently to be decided on fine-drawn lines of distinction — 15(1411), 16(1606), 17(20), 64(493), 76(1150), 96(925), 211(273), 337(2228), 400(599), 419(1749).
 - (b) may not amend Act referred to in Bill in direction not contemplated in Bill — 23(1389), 37(1316), 60(2041).
 - (c) which involved new matter were permitted to be moved where Bill was of a miscellaneous character — 88(1164).
143. Amendments to continuation Bill —
- (a) which seek to amend Principal Act, are out of order — 94(1398), 156(890).
 - (b) must, in case of Schedule, be directed to deletion of one or more Acts (*Expiring Laws Bill*) — 54(390), 78(656).
144. Amendment introducing principle which was not in Bill as read a second time is out of order — 16(2117), 24(1109, 1115), 37(1354-6), 42(1794-6), 371(2490).
145. Amendment restricting principle of Bill is in order — 13(866), 24(1113).
146. Amendment proposing to safeguard provisions of the Constitution is out of order — 4(418), 15(1535).
147. Amendment disallowed because it could be prejudicial to discretion of President to refer Bill to Supreme Court in accordance with Article 26.1.1° of Constitution — 376(444, 580).
148. In considering whether amendment is in conflict with Bill, Chair must take all relevant circumstances into account — 235(578).
149. Whether or not amendments are in order must be considered in the context of the manner in which the amendments affect the Bill before the House and not the manner in which they affect existing legislation — 396 (1099~100).
150. Debate must be relevant to the subject matter of the amendment before the House; a passing reference only to other matters is permissible — 468(437~8).

APPROPRIATION OF REVENUE OR OTHER PUBLIC MONIES; CHARGES ON REVENUE

151. Amendments by private Members are out of order if, for example, they —
- (a) imply a charge or a contingent charge on State funds — 25(247), 59(2091), 392(1182~3).
 - (b) potentially increase or tend to increase a charge on State funds — 45(694), 55(2200), 57(16), 112(1940, 2065), 190(824), 196(3145), 208(123), 218(244), 349(539), 360(305), 362(2540), 364(252, 1779), 368(133), 403(280), 407(811).
 - (c) leave Minister power which cannot be exercised without creating liability on State funds — 25(250), 81(2243).
152. If, during discussion on amendment by a private Member, it emerges that acceptance of amendment puts charge on public funds, it becomes out of order — 60(535), 104(2517), 283(455).

153. Amendments by private Members requiring that the Minister report on a particular matter are, as a rule, not in order. An exception is, however, made in the case of Social Welfare Bills in recognition of the fact that it would otherwise be impossible to table amendments to it that were in order as not involving a potential charge — 580(541).

GROUPING FOR DEBATE, CONSIDERATION ETC.

154. There cannot be more than one amendment to a Bill or section of a Bill formally before the House at any one time — 381(1795), 395(1772).

155. So that there will not be duplication of discussion, Chair rules on methods by which amendments are to be discussed with reference to each other and to various sections — 69(1844), 235(279), 599(621).

156. Amendment, principle of which has already been decided against earlier in the stage, is out of order — 18(921).

157. Amendments consequential on an amendment stand or fall with it — 37(2055), 56(539), 59(2201), 60(1854), 74(1526), 92(1859), 94(1798), 191(2256), 196(423), 220(1358).

158. Similar amendments (*i.e. amendments to effect the same or similar purposes*) are taken together for purposes of debate — 17(548), 18(712), 20(1342), 73(712), 74(1818), 87(363), 100(200), 343(1823).

159. Cognate amendments (*i.e. amendments embodying the same principle offered to different but related parts of bill*) are generally considered together — 98(1015), 106(1728).

160. A series of amendments by private members to delete the same words (or figures) and substitute other words (or figures) is discussed together and Chair puts question "That the words (or figures) stand" — 67(1453), 102(1174), 196(1154).

(a) If decision is that words (or figures) stand, amendments fall — 180(1059-64), 196(1154), 342(2144).

(b) Where group of amendments, if agreed to, would rule out later group of amendments, both groups may be debated together — 69(1874).

(c) If question "That words stand" is affirmed, words cannot afterwards be altered or deleted by other amendments — 33(354), 45(437), 55(1549), 443(1909).

161. Where, by agreement, amendments are discussed together, remaining amendments may be moved when reached and are put without further debate — 180(1994), 188(527), 226(447), 255(3041), 303(1295), 402(1468), 403(1253), 421(156), 467(678).

— Where an amendment has already been discussed (with an earlier group of amendments), it is not open to further discussion: however, the Chair has allowed a brief comment on it — 443(1137).

162. If a number of amendments overlap in such a way that the first amendment deletes part of the section to which the others are offered then —

(a) if the first amendment is Government amendment, matter of other amendments may be raised —

(i) on Government amendment — 73(1091), 98(1436).

- (ii) on section — 81(223), or
 - (iii) on Report Stage — 70(396), 76(42), 81(1876), 85(1343), 96(1609), 98(1101), 99(69), 100(797).
 - (b) if first amendment is a private Member's amendment, Chair may, so as to save other amendments, put question so as to dispose of first amendment by selecting certain words and proposing that they should stand — 30(1007, 1041), 32(1117), 39(811), 55(102), 73(1383), 87(219), 92(866), 100(1287), 102(401), 193(147), 196(510).
163. Amendments on Third Stage to a section must be disposed of before section as such can be discussed or decided — 59(1022), 62(681), 88(292), 168(72), 321(81).
164. Amendments not moved at appropriate point cannot be offered after later amendments have been decided or after question, that section stand, has been proposed — 45(730), 171(876), 208(1642), 212(629), 218(1231-8), 270(2184), 272(1093).
165. Amendment not moved or ruled out of order cannot be discussed; subject matter may, if relevant, be discussed on section — 42(1612), 76(283), 82(965), 160(1496), 232(1201), 281(108), 403(280), 419(806), 420(1479).
166. There is no procedure for postponement once discussion on an amendment has started — 240(234).
167. Amendment to new section is moved immediately after proposal of new section — 74(1799).
168. Second reading debate is not permissible on an amendment — 20(1360, 1444), 26(1155), 30(625), 76(1229), 185(50), 230(1244), 286(1687), 309(399), 317(177).
169. Amendment already disposed of cannot be re-discussed — 20(1456).
170. Submission as to effect of, or as to the necessity for, amendment is not a point for Chair — 42(1596).
171. In circumstances where there are already listed amendments that are in order, the Chair is obliged to deal with the amendments before any other matter is taken — 419 (806).
172. The House is obliged to deal with amendments *seriatim* — 443(1635).

REPORT (FOURTH) STAGE

General

173. Matter for consideration is what has been done in Committee — 13(1840), 39(2236), 50(569), 89(1781), 100(512), 196(3465), 280(1246).
174. Bill is considered as a whole and not section by section — 128(1043), 182(145).
175. Section to which amendment is proposed is not open to discussion except insofar as it is affected by amendment — 56(1235), 79(1510), 469(554).
176. The Chair will dissuade members from making a Second Stage speech on Report Stage: speeches should be relevant and have due regard to what applies on

Report Stage — 431(1379), 464(1728), 479(188), 602(76).

Recommittal (Standing Order 134)

A Bill may be recommitted at Report Stage, with the agreement of the House, in whole before consideration has been entered upon or, in respect of sections and amendments, before consideration of the particular section or amendment has been completed on report.

177. Bill recommitted in its entirety is taken *de novo* section by section and amendments may be submitted as for a first Committee stage — 58(1003), 61(536).

178. If Bill is recommitted in respect of amendments —

(a) sections of Bill as such are not debated or put to House — 34(1886), 59(66), 70(451, 603), 84(1575), 89(83), 95(612).

(b) amendments only may be discussed — 24(224), 69(2563).

179. Where motion to recommit Bill was opposed, Chair exercised discretion in permitting statements from more than two members — 384(2230).

— If a motion to recommit is opposed, only a brief statement will be allowed by the Chair — 439(1482).

180. When Fourth Stage is interrupted for recommittal in respect of amendment, it is not the practice to order a separate Report Stage in respect of such amendment — 178(259), 607(428).

— If a separate Report Stage is required, proceedings on Bill should be adjourned to enable time to be given for the tabling of amendments — 607(428)

Amendments

181. Amendment, proposed at the commencement of a Report Stage which was being dealt with under Allocation of Time Order, refused as being too late — 343(139).

182. Amendment to delete section agreed to in Committee must be in the form to delete lines of Bill — 59(1018).

183. Amendments withdrawn or not moved in Committee, and amendments arising out of proceedings in Committee (e.g. arising from actual amendments offered or as a result of undertakings given by Minister) are proper to Report Stage — 50(795), 56(1490), 304(1139), 357(2394), 405(1924).

(a) A Member may not merely table important amendments for Committee, not move them, and put them down for Report — 95(936), 171(876), 229(725).

(b) Member who did not take opportunity of moving amendment in Committee is precluded from moving it on Report — 343(141).

(c) Amendment which could not be moved in Committee because of Allocation of Time Order bringing proceedings to a conclusion may be repeated for Report — 350(524, 632), 431(1671).

184. Amendment may be tabled where substantial debate has taken place on point

in Committee — 328(49).

185. Amendment introducing important principle or new matter which should have been considered in Committee is out of order — 13(1793), 30(1862), 31(876), 81(403, 2244), 98(1429), 103(800), 191(97), 222(767), 402(2001).

— Chair did not accept submission, in relation to amendments involving new matters of substance, that points dealt with could not have been foreseen until developed in Committee — 103(1648).

186. Amendment the same as or similar to an amendment defeated in Committee of whole Dáil cannot be moved — 15(2268), 24(223), 28(1833), 33(356), 49(601), 53(393), 69(1389), 190(851).

— amendment the same or similar to amendment defeated in Select Committee may be moved — 402(273).

187. Amendments ruled out of order because their effect was (i) to negative principal section of Bill and (ii) to destroy purpose of Bill — 166(739-41).

188. Amendment agreed to in Committee may be amended or negated — 28(1833), 73(1370), 98(1429).

189. Amendments must be dealt with in their order as Bill must be taken line by line — 50(575, 585).

— There is no procedure for postponing consideration of an amendment on Report Stage — 403(934-5).

190. Where amendments are taken together for purposes of debate, only mover of first amendment has right of reply, members who had tabled the other amendments may speak once only — 322(1081), 402(264), 403(2039), 419 (1725).

191. Where amendment is tabled in the names of two or more members, only the member who moved the amendment may reply in respect of such amendment — 400 (2090), 403 (1937).

192. It is the function of the Chair to advise members of the manner in which the question on an amendment is put — 444(1505).

193. Proposal to place a heading in a Bill, being merely descriptive in nature, is deemed not to be an amendment — 468(496).

FIFTH STAGE (S.O. 138)

194. Debate is much more restricted than that on Second Stage and is confined strictly to a brief reference to what is contained in Bill — e.g. 44(2056), 104(1110), 170(414, 721), 235(1832), 302(1014), 320(910), 339(1287), 366(774), 382(1490), 434(1052), 434(1653), 434(1682-3), 455(1530), 458(1748), 460(116), 463(1174), 463(1177-8), 466(641-2), 467(682), 469(559), 473(471), 475(293-4), 496(11).

195. Debate may not extend to what member would like to have seen in Bill — 13(1840), 59(2123), 98(1762), 120(1093), 229(797), 366(774), 463(1178), 496(11), 602(420).

196. Members should confine themselves to reasons why Bill should or should not now pass — 56(1461), 79(1710), 96(919).

197. Amendments tabled for Committee or on Report —

(a) defeated in consideration of Bill should not be discussed — 82(1079).

(b) ruled out of order should not be raised — 56(1485), 75(414).

(c) may not be advocated as they are too late — 16(1591), 56(1461), 178(375).

198. Members may speak only once on Fifth Stage save the Minister as proposer who must give omnibus speech in reply to the debate rather than speak after every Deputy — 423 (1249).

AMENDMENTS BY SEANAD (S.O. 172)

199. Chair has no jurisdiction from the point of view of order in the matter of Seanad amendments — 53(2606).

200. In debating amendment, Member is confined to the amendment and may refer to section of Bill only insofar as it is affected by amendment — 24(1256), 51(1338), 95(1070), 106(454), 107(1034, 1079), 333(1695).

201. Discussion is limited to the amendment before the Dáil and its acceptance with or without amendment or its rejection: only amendments which are strictly relevant or consequential upon the amendment can be considered — 411 (1381).

MONEY BILLS (S.O. 165)

202. The certification of a Bill is a function imposed on the Chairman of Dáil Éireann by Article 22 of the Constitution and certification is subject to appeal in a constitutional way; the act of certification is one of a quasi-judicial nature; the Chairman may not be asked what his opinion on the Bill is likely to be, nor may representations be made to him nor may he be asked the reason for his decision when it has been given — 76(361), 158(937).

Business of the Dáil

GENERAL

203. Business ordered for particular day need not necessarily be taken on that day — 80(1738), 178(563).

204. Where, by Order of the House, proceedings on part of stage of a Bill are to be concluded not later than a specified time and such proceedings conclude early, House is not precluded from proceeding to consider remaining parts of Bill — 402 (2060).

205. If Minister who is to move the next item of business is not present when it is called, it is usual to await his arrival if that is not unduly delayed — 224(2244).

ALLOCATION OF TIME TO BUSINESS

While Standing Order 26(2) permits the Taoiseach to propose, inter alia, arrangements for the taking of business without notice on the order of Business and Standing Orders themselves place limits or restrictions on consideration of particular

categories of business, it is a well-established practice that arrangements for the taking of business can also be determined on motion made in the normal way (i.e. placed on the Order Paper.

See also **Order of Business** and **Motions**.

General

206. Specific authority in Standing Orders is not required for motion to allocate time to certain business as House has power to conduct its own business; if proposal were excluded specifically by a Standing Order, that Standing Order would have to be suspended — 24(1027, 1031).

— Order which is expressed to be "notwithstanding anything in Standing Orders" takes precedence over the usual procedures — 467(280).

207. Allocation of time of House or the ordering of business are not matters over which Chair has control — 32(2334), 173(965), 350(2650), 463(1182~3), 476(1066~7).

208. Agreements or understandings come to between Parties are not Orders of House and cannot be enforced by Chair — 18(750), 23(1862), 43(276), 47(709, 988), 49(1602), 53(2561), 60(1681), 91(503, 1538, 1550), 131(928), 137(837), 236(110), 327(1492).

— Where an informal arrangement that does not comply with Standing Orders is challenged, provisions of Standing Order must prevail — 242(1035), 327(1474).

209. On motion that Government business be not interrupted at time fixed for taking private Members' business, member may not go into merits of private Member's motion — 190(1128).

Notice (other than in relation to motions made on the Order of Business under Standing Order 26(2))

210. Where motion for allocation of time dealt with business of a specified day and full notice had not been given for that day, Chair ruled that in such case the relative importance of the motion and the question of notice had to be weighed and permitted motion to be moved — 58(24), 230(522).

211. Allocation of time motions have been entertained by the Chair and by the House on short notice — 400 (1647).

CONDUCT OF PROCEEDINGS ON TIME-LIMITED BUSINESS

Debate

212. In a time-limited debate, Chair does not allow extra time because of interruptions — 316(1086).

213. Debate cannot be continued, even by agreement, when time specified in allocation of time Order has expired — 31(773).

214. As order of House had provided for the order of speakers in private members' time, Chair ruled that time available to the opening speaker had been shortened where a division was called at 7 p.m., in the absence of an alternative decision by the House — 476(1001).

215. When Order provides that a member shall be called upon to conclude at specified time, Chair cannot allow another Member to continue to speak beyond that time — 176(1791).

Putting of Question by Chair

216. Where Order provides that, on expiry of time, no question should be put from Chair on any but Government amendments, question may not be put on amendment by private member which is being debated at expiry of time — 30(664).

217. The Chair must proceed with the business of the House as ordered; where order provided that question was to be put at a specified time, Chair ruled that question must be put in accordance with that order, even if time for debate was not available — 467(270~3).

Chair

The Chair is the sole judge of order. His rulings must be accepted and may be challenged only by way of substantive motion. Rulings of the Chair under this heading reflect the primacy attaching to the presiding member (whether it be the Ceann Comhairle, Leas-Cheann Comhairle or temporary Chairman).

*Powers exclusive to the Ceann Comhairle alone include the naming of members (i.e. suspension); Powers exclusive to the Ceann Comhairle and Leas-Cheann Comhairle include the acceptance of claims to move closure motions — see **Closure of Debate**.*

RULINGS AND ACTIONS OF CHAIR

218. Chair has responsibility for preserving order and thereby the dignity and decorum of House — 288(1828), 483(302).

— Where members persisted in disorder, Chair had no option but to suspend the sitting until after the time fixed for taking Questions — 471(1300~3).

— The Chair does not interrupt: the Chair intervenes to maintain order — 445(907), 580(542), 583(849), 584(179,760, 1203), 598(530,295,584) , 616(482).

219. It is the business and duty of Chair to interpret Standing Orders — 24(318), 114(2240), 394(441), 416(978~9), 421(284), 434(1359), 446(506), 446(1709), 478(454), 496(486).

— The Chair does not anticipate changes to Standing Orders — 422(1352).

— Chair interprets Standing Orders as they are, not as Members might wish them to be — 496(486).

220. Chair has a duty to see to it that decisions of the House are made in a proper manner — 466(214).

221. By virtue of the fact that Chair is sole judge of order, he may rule on matters not specifically covered by Standing Orders — 24(570).

222. It is not incumbent on Chair to quote Standing Orders or precedents or to give reasons for any ruling — 24(570, 718), 36(1354), 40(2856), 46(578), 48(2971), 50(1078, 2119), 52(279), 55(2167), 60(2254), 106(753), 271(127), 287(1165), 333(1649), 388(1187), 392(1167), 400(1658), 405(299), 408(1513), 412(855), 426(163), 582(40), 583(821~2).

223. Chair, in exercise of his functions, has occasion sometimes to consult officials; it is part of their duty to give advice, if asked, but whether that advice is accepted or not is solely the concern of Chair and cannot be subjected to comment in House — 111(1667), 171(1409), 179(1197), 180(1460).

224. Chair rules only on matters that are definitely before him — 69(324, 1649), 144(751), 472(321).

225. Chair does not rule in advance or give hypothetical rulings — 21(1203, 1451), 24(207), 54(1112), 60(2061), 70(772), 77(952), 78(1322), 79(380), 96(2087), 105(1738), 144(751), 180(1301), 277(722), 280(1887), 290(62), 388(287), 413(722), 414(1272), 440(1785), 450(437), 483(9).

226. Chair dissents from view that knowledge of rules for interpretation of statutes in a court of law or other legal experience or qualification is necessary to interpret the Standing Orders correctly — 24(193), 503(1505), 576(996).

— The Chair is guided by Standing Orders and not legal opinion outside Standing Orders — 503(1505).

227. Procedure in other Parliaments is of interest to Chair but does not govern his ruling — 64(1156).

228. Chair, in exercise of his functions, has occasion sometimes to consult officials; it is part of their duty to give advice, if asked, but whether that advice is accepted or not is solely the concern of Chair and cannot be subjected to comment in House — 111(1667), 171(1409), 179(1197), 180(1460).

229. Each occupant of Chair rules as he interprets Standing Orders and is concerned only with his own rulings — 41(2075), 44(1589), 89(268), 338(128, 137), 396(60), 414(990), 419(1821~4).

230. Chair makes or hears no comment on, or criticism, implied or otherwise, of any other occupant of Chair — 83(881), 174(1685), 183(1184), 337(2997), 401(1431~2).

231. Ceann Comhairle does not review rulings given by Leas-Cheann Comhairle or other occupant of Chair and these rulings should not be quoted to him — 47(2432), 50(1246, 1675), 51(2101), 52(1208), 55(2475), 89(266), 172(201), 337(1463).

232. Leas-Cheann Comhairle does not review rulings of Ceann Comhairle — 60(2254), 68(294), 281(1981, 1987), 353(1070), 413(403), 414(550), 584(1457).

233. Rulings must be accepted; Chair, having given a ruling, will not allow it to be challenged, discussed or commented upon — e.g. 21(69, 1881), 48(2980), 75(1100), 130(1436), 187(750), 222(2390), 271(127), 344(1355), 362(1579), 366(1169), 372(394), 402(16), 403(1715), 404(2003), 405(298), 406(981), 407(974), 417(686), 429(792), 430(1196), 432(597), 434(1842), 434(2051~2), 439(674), 439(1095),

440(253), 442(933), 443(246), 446(393), 446(494), 446(1710), 459(705), 464(561~2), 465(1842), 475(1537), 477(543), 477(544), 498 (633), 506(675), 510(64, 456), 524(521, 1362), 524(1347), 528(1017), 573(1233), 583(1197), 596(1517), 599(297,1625).

- Member may not seek to circumvent the ruling of the Chair — 456(1280), 457(1546), 459(324), 460(4), 462(1785), 468(483), 468(485), 470(1162), 470(1164), 476(455), 478(250).

234. Members must obey the Chair and desist from reference to matters which have been ruled out of order by him — 421 (264), 443(305).

235. Ruling of Chair on interpretation of a Standing Order, when given, may not be altered; Member aggrieved thereat may put down a motion or ruling can be reconsidered when particular point again arises — 24(317), 390(1336~7), 587(1).

236. Ruling or action of Chair is open to challenge only by way of substantive motion — e.g. 21(1881), 50(1232), 104(1856), 131(1635), 208(130), 259(2282), 353(1078), 369(14), 400(1644), 414(1271), 477(543).

- It is not a matter for Committee on Procedure and Privileges — 204(971), 340(2170), 524(1363).
- Committee on Procedure and Privileges has no power to overrule or review a ruling — 353(1048, 1078).
- Procedures giving rise to the ruling may be considered by the Committee on Procedure and Privileges — 430(1196), 465(1846~7).

237. Chair does not require from Members suggestions or directions as to how to direct business of House — 71(1423).

238. Motion of censure in Chair: debate is restricted to particular action being criticised; discussion of other rulings, in other contexts, subsequent or previous is not relevant; member is permitted to make contrasts with other actions of Chair which he does not propose to criticise — 33(1263-8).

239. Chair only rules on matters which have arisen during his occupancy of the Chair — 462(589), 462(596).

PRECEDENCE OF CHAIR

240. No member may rise when Chair is addressing House — 69(2885), 84(1096), 99(598), 165(777), 435(4), 555(1297), 556(296, 519,1200), 557(324), 561(957), 567(937~8), 600(997).

- Deputies are required to sit down when the Chair stands — 432(1545), 441(551), 441(1198), 441(1200), 443(1022), 445(904), 481(997),512(813), 554(118), 569(3), 606(69).
- Deputy is not entitled to speak when the Chair is on his feet — 506(529), 512(813), 569(3).

241. Chair may not be interrupted while putting question or speaking — 3(2296), 22(70), 23(1280), 70(1453), 74(820), 84(1096), 91(54), 92(687), 97(2116), 98(1387), 180(1092), 426(311), 433(725), 436(1840), 445(178), 448(1044), 448(1991), 451(1189), 472(1237), 605(62).

- Members should not attempt to shout down the Chair — 458(670), 462(1553).

242. Member may not raise a point of order while Chair is putting question or addressing House — 24(639), 84(1466), 180(1091), 327(1840), 348(570), 376(575), 548(568), 558(642), 583(1157).

— The Chair will not hear a point of order while dealing with disorder — 430(1193~4), 567(938), 610(1113).

243. Member speaking should not turn his back on, or ignore, Chair — 115(1734), 457(2082), 458(403), 465(4), 467(2014), 470(224), 476(728), 477(280), 477(596), 477(1161), .

244. Chair should not be brought into ordinary debate — 90(339), 224(817), 268(1989), 276(1360), 327(1263), 353(1514), 360(1138), 461(539), 465(460), 572(548), 579(1399), 599(904), 602(335), 608(622) .

— It is very wrong, improper and disorderly to seek to involve the Ceann Comhairle in controversy. The Ceann Comhairle is a neutral officer of the House: he is impartial and should be seen to be above politics and controversy. He scrupulously upholds that principle inside and outside the House — 445(851~2).

245. It is not for Chair to argue or to be argued with nor may Member cross-examine Chair — 22(698), 32(812), 56(2022), 58(70), 109(780), 166(646), 179(825), 224(1616), 247(1806), 284(224), 285(204), 299(967), 303(639), 304(980), 528(355), 552(557~8).

246. Remarks should be addressed through the Chair — 447(691), 554(349), 556(272,280), 557(83,937,1324), 558(463,1579), 566(800), 569(8,259), 581(683), 582(1551), 583(104~5, 421, 818~9), 584(150, 1377, 1397).

247. Member may not usurp the role of the Chair — 467(1739).

REFLECTIONS ON CHAIR

248. Member may not —

(a) cast reflections on or criticise Chair — e.g. 22(541), 89(2020), 178(646), 234(1376), 278(698), 305(190), 323(1386), 343(519), 443(259), 530(266), 538(511,513), 555(1294), 602(51).

(b) criticise another occupant of Chair — 22(542), 74(1222), 101(1887), 320(533).

(c) criticise a sometime occupant of Chair — 24(2088), 44(1456).

Remarks of the following character in relation to Chair have been ruled to be disorderly —

(a) insolent or offensive expressions — 24(645, 841, 1747), 27(773), 98(252), 107(73, 997), 108(1171), 137(961), 292(368), 304(1733).

(b) reflecting on his impartiality — e.g. 33(1324), 84(627), 137(1160), 223(1001), 288(531), 316(661), 343(1508), 345(604), 369(2457), 376(1761), 386(628), 393(1658), 413(726~7), 462(594~5), 555(1294), 579(1338).

— Chair does not lean towards any side of the House and will insist on Members withdrawing remarks implying the contrary — 430(1303), 478(916).

(c) alleging that his actions are being influenced by Government, by either side of House or by a Department of State, or that Members of Government are allowed more latitude — e.g. 6(1602), 74(1222), 157(567), 254(1544), 280(1457, 1771), 348(571), 356(1293), 414(288~9), 470(178).

- (g) suggesting that he is curtailing debate — 27(696, 699, 773), 48(1182), 111(2553), 368(1468).
- (h) suggesting that he is incompetent, lax or not doing his duty — 57(364), 110(474), 114(1509), 115(1733), 137(961), 195(366).
- (i) alleging that Chair is protecting a Minister — 383(911), 510(86).
- (j) alleging that Chair is protecting Government — 561(920).
- (k) asserting that Chair is being unreasonable — 559(383).

249. Criticism of Chair by Member outside House raised as a breach of privilege; Dáil decided that henceforth adverse criticism of Chair outside House is a breach of privilege — 105(1527, 1830).

MATTERS NOT IN JURISDICTION OF CHAIR

250. Chair has no function in relation to the content of private briefings given to members — 529(788).

251. Unless authorised by Order of Dáil, Chair has no power to limit duration of speeches — 13(1747), 20(1412), 23(1862), 47(709), 49(156), 59(1568, 1570), 69(1104), 76(2178), 82(1583), 91(1539), 113(1687), 118(703), 131(928), 136(762), 140(247, 336, 453), 343(531).

252. It is not a function of Chair to point out to Member how he may be in order or what may be debated or when — 24(456), 33(1850), 35(1194), 93(2020), 96(2088), 116(470), 173(909), 228(96), 340(2152).

— Chair is not adverse to discussing matter privately but will not do so on floor of House — 582(1006).

253. Chair cannot give views on decisions arrived at by the House — 32(2226).

254. It is not a function of Chair to translate speech or to have a translation made available to Members — 21(1642), 181(771).

255. Chair cannot compel a Member to speak or to reply — 21(1786), 27(697, 700), 54(2020), 57(1642, 1683, 2138), 62(2206), 69(2109), 81(2420), 84(67), 97(2115), 413(1622), 415(560), 416(4), 419(332), 469(2112).

256. Chair does not rule on remarks it did not hear — 21(1265), 25(95), 50(1491), 84(2168), 111(915, 1668), 165(1029), 197(8), 248(519), 255(1113), 259(2299).

257. Chair has no power or right to require proof of statements made in course of debate as it is not its function to judge on facts — 55(2000), 116(499), 130(1424), 179(1197, 1229), 236(2418).

258. It is not a function of Chair to interpret Bills, Acts or the Constitution — 23(67), 33(286), 46(759), 47(2435), 59(270), 65(652), 69(820), 92(274), 119(548), 146(1757), 173(1109), 446(1146), 447(612).

259. Chair does not rule on the constitutionality of any measure coming before the House — this is a matter for the courts — 25(696), 29(1859), 69(454), 74(1495), 119(765), 380(970), 459(1334).

260. Allocation of time of House and the ordering of business are not matters over which Chair has control — 32(2334), 173(965), 350(2650), 385(486), 459(1217), 463(1182~3), 478(85), 570(161), 605(2040).

261. The Chair has no control over Select Committees of the House — 437(570), 447(700), 453(9), 456(8), 456(1967), 457(1244), 479(3~4), 479(7), 479(734).

262. Chair has no control over content of Minister's speech — 459(302).

263. Chair has no control over replies given to questions in House — 571(1514).

264. Chair has no function in relation to Minister's failure to provide information promised in reply to parliamentary question — 607(14, 1509).

265. Investigation of alleged disclosure by Department concerned of reply to parliamentary question before it had been received by member is not a matter for the Chair — 607(1247).

266. Adequacy of reply by Minister to points made in course of debate is not a matter for the Chair — 455(614).

267. Attendance of a Minister or members is not a matter under control of Chair — 455(612), 456(1013), 460(1773), 461(2091), 607(942).

— Attendance of Minister at meeting of Committee is a matter for the Committee itself; it is not in order on the order of business — 529(1023~4).

ENFORCEMENT OF ORDER BY CHAIR

268. Specific warning by Chair is not necessary before action is taken on disregard of a call to order — 53(2139).

269. Attention of Chair must be drawn to statements, to which objection is taken, as soon as they are made or before another Member intervenes or before Chair has intervened on any matter; an exception is usually made in the case of Member who wishes to withdraw statement made on a previous day — 20(1334), 29(1700), 41(1869), 61(990), 73(1176), 115(1682), 122(1795), 193(212).

270. Chair not having heard objectionable expression alleged to have been used, no action was taken even where remark appeared in Official Report — 21(1265), 25(95), 50(1491), 84(2168), 111(915), 113(244), 165(1029), 186(707), 248(519), 255(1113, 2286), 259(2299), 337(554).

271. Chair has to take context into consideration before deciding whether a particular remark is out of order — 15(1853).

272. Where, in judgment of Chair, a statement is disorderly, Chair will require it to be withdrawn — 20(1040).

— Chair has, in particular circumstances, refrained from calling on a Member to withdraw disorderly remark — 22(1709), 59(2159), 95(1827), 114(489), 150(1617), 151(1404), 235(675).

273. When Chair requires withdrawal of disorderly remark, the withdrawal must be without reservation or qualification — 38(2171), 41(772), 50(2040), 60(943), 83(1632), 94(1650), 107(72), 122(19), 185(19), 204(1360), 224(822), 386(966), 614(1111).

— Chair has allowed incident to remain closed where Member ordered to leave House after he had used an expression which he would have been called upon to withdraw had he remained — 83(1676), 119(1425, 1448).

— Minister having refused to withdraw a disorderly expression and having withdrawn

from Chamber, Chair suspended sitting — 213(630-1).

274. When Member is called upon by Chair to withdraw disorderly allegation, the allegation must be withdrawn; proof cannot be offered because it is not the business of the Dáil to engage upon an examination of such allegations — 3(1424).

275. After Member has withdrawn disorderly remark, the matter is closed and cannot be further referred to — 51(653), 60(943), 84(122).

276. After motion to suspend a Member has been carried, there should be no statement or debate on the incidents which led up to the suspension — 24(1821), 174(813).

277. In accordance with report of Committee on Procedure and Privileges, Member who committed an assault in the precincts of Dáil was reprimanded by Ceann Comhairle — 129(1460).

278. Member ordered to withdraw immediately from Dáil for the remainder of day's sitting —

(a) as he had refused to discontinue his speech or resume his seat — e.g. 32(2132), 101(1907), 136(2371), 195(176), 227(365), 228(856), 331(1143, 1489), 337(1462), 343(2626), 362(3062), 372(395), 390(808).

(b) as he had behaved in a disorderly manner — 133(1478).argument

(c) as he had made use of remarks reflecting on the conduct of the Chair — 137(961), 185(892).

279. Member ordered to withdraw from Dáil for remainder of day's sitting may not stay in the Lobby — 167(786).

280. Where member is grossly disorderly, Chair will decide in manner best suited to the case (i.e. whether to name member or adjourn sitting) — 310(1585), 368(1471).

— Chair referred to disorderly exchanges on preceding day and indicated that any repeat of this type of attack on the Chair would not be tolerated and would lead to the naming of the Member concerned notwithstanding his position in his party — 587(1).

281. Member who had been ordered to withdraw from Dáil for remainder of day's sitting, not allowed to vote that day — 342(1037).

282. Where member selected to raise matter on the adjournment had been ordered to withdraw from the Dáil for the remainder of the day's sitting, Chair announced that matter could not be raised — 465(1212).

283. Member suspended —

(a) after he had refused to withdraw from Dáil when ordered — e.g. 32(2132, 2196), 92(706), 130(1730), 174(812), 195(177), 228(857), 331(1372), 337(1462), 348(570, 955), 362(3063).

(b) after he had refused to withdraw a disorderly statement — 24(1748, 2062), 29(1858), 79(405), 103(434), 137(1160), 167(33), 271(1603), 354(958).

(c) after he had refused to discontinue his speech or resume his seat — e.g. 95(1224), 192(1330), 250(507, 510, 526), 264(1654), 310(1454), 354(1407), 366(898).

284. Deputy who had been suspended on an earlier day being present in Chamber,

Chair announced that he should not be there (*Deputy withdrew from Chamber*) — 315(125).

285. Member is not entitled to speak after he has been suspended — 192(1329), 314(1583), 319(1251).

286. Member refusing to withdraw from Dáil after he had been suspended, Chair called on Captain of Guard to remove him; Member resisting, Chair suspended sitting for a period under Standing Order 63 — 144(555), 174(813), 192(1329, 1331), 195(177), 225(1951), 226(1596), 331(1373).

287. Great disorder having arisen —

(a) Chair adjourned Dáil without question put — 123(1894), 250(518), 268(429), 276(996), 281(1990), 298(420), 327(1474, 1490), 331(428), 335(1724), 346(1624).

(b) Chair suspended sitting — e.g. 119(1444), 174(813), 195(177), 250(503), 273(103), 310(440), 331(1706), 342(524, 944), 345(1656), 348(961), 380(36, 2107), 390(1335).

288. If business of House is being obstructed and Chair's rulings not accepted, there is justification for the adjournment of the House, as a matter of great disorder — 333(1664).

LEAS-CHEANN COMHAIRLE

289. Leas-Cheann Comhairle is appointed by House and is responsible to House and not to Ceann Comhairle — 22(1076), 338(128, 137).

290. When Leas-Cheann Comhairle is in Chair and a Member has to be named, he sends for Ceann Comhairle and reports the circumstances to him — 55(2450), 58(296, 452, 464), 101(1174), 105(432).

291. Ceann Comhairle must act on report of Leas-Cheann Comhairle that a Member had disregarded the authority of the Chair and must name Member — 58(297), 172(200), 181(1531), 337(1463).

— Exceptionally, Ceann Comhairle has —

(a) persuaded Member to withdraw from House — 331(1488).

(b) taken no further action where Member unqualifiedly apologised to Leas-Cheann Comhairle — 363(1339).

— Ceann Comhairle will not be put in position of deciding between the veracity of a statement made by Leas-Cheann Comhairle and of one made by Member concerned — 55(2452).

292. It rests with occupant of Chair whether or not to report a Member's conduct to Ceann Comhairle; Ceann Comhairle will take information from no one else — 119(1447).

293. It is not appropriate for the Leas-Cheann Comhairle when in the Chair to comment on any involvement he may have outside the Chair — 421 (144).

CHAIRMEN OF COMMITTEES

294. Chair has no control over conduct of proceedings of a Committee: Ceann

Comhairle does not review actions of chairmen and if there is dissatisfaction with a ruling the matter should be raised in the committee and ultimately in the House by way of motion — 290(1035).

295. Matters relating to the Joint Broadcasting Committee are outside the Chair's control — 415 (54).

Closure of Debate (S.O. 66)

Under Standing Order 66, a member may seek to bring debate or discussion on a question then before the House to a conclusion by claiming (seeking permission) to move "That the Question be now put". The Chair (who has to be the Ceann Comhairle in this case) may choose to accept or refuse such a claim.

296. It is not usual for Ceann Comhairle to do more than state whether he withholds or gives his consent to claim — 22(1102).

297. Ceann Comhairle is not called on to give reasons for his decision in relation to claim — 24(718).

298. Point of order may not be raised on Ceann Comhairle's decision in relation to claim — 24(635, 1093), 33(1225).

299. Debate is not permitted after Ceann Comhairle assents to claim nor may question be asked nor point of order raised — 43(1340), 44(1568), 50(2086, 2566), 57(2060), 64(1272), 229(1531).

300. Ceann Comhairle's decision in relation to claim can only be debated on a subsequent substantive motion — 24(618, 711), 33(1226).

Committees

SELECT AND JOINT COMMITTEES

There are two basic types of Committee:

(a) Standing Committees (i.e. permanent Committees whose appointment is required under Standing Orders) include the Committee of Selection, the Committee on Procedure and Privileges (and its two Standing sub-Committees), the Committee of Public Accounts, the Standing Joint Committee on Consolidation Bills, the Liaison Committee and the Joint Broadcasting Committee

and

(b) Ad Hoc Committees, usually Select Committees — which are, in the main, investigatory or legislative and deal either with a specialised subject matter referred to them by the Dáil or with Committee Stages of Bills, Estimates and reports referred to them from time to time. They may take evidence and engage consultants if their terms of reference so permit.

Joint Committees are Select Committees of both Dáil and

Seanad enjoined for a specific purpose.

General

301. On motion to set up Committee, it is not in order to debate merits of matter to be investigated; matter for decision is whether Committee should be set up and what its terms of reference should be — 57(750, 763).

302. On motion to refer matter to Committee, it is not in order to discuss the matter to be referred in detail — 576(1324), 577(383).

303. Matter referred to a Committee, what happens at meeting of a Committee, or the affairs of a Committee, should not be discussed before it reports — 255(3719), 257(2574), 289(315, 319), 442(1333), 442(1335), 550(1522), 551(130, 565~6), 573(1235), 577(462), 587(702), 601(12), 614(449, 1476).

304. No debate arises on reports of legislative Committees as they are in the main announcements for the information of the House — 444(147), 468(492).

305. The powers of committees ought not to be discussed in the House as they are separate, autonomous bodies and there must not be any interference in their internal affairs — 479(5), 479(734), 599(1173).

Select Committees

306. Where a Bill is referred to Select Committee, the taking of committee stage is a matter for the Committee itself — 613(68), 614(64, 449).

307. Where visitors (or authorised representatives of the Press) are not permitted to be present, minutes of evidence taken before Committee are confidential and may not be quoted from until it reports and report is published — 21(1164).

Joint Committees

308. On motion to appoint the Dáil Select Committee, matters raised on earlier motion of expediency may not be repeated — 340(1678).

COMMITTEE OF PUBLIC ACCOUNTS

309. It is unusual to criticise or use in any way report of Comptroller and Auditor General before it is reported on by the Committee but strictly Member is entitled, if he sees fit, to use any official publication — 26(1015), 75(983).

310. Views of the Comptroller and Auditor General, communicated privately to the Committee of Public Accounts, should not be introduced in debate — 579(138).

COMMITTEE ON PROCEDURE AND PRIVILEGES

311. Ruling or action of Chair is not a matter for Committee on Procedure and Privileges — 204(971), 340(2170), 524(1363).

— Committee on Procedure and Privileges has no power to overrule or review a ruling — 353(1048, 1078), 524(1363).

— Procedures giving rise to the ruling may be considered by the Committee on

Procedure and Privileges — 430(1196), 465(1846~7).

312. It is not part of duty of Ceann Comhairle to take matters before Committee; Members of Parties have their own representatives on Committee and such representatives can, by communicating with Ceann Comhairle, arrange to have matter placed on agenda provided Ceann Comhairle is satisfied that the matter is relevant to functions of Committee — 174(1966), 358(2468), 367(1247), 456(13), 456(1000), 462(1789), 476(212~3), 607(13).

313. Proceedings of Committee are generally treated as confidential — 208(838), 392(1624).

314. Where Committee is about to report, decisions come to by it should not be raised in House before such report — 259(211).

Constitution

315. It is not for Chair or House to decide whether a Bill, a section of a Bill or an amendment is or is not in conflict with Constitution — 25(696), 29(1859), 69(454), 74(1495), 119(765).

316. It is not for Chair or House to interpret Constitution — 33(286), 69(820), 446(1146), 447(612).

Courts, Judges and Matters *Sub Judice*

References to, in Debate — *see* **Debate**.

See also **Tribunals of Inquiry, etc.**

Debate

1. CALLING ON MEMBERS TO SPEAK

317. Choice of next speaker rests solely with Chair — 93(1711), 111(1667), 249(1060), 250(1367), 269(1435), 279(497), 341(1595, 1602), 344(731), 400(805), 411(582), 421(1947), 423(1493), 453(553), 553(1600).

318. Members should be called by the Chair before they rise and address the House — 414 (572), 529(8), 581(532).

319. Chair, in calling on Members to speak, endeavours to give fair representation to all Parties — 110(1696), 113(1723), 131(770), 138(2279), 144(1733), 166(233), 167(671), 197(1407), 200(158, 267), 224(1163), 243(963), 257(1439), 266(835), 341(1602), 383(1009), 392(654), 419(148), 421(1947), 465(2124).

320. Each member of the House, whether a member of the Government side or of the Opposition, has the same right to have his voice heard; any working arrangement that Chair may adopt can never destroy that fundamental principle; Chair endeavours to give fair play in accordance with what he thinks are the right proportions — 302(1560), 352(2884), 370(1361).

321. After the initial spokespersons, Chair alternates speakers from one side to the other; Independents must await their turn — 302(1560), 315(2556), 334(1752), 376(2854), 385(434), 402(641), 402(824), 438(2120), 456(1263), 465(2124).

322. Convention followed in calling on speakers on private Members' business is not followed in other debates — 248(2530), 249(522), 252(765), 264(441).

323. Where time for speeches or debate is limited by Order, Member may share time only by Order — 361(2966), 379(655), 380(1188).

— Member wishing to share his time should formally advise Chair of the fact — 379(655), 456(1105).

— Member wishing to share his time should make the request at the commencement of his speech — 389(1637), 400(533~4) 402(1905), 417 (1723), 423 (1311), 435(227), 435(2052), 441(1181).

— Members may only share time if there is no objection by the House — 447(895~7).

— Time-sharing arrangements are a matter for members themselves and, where there is a disagreement, the Whips should be consulted — 464(1118).

324. Normally two speakers from same Party are not called upon in succession — 236(2446), 248(2547), 335(1712, 1717).

325. Protests concerning Chair's choice of speakers constitute disorderly attack on Chair and will not be tolerated — 111(1667), 129(699), 153(1037).

326. Chair will not make any promise or statement as to which Member will be called on to speak next in debate — 125(785), 138(2279), 248(2546).

327. Member when called on to speak may give way but he cannot nominate Member to whom he wishes to give way — 93(1711), 225(229), 248(2546).

328. Member cannot give way to another Member with the assurance that when that member has finished he will follow him — 108(456).

329. Member moving adjournment of debate has right to continue his speech when debate is resumed — 21(578).

330. Member who moved adjournment of debate if not present at resumption may not speak later — 103(1892), 192(674, 681).

331. Chair has no right to call upon any Member not rising, unless to conclude on motion moved by him — 86(1044), 89(1790).

— The Chair cannot compel any member to speak if he or she does not want to — 430(426), 431(299), 432(1553), 443(1780), 449(1050).

332. If no Member offers to speak on a motion in the Dáil, appropriate Member is called upon to conclude — 63(659), 72(993), 81(2419), 92(2267), 103(1046), 175(1392), 481(1179).

333. Informal arrangements agreed between Deputies in the Chamber regarding rotas of speakers and time limits cannot be regarded as binding as other Deputies may come in later and wish to participate and their agreement to the arrangement cannot be assumed — 421 (831).

334. Chair has allowed member to postpone conclusion of his contribution with the agreement of the House — 438(1827).

2. PLACE AND MANNER OF SPEAKING

335. According to precedent, members of Government party take seats on left of Chair and members of Opposition on right — 110(48), 126(79), 146(35), 161(28), 362(781), 371(52), 480(60), 611(612).

336. Members cannot, even by way of interruption, speak from outside barrier of House — 16(1489), 27(393), 59(2503), 92(936), 145(367), 147(861), 193(212), 236(2432), 257(2009), 303(906), 312(1097), 368(1053).

337. A Member wishing to raise a point of order, ask a question, or even to interrupt, during debate should stand up — 22(1453), 27(314), 96(1802), 208(1698), 395(9), 403(398), 413(727), 414(1023), 415(677), 435(9), 436(1761), 437(126), 437(128), 437(253), 440(16), 441(1709), 442(83), 444(10), 449(723), 456(296), 457(2080), 459(1214), 460(251), 460(2080), 461(750), 461(1783), 461(2210), 464(576), 464(1276), 465(1491), 465(2118), 467(1994), 474(1103), 474(1326), 477(281), 478(437), 479(562~3).

338. Where a member yields to another in the course of statements or debate, the member intervening may ask a question but a series of questions is not permitted. The intervention must be brief, and in a debate on which a time limit applies, it must be very brief — 528(449).

339. A Member is not entitled to read his speech but he may consult notes; a Minister according to precedent is allowed to read important statements of policy or fact and, on this basis, is allowed to circulate a script — 66(90), 90(513), 91(2237), 149(70), 168(510), 171(167), 192(328), 196(2961), 303(1516), 318(555), 322(854), 1115), 327(353), 328(857), 336(645, 1141), 360(1432), 400(810), 463(258~9).

— The circulation of scripts is not a matter for the Chair — 399(2408), 401(2057), 404(789), 405(1733), 419 (1122), 431(224), 434(1350), 436(1765), 442(1697), 457(538), 457(541), 464(1596), 483(361).

— There is no requirement in Standing Orders that a Minister should circulate his speech — 412 (1448).

340. A speech made in Irish or English may not be repeated in the other language — 24(467), 35(1060), 55(1855), 91(2526), 110(1755), 185(186).

341. Member may not intervene while sitting on steps of Chamber — 243(803).

342. Production of exhibits or display of newspaper in House to emphasise a point in debate strongly deprecated by Chair — 121(2122, 2135), 156(519, 831), 215(1209), 247(1215), 325(1858), 343(1230, 1893), 346(2813), 348(1717), 349(1162), 413(718), 414(1688), 424(489), 440(1024), 443(253), 453(104), 454(817), 456(995), 456(1280), 460(713), 461(336), 461(853), 510(57), 519(1436), 520(722), 530(1184), 531(1406), 543(1090), 560(91), 579(21), 609(854).

343. Posters, placards or photographs must not be displayed — 44(1882), 244(1650), 419(922), 560(91), 610(496).

— Any attempt to upstage legitimate parliamentary activity by displaying placards or suchlike is totally unacceptable and unfair to Members at large and demeaning of the serious work that House is charged with under the Constitution — 560(91).

344. The Chair does not have control over minister's speeches — 445(925).

345. A Member wishing to circulate a letter or document in the House must do so by permission of the Chair and its officials — 463(257~8), 463(258).

346. Member speaking should not approach the Chair in the course of his speech — 463(261).

3. BEHAVIOUR OF MEMBERS NOT SPEAKING

347. It is inappropriate to bring a mobile phone into the Chamber, let alone use it — 575(944).

348. A book or newspaper may not be read, unless for purpose of reference in connection with a debate then proceeding — 50(2509), 57(2138), 93(2306), 121(2130), 152(1026), 170(848), 174(2052), 234(1170), 342(1693), 346(2464), 344(986).

349. A book or newspaper may not be read in Lobby or in Galleries — 30(629), 92(2119).

350. Member should not pass between Chair and the Member speaking — 183(1214), 248(1129).

351. It is customary to give Member a good hearing when making his maiden speech — 110(131, 518), 301(1571), 391(34), 554(119) .

352. Member may not intervene in debate on a "point of information" — 336(1103), 339(1771), 340(2284), 350(1206), 355(1594).

4. INTERRUPTIONS

353. Member is entitled to make his statement in his own way without interruption and Chair will insist on his being heard — 131(480), 164(1655), 165(777), 171(118), 173(688), 174(1627), 175(455), 178(1398), 181(669), 183(966), 185(173), 194(1925), 203(1401), 206(509), 335(977), 337(509, 592), 347(1062), 386(271), 403(1017), 404(2132), 405(1935), 412(1600~1), 414(2348), 419(1930), 421(1321), 423(1029), 425(564), 426(516), 426(1325), 427(308), 430(439), 431(233), 432(948), 433(632), 434(650), 434(960), 434(1077), 434(1146~7), 434(1397), 434(1538), 434(1715), 435(295), 436(1105), 436(1204), 436(2052), 437(504), 437(871), 438(363), 438(515), 438(1425), 439(1406), 439(1435), 439(1649), 440(16), 442(1349), 442(1354), 442(1454), 442(1657), 442(1698), 442(1755), 444(1054), 444(1603), 445(640), 445(720), 445(909), 445(926), 445(933), 446(489), 448(223), 448(1935), 448(1943), 448(2046), 451(1145), 451(1427), 453(786~7), 456(1079), 457(257), 457(539), 457(617), 457(2033), 457(2044), 458(752), 459(251), 459(254), 459(283), 459(285~6), 460(822~3), 460(889~90), 461(854~6), 461(2086), 462(591~2), 463(1227), 464(303~4), 464(212), 464(1179), 464(2050), 464(214), 464(434), 464(1845), 464(1991), 464(1994), 465(1300~1), 465(1820), 465(2111), 466(1211), 467(30~1), 467(288), 467(890~2), 467(1364), 467(1843), 467(1987), 467(2014), 467(2432~3), 467(2439), 467(2454), 468(737~8), 468(892~3), 468(895), 469(1042), 469(1047), 469(1067), 470(199), 470(224), 470(462), 470(497), 470(764), 470(766), 470(1086), 470(1177), 470(1234), 470(1694), 471(653), 472(1494), 474(900~1),

474(1326), 475(101), 475(104~5), 475(108), 476(259), 476(606), 477(94), 477(279~80), 477(596), 479(23), 481(340~3), 481(992), 568(529).

— particularly when time available to him is limited — 457(541), 457(607), 457(1487), 459(810), 461(1497), 461(2189), 461(2360), 461(2368), 464(2050~1), 466(1210), 470(1068).

— when a member is making a disclaimer against an allegation made against him, he should be given a good hearing — 470(1224).

354. Member may interrupt only on a point of order, or when Member in possession gives way — 23(1730), 53(35, 868), 85(1619), 91(2493), 114(1080), 131(480), 155(101), 158(378), 163(266).

355. Debate cannot proceed by way of question and answer or by way of conversation or cross-examination — 15(2373), 20(932, 1326), 36(251), 69(746), 77(1237), 148(1086), 149(293), 157(333), 184(482), 194(739), 237(276), 250(1374), 255(3112), 313(179), 318(788), 385(424), 465(1494).

356. Member speaking should not invite interruptions — 47(693), 69(1197), 71(312), 83(2087), 91(389), 94(1729), 328(1172), 335(434), 336(452), 373(2758), 384(2274), 385(424), 398(1587), 401(413), 414(922), 419(1698), 457(1487~8).

— It is disorderly for a member in possession to pose a question to another member and then offer to give way — 481(744).

357. The use of mobile telephones is not permitted in the Chamber, the lobbies, the press gallery, the visitors' gallery and anywhere that could be seen to interfere with the proceedings of the House or its committees — 480(586, 753).

358. If a conversation can be heard through the House it is clearly an interruption; Member speaking should not be interrupted in that manner — 171(2245), 177(597), 188(636), 289(170), 373(2425), 386(359), 419(616).

— If conversation in the lobby is intruding upon the debate in the Chamber it must cease — 443(1718), 452(229).

359. It is particularly disorderly for two members to be engaged in a shouting match — 463(1269).

5. REPETITION

360. Repetition is disorderly — 170(211), 174(741), 175(1157, 1188), 177(700), 180(1030), 181(337, 1088, 1527), 184(806), 185(51), 368(1798), 421(1935).

6. QUOTATIONS

361. A series of quotations is not a contribution to debate — 171(1095).

362. While extracts are permissible, it is not in order to read out the entire speech of another Member — 57(441), 61(941), 117(654, 658).

363. Until quotation given in debate is proved incorrect, it must be accepted as accurate — 54(601).

364. Practice is for Member quoting to give reference so that quotation can be examined and verified — e.g. 51(1248), 110(242), 166(645), 287(1015), 305(429), 325(1697), 331(350, 415), 340(507), 346(244, 811), 371(375), 387(1771), 419(1686),

423(1290), 424(911~2), 464(1079).

365. Chair cannot compel Member to quote more than suits his purpose — 32(1302), 54(946), 76(1923), 110(1870), 145(595).

366. Member should indicate whether his quotation is selective or continuous — 81(2210).

367. Every Member of House should have opportunity of examining a document from which a Member quotes — 48(1744).

368. If Minister quotes from official document not available to Members and is requested to table it, he should do so unless it is not in the public interest — 5(1207), 18(45), 32(1302), 36(477), 44(559), 50(2220), 82(1143), 110(2074), 134(884), 146(1782).

(a) if Minister declines in public interest to table official document he should cease quoting — 44(559), 48(1340).

(b) Minister's brief is not an official document — 82(1143).

(c) request should be made at the time, not days later — 44(1587), 316(631).

369. Members should not quote from speeches in the Seanad other than Ministers' speeches — 21(1813), 79(2023), 87(1817).

370. Propriety of quoting from confidential documents is not a matter for Chair — 44(560), 48(1340).

371. Member is entitled to quote from letters in support of argument but names of persons concerned should not be mentioned — 44(500), 310(469), 345(2833).

372. Private letter of person outside House should not be quoted from without permission of writer — 81(1396), 127(194), 175(1139), 345(2833).

(a) Minister permitted to read letter from Member to Department where Member concerned requested it — 320(129, 133).

(b) Chair permitted quotation of a private letter where it had been circulated by the writer to certain Deputies and had appeared in newspapers — 305(105).

373. If a Deputy is quoting he should give the quotation in its entirety, if it is not too long — 434(1734).

7. POINTS OF ORDER

374. A point of order is, in essence, a submission of certain facts or considerations to Chair with a view to influencing a decision which has not yet been given but which, when given, will be accepted — 24(2068).

(a) It must relate to procedure, order in the House or to Standing Orders — 336(1103), 368(150), 445(925).

(b) It must relate to a matter which Chair can decide — 22(1805), 545(51).

(c) It cannot relate to a matter on which the Chair has already ruled — 567(939).

375. No comment can be made on a Member raising a point of order; it is for Chair to say whether or not it is a point of order — 169(1198), 392(2101).

376. If a Member wishes to raise an important matter of order, Chair should get notice — 25(697), 46(759), 390(293), 462(1785).

377. Member raising point of order should stand up — 96(1802).
378. Member speaking must give way when point is raised — 18(1177), 47(1577), 63(2731), 81(2209), 111(1939), 180(676), 517(148).
379. Point of order may not be raised –
- (a) when Chair is putting Question or addressing House — 24(639), 84(1466), 180(1091), 327(1840), 348(570), 376(575), 441(1204), 443(910), 445(178), 445(185~6), 453(822), 461(424), 466(1319), 475(893), 478(84), 479(746), 522(922), 556(275), 580(759), 613(50).
 - (b) while the Chair is dealing with disorder — 404(2003), 405(1224~6), 405(1580~1), 414 (953~4), 431(1372), 431(1725), 434(1515), 438(367), 438(1452), 440(1792), 456(1693), 465(1224), 465(1693), 465(1841), 468(479), 545(655), 563(846), 598(9), 612(31).
 - (c) when the Chair is on his feet dealing with order in the House — 427(290), 442(1792), 459(325), 479(737), 496(1037, 1044, 1527), 497(6), 498(562), 514(793), 547(861, 922~3), 548(568) .
 - (d) while the Chair is dealing with an Order of the House — 443(246).
 - (e) while the Minister is in the process of answering a question — 445(975).
 - (f) during Question Time — 447(79), 496(1598), 512(826), 553(1330).
 - (g) during leaders' questions other than by the leader who asked question — 552(558), 601(627).
 - (h) in relation to postponed division once the division is demanded — 579(49).
380. Point of order cannot be raised regarding —
- (a) Chair's decision on claim for closure of debate — 24(635, 1093), 33(1225).
 - (b) decision of House to suspend Member — 27(771).
 - (c) non-approval of a Parliamentary Question by Chair — 39(1124).
 - (d) absence of Ministers from Chamber — 48(2210), 50(2167).
381. Point of personal explanation is not a point of order — 90(316), 177(400).
382. There is no such thing as a point of clarification or information [*but see S.O. 48(2)*] — 469(985), 476(1081), 605(60,505), 608(1247, 1249), 610(1812).
- Member may not intervene in debate on a "point of information" — 336(1103), 339(1771), 340(2284), 350(1206), 355(1594).
383. The Chair cannot be expected to arbitrate on a point of order arising from commitments allegedly entered into during proceedings in Committee — 453(9).

8. PERSONAL EXPLANATIONS

See Standing Order 44

384. It is very undesirable that each day's proceedings should begin with personal

explanations arising out of proceedings of a previous day — 20(1333), 29(1700), 123(2305), 177(849).

385. It may be made before order of business — 288(1577).

386. Member, in repudiating a personal charge, may not make counter charge — 204(1552).

387. Affirmation of a statement already made, and furnishing proof of it, is not a personal explanation — 23(2020), 54(1339).

388. Alleged action of another Member cannot be the basis of a personal explanation — 56(685).

389. Minister made personal explanation concerning statement of his which was described by another Member as a "falsehood", and asked that word "falsehood" should be expunged from the Official Report; Chair considered that the personal explanation covered the matter — 175(1484).

390. Chair has not permitted Member to raise matter as personal explanation —

- (a) where Chair could not see anything in debate concerned to which Member could object — 123(2305).
- (b) where it did not appear to Chair that matter was personal to the Member — 175(1485).
- (c) where Member wished to explain his speech on plea that other Members had misconstrued it — 60(741).
- (d) on grounds that incident in question occurred a week previously, that it was of no special importance, and that it did not reflect on the Member's integrity — 177(849).
- (e) which concerned distortion by newspaper of a Member's speech — 350(1762).

391. It is a tradition of the House that Members are entitled to make a statement when they feel deeply aggrieved in respect of attacks upon their good name and character — 438(261).

392. The Chair cannot ask any member to make a personal statement in the House: it is a matter for the member concerned — 446(1138), 602(1502), 612(13,15,28,34).

393. House cannot require any member to make a statement: it is solely a matter for the member concerned — 612(34).

394. Member may not, on the Order of Business raise the matter of whether a personal explanation is required of another member — 509(39).

395. Personal explanations should not give rise to questions, debate or comment — 448(1990), 448(2100), 449(376), 462(1667~9), 531(585), 544(12).

- Where, pursuant to Order of House, questions are permitted following a personal explanation, the questions should be concise, to the point and seek information; Members permitted to ask a question should not indulge in debate or make mini-statements — 480(621).

9. REFERENCES TO MEMBERS

References to Chair — *see* **Chair**.

396. Member must refer in a respectful manner to another Member — 164(1425), 292(324), 452(84).

397. Member should not be referred to —

(a) by a Christian name — 163(172), 193(1614), 141(280), 161(1360), 167(1035).

(b) by Christian name and surname without prefix "Deputy" — 52(2666), 345(991).

(c) by surname only — 126(640).

(d) by an appended name — 465(2028).

398. There is a long-standing convention that Members be referred to by their appropriate title — 425(501), 430(141), 431(784), 435(299), 436(521), 443(436), 443(485), 443(898), 443(2022), 444(1823), 449(331), 452(84).

— Members should be referred to by their appropriate title (except where the reference is a quote from a parliamentary document) — 445(232).

399. Taoiseach should not be referred to by name or by surname alone — 94(278), 98(437), 104(995), 105(85, 1459), 106(1491), 107(66, 1035), 186(672), 388(2066), 429(824).

400. A Minister or Minister of State must be referred to as such and not by Christian name, surname, Mr.', 'Deputy', etc. — 75(1626), 79(1821), 86(2221), 88(1332), 89(431, 1049), 91(385, 2617), 93(1501), 94(126), 96(1830, 1855), 101(61), 104(2192), 105(1667), 107(622), 108(444, 1250), 155(569), 156(495), 157(402), 188(1151), 338(707), 386(308), 390(907), 394(1817), 396(2165), 401(260), 412(1583), 415(398), 429(824), 440(481), 440(1975), 555(733), 576(847).

10. DISCLAIMERS

401. House is not a Court and Member's disclaimer of the accuracy of a statement attributed to him or of a particular action attributed to him must be accepted in House — there is no other way of conducting business — e.g. 13(1953), 30(150), 117(827), 203(563), 308(437), 319(1821), 356(261), 394(671), 414(1548), 434(2064~8), 442(1664~5), 445(278), 445(906~7), 496(793), 485(306), 584(1372), 602(362), 616(1187).

402. Member's assurance as to what he had said in House is accepted until Official Report is available — 50(1832), 112(462).

403. If Member is not prepared to accept disclaimer, the only way forward is to lay a substantive motion before the House — 602(362).

11. MEMBERS' PRIVATE AFFAIRS, ACTIVITIES AND CONVERSATIONS

404. The private activities, affairs or avocations of Members should not be introduced into debate — e.g. 62(333), 101(1900), 176(1505), 221(1625), 254(179, 2114), 319(1821), 366(1990), 368(1178), 397(818), 430(1367~70), 443(1401),

575(333).

— The Taoiseach in his capacity as leader of his party is not responsible to the House for his actions no more than any other members who are leaders of their parties — 431(1198).

— It is usual for the Chair, when a reference is made to the personal private professional activities of a member, to ask that the reference be withdrawn — 432(72).

405. Manner in which Member conducts his business is not a matter for discussion — 80(570).

406. Reflection on the professional integrity of Member is disorderly and must be withdrawn — 281(1967), 575(335).

407. Private conversations of Members should not be referred to or quoted in debate — 16(1214), 65(1581), 76(108), 84(586), 111(2586), 113(49), 131(281), 233(1234), 272(162), 333(1229).

408. Member should not refer to another Member's family — 176(47), 224(870), 317(779, 1351), 443(1401), 445(491), 446(1228), 545(1204).

12. PERSONALITIES, PERSONAL CHARGES AND THREATS

409. Members should not indulge in personalities; indulgence in personalities leads inevitably to similar retorts and possible scenes — e.g. 53(1519), 71(1568), 80(1125), 113(1366), 141(592), 151(1298), 236(2415), 249(219), 254(139, 960), 329(955), 384(2263), 435(467), 444(1894), 446(82), 448(1979), 461(423), 462(2028), 465(897), 465(958), 476(68), 476(934), 476(1446), 477(948), 478(861).

— Members should not engage in criticising other members — 435(323).

410. Member may not, under privilege of House, repeat serious allegations which he states were made outside House — 307(1978).

411. Member must not threaten another Member — 131(404).

412. Chair protects Members against innuendo, insinuation and allegation — 322(1871).

413. If an allegation impugns the character, integrity and good name of a member it must be withdrawn — 414 (1690), 544(1179).

414. If it is desired to make a charge against a Member, it should be done by formal motion — 70(353), 101(1104), 322(2502, 2521), 348(562), 363(2047), 399(991), 402(1124), 403(1721~2), 404(513~4), 414(1548), 424(1302), 431(785), 434(1359), 434(2066), 439(406), 441(519), 442(1694), 443(155), 443(875), 443(877), 443(1205), 443(1400), 446(945), 446(1130), 446(1402), 446(1459), 446(1610), 448(1940), 448(1977), 448(1993), 451(412~3), 456(10), 456(1961), 457(305), 462(1479), 462(2037), 463(2211), 464(4), 470(1158), 470(1160), 474(1501), 477(7~8), 477(1162), 478(1382~3), 478(1385), 478(1410), 542(1160), 544(12), 544(1179), 602(361), 605(25).

— It is the function of the Chair to protect the character, good name and integrity of all persons outside and inside the House unless it is proceeded to by way of substantive motion — 447(554).

— The word "corruption" should not be used unless it can be substantiated by way of

proper motion — 446(1232).

- Allegation that a Member made a false statement to the House may be raised by way of substantive motion — 460(1672), 461(226), 461(333~4), 461(337), 461(645), 461(651), 461(1511).

415. Member must not allege that another Member is guilty of a criminal or unlawful act or reflect on his character or personal honour — 3(1424), 47(2224), 52(2578), 88(687), 105(255), 124(179), 171(1453), 343(1503), 335(1241), 343(1503), 433(1207), 451(413), 616(1185).

416. Allegations or reflections of this nature which have been ruled as disorderly are that a Member was guilty of —

- murder or condoning or conniving at murder — 41(1049), 52(117), 61(1088), 78(538, 1482), 273(1671).
- blackmail — 176(46).
- corruption, corrupt practices, etc. — 41(1230), 54(607), 69(1713), 93(2207), 109(210), 132(876), 304(222).
- perjury — 94(1670), 112(1484), 113(119), 204(1307), 213(630).
- physical or moral cowardice, or of making a cowardly statement — 43(1179), 50(1744, 2322), 60(494), 62(1278), 64(1322), 94(67).
- graft, embezzlement or malversation and defalcation of public funds — 30(1887), 66(2063), 176(42).
- robbery — 43(1141), 48(1170), 69(3013), 71(1185).
- seditious libel — 54(607).
- interfering in the distribution of land while a Minister of State at the Department of Agriculture — 421(283~4).
- fraud and deception — 428(956), 434(2064).
- being deceitful — 531(336), 593(423).

or that a Member was —

- dishonest — 74(1728), 124(179), 131(508), 198(1249), 249(2108), 458(668).
- a black-marketeer — 118(1737).
- smuggler — 243(803).
- a rogue, scoundrel or protector of thieves and rogues — 43(934), 44(562), 53(2302), 37(962), 112(195), 310(397).
- trying to put his hand in public purse — 346(8).

or that a Member had —

- been bribed — 75(39), 124(1526), 405(1437).
- as Minister, been influenced in the administration of his Department by funds supplied to him by industrialists — 112(1493).
- or that a decision by the Minister was "criminally irresponsible" — 321(492).

417. Member may not say that another Member is taking orders or instructions from outside interests or is representing or speaking for such interests — 18(1107, 1263), 19(187), 21(323, 1699), 24(715), 29(403), 43(1221), 44(1893), 79(1546).

418. To impute that a Member doctored the Official Report is disorderly — 354(1566).

419. Charges of violating the secrets of the Cabinet should not be made against Member — 131(120).

420. It is disorderly to allege that a Member had been paid for his vote — 317(1514).

421. No Member may impute deliberate falsehood to another Member; enforcement of the rule is essential if orderliness in debate is to be maintained and dignity of House preserved — 104(1752), 445(753).

- The Chair will insist that an allegation that a Member told a lie or deliberately misled the House be withdrawn; such withdrawal must be unqualified — 431(786~7), 439(405~6), 441(517), 441(645), 445(905), 445(1401~7), 460(1778), 465(1842), 471(908), 479(167~8), 558(1184), 581(338).

422. Every Member states what is known to him as the truth and it is on that basis that debates are conducted — 165(1029), 167(467).

423. Allegation that Member made a false or untrue statement may be in order as Member can make such a statement without knowing that it is false or untrue — 46(447), 110(454), 111(1939), 113(926), 116(1217), 121(1985), 131(755), 195(559), 236(1757, 1762).

424. Use of word "lie" or words which imply a lie cannot be allowed, otherwise conduct of debate in a dignified and orderly way would become an impossibility — 363(2943).

425. It has been ruled as disorderly to state that a Member —

- was a liar, lying or telling a lie — e.g. 18(1210), 101(631, 1967), 203(568), 264(609), 302(1091), 325(1721), 338(1040), 341(948), 345(1747), 346(2473), 354(3161), 369(340), 373(116), 386(965), 393(264), 402(582), 403(1721), 408(705), 445(496), 445(618), 446(1663), 462(1399), 462(1684), 462(1770), 475(1199), 477(1161~2), 541(991), 552(1175), 555(11), 557(876, 973, 1316), 558(372, 1184), 569(358), 574(23), 577(308), 579(1331), 602(109), 606(953), 609(39), 611(58).
- was telling untruths or not telling the truth — e.g. 69(685), 74(1855), 89(493), 249(425), 275(674), 310(1090), 441(1200~1), 445(236), 463(339), 467(424), 476(1058).
- was deliberately misstating what was said — 192(1402), 205(471).
- deliberately misled the House or public — 407(583), 412(391), 413(1622), 414(1549~50), 418(17~8), 420(303), 434(2065), 435(264), 439(954), 442(1165), 445(500), 453(857), 457(285), 457(608), 461(225), 461(230), 464(763), 466(395), 476(64), 536(1098), 541(991), 547(921, 1479), 555(11), 566(1320), 571(1496~7), 606(953).
- was guilty of
 - deliberate untruth — e.g. 56(1802), 101(1182), 121(1399), 160(1195), 174(1528), 249(425).
 - deliberate mistakes — 157(940), 445(236).
 - deliberate perversion of what was said — 38(1392), 445(236).

or that truth could not be expected from a Member, that information given by a

Member would be likely to be false, or that a Member's word was not reliable or could not be accepted or that he did not know what the truth means — 28(144), 65(672), 70(771), 111(2106, 2331), 357(2210).

426. Insinuations of drunkenness against a Member are disorderly — 91(348), 101(1997), 110(1604), 168(510).

427. No Member can be allowed to call another Member names — 41(513).

428. Insulting and abusive expressions applied to a Member, a Member's statement or a Member's actions or conduct which have from time to time been ruled to be disorderly —

- brat, acting the brat — 91(106), 138(1345).
- buffoon, buffoonery — 48(872), 82(431), 85(806), 86(2328), 91(558), 110(1168), 113(622), 114(1389, 2306), 141(197), 249(227), 363(1083).
- chancer — 104(2186), 132(493), 142(1143), 144(467), 286(497).
- communist — 202(35), 288(1212).
- corner boy, corner boy tactics — 108(964), 130(838), 162(668), 176(1849).
- coward — 446(1138), 531(908-10).
- fascist, fascist Minister — 255(1470), 279(584), 286(899), 288(1647), 291(361), 292(481), 293(633), 295(743, 749).
- gurrier — 427(1572~5).
- guttersnipe — 131(2151), 235(664), 246(1206).
- hypocrite, bloody hypocrites, hypocrisy etc. — 39(183), 139(892), 149(646), 156(903), 239(670), 246(1206), 255(1978), 264(740), 265(2247), 268(2007), 280(693), 295(726), 298(1507), 299(1464), 423(1061), 445(1754), 445(832), 446(389), 449(7), 450(449), 452(14), 453(1713).
- rat — 50(2459), 56(2474), 64(1152), 71(1443), 83(1632), 126(103), 130(1732), 214(792).
- scumbag — 452(251).
- scurrilous, scurrilous speaker — 102(101), 158(694).
- yahoo — 78(1333), 148(876).

429. The reference to "handbagging" particularly with reference to a lady member of the House, has been deemed to be unparliamentary — 424(1428).

13. POLITICAL CHARGES AND REFERENCES TO GOVERNMENT AND POLITICAL PARTIES

430. Chair cannot control allegations which are in the nature of political charges — 237(1987), 240(205), 246(1038, 1207), 253(1740), 257(2542), 474(531).

431. Political charges are in order but personal charges may not be made; Members must not be thin-skinned in relation to political remarks — 20(947), 22(1493), 50(681), 119(1445, 1612), 176(46), 262(1391), 439(954), 441(518), 444(1894), 445(503), 445(618), 445(1754), 447(360), 462(1396), 471(908~9).

- Chair decides whether a statement is a political or a personal charge — 477(1162).

432. Allegation that a Member jumped ship in an opportunistic fashion has been ruled to be a political charge.— 464(774).

433. Allegation that Minister was “listening to his developer friends who are contributing to the coffers of ” Minister's party ruled to be a political charge — 559(920).

434. Allegations that Political Party

— was guilty of double dealing — 22(1709).

— was guilty of bribery — 148(249).

— was trying to deliberately sabotage the Dublin Light Rail Project — 464(779).

have been ruled to be political charges.

435. Allegations that Government

— gave a valuable property to its own friends — 57(551).

— policy was a swindle — 47(2160).

— was guilty of fraud and deception — 434(2064).

— was dishonest — 435(505).

— Bill was "designed to load the dice in favour of the Government's carefully selected nominees for judicial office" — 476(224).

have been ruled to be political charges.

436. Implication by a member that the Taoiseach must have been aware of particular facts in relation to a specific controversy at the time he replied to questions in the House ruled to be a political charge — 466(381).

437. A great many things may be said in the course of debate within the limits of parliamentary language and usage as long as these things are confined to Parties and politics; personal imputation against Member is different — 22(2178).

438. Chair tolerates as a political charge expression "fascist" used in a general way but when expression is applied to an individual Member, it is not in order and must be withdrawn — 293(633).

439. Statements may be made about a Party which would not be permitted about an individual — 33(1399, 1402), 41(1050), 44(1917), 132(1048), 329(940).

440. Chair takes the view that allegations of "sharp practice" on the part of a Minister is a political charge and that there is no personal imputation involved — 473(670).

441. An allegation that a Minister misled the House is a political charge, unless the allegation is one of deliberately misleading the House — 470(311).

14. REFERENCES TO THE DÁIL (INCLUDING DÁIL COMMITTEES)

442. Decisions come to by Dáil cannot be criticised — 32(602), 39(2237), 251(2181), 274(2342).

443. It is the duty of every Member to do the very best that in him lies to maintain the dignity and decorum of House and not to act in a contrary direction — 23(617),

205(1433).

444. Dáil or proceedings thereof may not be referred to as —

— circus, circus ground, etc. — 23(617), 54(1713), 83(1676), 91(155), 104(2194), 171(266).

— farce — 28(339), 73(1202).

— slander machine — 119(1612).

445. Select Committees are autonomous bodies and their internal affairs should not be raised in the House — 460(2077~8).

15. REFERENCES TO THE SEANAD

446. No Member of either House may reflect on actions of other House as matter is solely one for the House in which statement is made; Chair in each House intervenes where it considers that a statement is contrary to practice — 212(91), 475(394).

447. Members should not make comparisons between the two Houses — 10(1191).

448. Business of, or proceedings in, the Seanad ought not to be discussed — 82(694), 101(1045), 164(1137), 272(1540), 398(1948), 400(1581), 401(691), 402(2094), 415(1972), 417(694), 435(503).

449. References to Senators, either by way of praise or blame, should not be made — e.g. 18(1159), 75(2538), 76(112), 91(2534), 224(866, 1218), 265(2232), 312(1114), 353(942), 400(2031), 401(260), 402(587~8), 407(1071), 416(618), 475(394).

450. Members should not quote from Seanad debates except from a Minister's speech — 21(1813), 79(2023), 87(1817), 304(40), 312(294).

451. Members should not refer to the Seanad in the course of debate — 464(315).

16. REFERENCES TO THE PRESIDENT

452. President should be outside and above debate in House — 76(120), 93(2483), 201(1046), 233(800), 248(157), 254(1840), 266(409, 1259), 320(1132), 343(318), 404(1438), 409(2190), 410(164~5), 414(1740), 421(793), 422(1445), 430(1598), 432(814), 437(564), 437(567), 439(3~4), 439(465~6), 440(314), 448(941), 448(1547), 450(865), 451(312), 474(397), 597(764).

453. Conduct of President in his Office is not open to criticism, direct or indirect — 93(2469), 107(133, 141), 583(1198~200), 589(1217, 1261).

454. No member may attack or cast a reflection on President; Member must withdraw statement that President "stooped" to anything disgraceful — 108(1127), 178(201).

455. Debate on motion relating to emoluments and expenses of President should be conducted objectively and without allusion to occupancy of post — 96(2325), 407(383).

456. While it may be in order to raise the concept of presidential pardon, the President should not be referred to in debate — 611(435).

17. REFERENCES TO COURTS, JUDGES, MATTERS *SUB JUDICE*, ETC.

457. Members of the judiciary are independent by virtue of the Constitution and they may neither be criticised nor have their rulings referred to in House except on a substantive motion — 368(1626), 418(828), 427(1330), 441(1683), 467(2506), 467(2507), 502(1373), 535(73), 615(101).

458. Member may neither make a charge against nor discuss the conduct or actions of judges or justices — e.g. 58(463), 105(373), 261(151), 298(1189, 1236), 316(1816), 340(2323), 358(2653), 368(1464), 514(427, 428).

— Charge against a member of the Judiciary can be made only by substantive motion— 503(310).

459. Chair suggests to Member the danger of commending a judge lest some other Member might express a different opinion — 78(1611).

460. The following are examples of interventions which have been ruled to be disorderly

— accusing a judge of conspiracy — 49(102).

— accusing a judge of giving a prejudiced summing up and of being a disgrace to his profession — 58(462).

— allegation that Minister attempted to influence judges — 111(1631).

— charges relating to political affiliations of district justices — 257(1237).

461. Decisions or judgments of a duly constituted court cannot be subjected to review or discussion in House, as House is not a judicial body — e.g. 22(269), 90(39), 157(1592), 237(2278), 256(901), 264(718), 333(1142, 1260), 368(1626), 467(2506), 606(1235).

462. Military Tribunal is a duly constituted court and its decisions or actions are not open to review or criticism in House — 50(1820, 2625), 51(362), 53(72, 77), 54(1508), 56(1901), 58(441), 63(2174, 2874).

463. The Chair would prefer if there were no references to particular judges or to a judge in a manner in which he or she might be identifiable — 446(1618), 581(528).

464. In relation to controversy surrounding a Circuit Court judge which raised issues of administration of public concern, Chair reminded Members that, as House might ultimately have to adjudicate on the matter under the law as it stands and in order to ensure the interests of the House are best protected, Members should refrain from making references which could prejudice the position of the House in the discharge of its obligation at a later stage — 584(169), 586(1156, 1440).

465. Questions of guilt or innocence are matters for decision by the courts and, under the revised sub judice rule, there is an onus on members to avoid comment which might prejudice the outcome of any proceedings. Accordingly, members should exercise discretion in their contributions and, if it can be avoided, they should also avoid making reference to persons outside the House by name or so as to be identifiable — 458(137), 466(1693), 469(1391), 573(582).

18. REFERENCES TO THE ATTORNEY GENERAL

466. It is not in order to reflect on an officer of the Government: if serious charges are to be made against the Attorney General, it should be done by way of substantive motion — 440(155), 445(2050), 446(10), 446(521), 446(1609), 446(1633), 466(383), 473(409), 478(509).

19. REFERENCES TO OTHER PERSONS OUTSIDE HOUSE, PUBLIC OFFICIALS, ETC.

General

467. It would be wiser not to pay tribute by name to a person outside House or an official as there may be other Members of a contrary view — e.g. 29(1636), 103(1598), 116(520), 243(107), 275(1180), 299(130), 317(1693), 328(301), 343(1806), 359(1459), 363(2250), 400(1289), 421(519), 462(1729), 616(1812).

468. Members should not comment on, criticise or make charges against a person outside House or an official, either by name or in such a way as to make him identifiable, as he is defenceless against accusations made under privilege of House — e.g. 15(2549), 91(392), 150(483), 216(313), 265(1496), 302(641), 324(790), 341(778), 345(1741), 376(257), 401(2121), 402(1347), 405(1726~7), 411(652), 412(203), 414(76), 418(1293), 419(807), 428(443), 435(872), 435(2282), 442(440), 445(225~6), 446(521), 446(1112), 446(1402), 446(1609), 446(1613), 446(1684), 447(635), 450(444), 457(1245), 458(393~4), 460(1209~11), 460(1860), 462(597), 462(1039), 462(1420), 462(1729), 462(2038), 465(897), 466(383), 466(874~5), 470(682~3), 473(671), 553(1592), 559(840~1), 578(146,148), 583(883), 590(1364), 597(271), 598(1050), 599(328), 606(1046), 609(1341).

— There is an onus on members to avoid, if at all possible, referring to persons outside the House in a manner which could be construed as being prejudicial to any subsequent investigations which may be deemed necessary by appropriate authorities; the House is not a court of law and adjudication of aspects of current controversy and any individuals associated therewith under fair and proper procedures rests elsewhere in accordance with the law and not in the House — 472(461~2), 472(538).

469. It is improper in a privileged assembly to make grave charges against persons outside House and then to make a simple withdrawal — 32(2127).

470. If charges against identifiable or named individuals are involved, Chair feels information should be given privately to Minister — 60(831), 111(1381), 267(215).

— If serious charges are to be made against a person outside the House, it should not be done by way of innuendo across the floor of the House but rather by way of substantive motion — 446(1402), 446(1459), 446(1610), 463(1058), 477(83).

— It is the function of the Chair to protect the character, good name and integrity of all persons outside and inside the House unless it is proceeded to by way of substantive motion — 447(554).

471. Member must hold Minister, and not officials, responsible to House for actions and decisions of Department; any complaints or criticism should be directed towards Minister and not towards officials — e.g. 33(1944), 103(1712), 154(1270), 198(297, 381), 221(911), 300(919, 939), 322(2148), 386(1871), 389(332), 400(1992), 408(2440), 416(263), 417(1783), 425(442), 426(164), 428(443), 430(1264), 439(919),

440(202), 442(1453), 443(1776), 453(302~3), 454(388), 457(375), 462(2018), 469(2126).

472. References to officials in officials' gallery should not be made — 49(1121), 66(1555), 80(522), 88(1934), 92(1678), 280(2007), 330(2399), 576(1011).

473. Minister is entitled to consult officials in attendance in officials' gallery — 87(1803).

474. Remarks reflecting on competence of individual members of Boundary Commission are disorderly — 403 (2682).

475. Persons outside the House should not be referred to by name or in any way that would make them identifiable — 433(939), 438(1911), 440(312), 441(1683), 443(877), 444(1631), 446(777), 450(444), 458(137), 459(246), 460(995~6), 460(1439), 460(1729), 461(1271), 463(1160~1), 465(9), 466(875), 476(224), 476(783), 477(217), 487(1115), 601(111), 606(106), 607(919), 613(1938).

— Chair did not object to person outside House being named as the exchanges related to correspondence by the individual that had been published in the press — 590(1531).

476. The House should be careful not to impinge on the statutory independence of the Director of Public Prosecutions — 452(480).

477. The term "cooking the books" with regard to persons outside the House deemed to be a derogatory remark and ordered to be withdrawn — 470(1244).

Businesses and Professions

478. It is undesirable to mention the names of business firms in connection with their business or dealings — 129(932), 272(1269), 273(1549), 615(101).

479. Internal affairs of a firm in receivership may not be discussed — 312(310).

480. It is the practice not to discuss the affairs of a private company, the constitution of its directorate or whether or not Members are connected with it — 70(352), 389(2040~1).

Foreign Relations

481. Members should not make reflections on matters appertaining to another country with which we have very close diplomatic relations — 425(801).

482. Reflections may not be made on representatives of a country with which we have diplomatic relations — 439(1289), 446(93), 474(1032), 475(627).

483. Citizens of foreign countries who occupy prominent positions should not be spoken of in a derogatory or insulting way — 93(2243), 357(1918), 421(959).

Divisions

Divisions are one of the more important facets of procedure and are provided for in the Constitution and in Standing Orders 68 to 75 inclusive.

GENERAL

484. Vote cannot be taken until all Members in the lobby are behind the barriers—

511(906), 523(968).

— Members must pass through the lobby in order to have their names recorded by the Clerk and be counted by the tellers — 525(1121).

485. When Chair is putting question and while result is being announced, Members in Chamber should be seated and, whether in Chamber or in lobbies, they should remain silent — 347(1629), 348(550), 350(266).

486. Question put and result declared but Chair, being of opinion that question was not understood by House, again put question and declared the result; Chair has discretion to reconsider declaration and repeat question if circumstances appear to warrant it — 67(1287), 196(1154).

487. Point of order cannot be raised after question has been put unless it concerns taking of division — 20(332), 31(774), 92(1207).

488. Point of order cannot be raised in relation to postponed division once the division has been demanded — 579(49).

489. Point of order as to any alleged irregularity in division must be raised before announcement of result by Chair — 26(421).

490. Where Member demands division in error, Chair puts question a second time — 92(1856).

491. Tellers must vote for side for which they tell; practice is to add the tellers to the numbers passing through the lobbies on the respective sides — 26(384, 420), 184(521).

492. Clerks are responsible only for recording names of Members; tellers are responsible for accuracy of numbers — 26(420), 33(1360).

493. Usual practice is to ask Members challenging opinion of Chair to nominate tellers — 33(1361).

— Members should not indicate dissent and then not vote — 554(420).

494. Chair has no power to compel Members to act as tellers — 33(1361).

495. Question put and declared carried; division demanded but there being no Members willing to act as tellers in favour, question was declared negatived — 30(666).

496. Member who inadvertently voted in wrong lobby cannot have result amended unless he calls attention of Chair to matter before result is declared — 20(1605).

497. When tellers have agreed on the numbers and have signed tellers' sheet, Chair must, unless point of order has been raised before the figures have been announced to House, declare result to be as found by tellers and announce decision of House accordingly — 26(384, 421).

498. When tellers present to Chair a sheet signed by all of them showing the numbers, Chair has no power to alter numbers so shown — 26(421), 38(2017).

499. Chair announces that member having voted and not being recorded, tellers had agreed to amend result — 248(1565).

500. Chair announces that, member having inadvertently pressed incorrect button during electronic vote, tellers have agreed to amend result — 603(282).

501. Members dissatisfied with the electronic recording or non-recording of vote must bring matter to attention before result is declared — 602(721).

Elections

MOTION FOR ISSUE OF WRIT

502. Motion does not come under the term "Government business", it should really be dealt with before order of Government business is indicated — 168(1028).

503. Chair indicated that, where arrangements for the taking of the motion are included in the Order of Business, the motion for issue of writ should be moved after the Order of Business to afford the House an opportunity to decide on the arrangements proposed- 597(1247).

504. Debate on motion need not be interrupted at time fixed for taking private Members' business — 205(1468).

505. Chair did not insist on four days' notice and allowed the motion for issue of writ to be moved on shorter notice — 597(1247).

ELIGIBILITY FOR MEMBERSHIP

506. Chair cannot decide as to whether a person was or was not legally elected or as to whether he was or was not qualified to be elected — 22(651).

Estimates for Public Services

GENERAL

507. In moving vote, any Member of Government may deputise for another — 33(516), 93(1468).

508. Member may not read a vote verbatim — 63(686).

509. A motion, motions, or a Bill have been discussed with a vote with separate decisions on each — 85(429), 87(2329), 93(83), 112(825), 175(502), 193(1694), 199(293), 204(1392).

510. Report of Select Committee on consideration of Estimates for Public Services is for the information of the House only and there is nothing to put to the House — 459(1218).

SUPPLEMENTARY ESTIMATES

511. A Supplementary Estimate is not circulated until motion for leave to introduce has been agreed — 367(1742).

512. Subject matter of supplementary vote may not be debated on motion for its introduction — 20(1532), 21(147), 25(580).

513. In general, debate is confined to the items constituting the Supplementary Estimate — 483(32).

Expressions of Condolence

514. Fact that Chair permitted independent member to express sympathy on death of member is not to be taken as a precedent in light of long-established ruling of the Chair that a party must consist of two or more Members— 480(150).

515. Chair, contrary to precedent, permitted members who were not leaders of parties to express sympathy on the death of Senator — 481(1088).

Financial Resolutions

BUDGET RESOLUTIONS

516. Amendment ruled out of order as being too late when discussion on resolution had been entered upon — 333(743).

517. Practice is that copies of financial motions are circulated immediately after Minister has made his statement — 44(1353).

518. Practice is to agree to motions on day they are proposed and to debate general policy on motion for amendment of law — 11(38), 15(171), 44(74), 52(640).

519. Debate is confined strictly to terms of each motion (other than motion for amendment of law) — 21(331), 93(2168), 277(284), 318(812).

— Detail should be left for the general debate on the budget — 448(1959~60), 448(1965), 448(1973).

520. Strictly speaking a member is entitled to speak only once on the resolution, but intervention by way of clarification may be allowed — 448(1898).

OTHER RESOLUTIONS

521. Where the financial motion is incidental to Bill a second reading speech is not allowed — 170(506).

522. It is a long established practice that a financial resolution may be taken during the course of Committee Stage of a Bill providing the section or part of the Bill to which the resolution relates has not been entered into on the Committee Stage — 431(665~6).

Government

References to, in debate — *see* **Debate**.

Announcements in relation to appointments — *see* **Announcements**.

NOMINATION OF

523. On motion nominating Head of Government

— it is not in order to anticipate debate on motion regarding other Ministers — 34(415), 176(56), 480(36).

— qualifications of Member who moved motion are not relevant — 176(22).

- strictly speaking, policy of the Government does not arise — 391 (132).
- where more than one motion is made, motions are put in the order in which they are proposed — 480(48).

524. Motion for approval of nomination of other Members of Government —

- nominations must be assented to *en bloc* as Government is a unit with collective responsibility; there cannot be a vote on each individual nominee — 20(39), 21(68).
- nominations are not for particular Departments — 94(74).
- should be moved by Taoiseach — 77(258).
- House is not called upon to debate administration of each Ministry or the merits or demerits of certain policies but to say whether, as a group, certain members are suitable to act in concert as the Government — 20(54), 21(98), 176(117, 127), 192(106), 225(870, 950), 317(1469), 404(1605~6).
- there is a convention that Members nominated do not speak on their own behalf — 94(55), 225(1074), 317(1544).

525. The Chair has ruled that the House is entitled to proceed to make its own arrangements for the day where the House may not be in a position to proceed to the official business before the House, namely, the nomination by the Taoiseach of the other members of the Government — 447(611~2).

CONFIDENCE IN

526. The *sub judice* rule has been applied to the proceedings of the beef tribunal, however, in view of the primacy attached to a motion of confidence, it would be unreasonable to apply the *sub judice* rule to the extent that there would be a serious imbalance in this important debate between the inherent right of the Dáil to debate matters of public importance on the one hand and the necessity to ensure that such a debate would not prejudice the proceedings of the tribunal on the other: accordingly, a passing reference may be made to the factual matters which have come before the tribunal in so far as they are relevant to the debate provided that the references do not constitute a real and substantial danger of prejudice to the proceedings of the tribunal or reflect on the independence of its chairman — 424 (2284).

Irish Language

527. Standing Order regarding issue of official documents in Irish does not apply to Bills — 47(1111).

528. It is a matter for Minister as to whether he will circulate an English version of his speech made in Irish — 46(1673), 109(325).

Journal of Proceedings

The Standing Orders of the Dáil require that "All proceedings of the Dáil, or of the Committee of the whole Dáil, shall be noted by the Clerk, and the minutes of proceedings after being perused and signed by the Ceann Comhairle shall constitute the

Journal of the Proceedings of the Dáil which shall then be printed." (Standing Order 110).

Under Section 2 of the Documentary Evidence Act, 1925, the Journals are accepted in all courts as prima facie evidence of what has been done in the Houses.

529. Is official record of decisions taken and business done in House; where there is a discrepancy between Official Report of Debates and Journal, Journal prevails — 40(467).

Leaders' Questions (S.O. 27)

Under Standing Order 27, at the commencement of public business on Tuesdays and Wednesdays, the Ceann Comhairle has discretion to permit a brief question to the Taoiseach not exceeding two minutes from each Leader in Opposition. Questions and replies are subject to time limits.

530. Each leader is entitled to a brief question on a single matter of topical public importance and should not introduce other topics to the question — 576(328).

- There is no provision for a second supplementary question. — 600(1533).
- Chair does not have the authority to recognise a Member other than a leader during Leaders' Questions — 583(1148).

531. Point of order may only be raised by Leader who asked the question — 562(1124), 568(495), 583(820), 601(627).

Motions

GENERAL

532. Motion to which exception is taken by Chair is not put on Order Paper until Member concerned or Party Whip can be consulted about its form — 22(1079).

533. Motion handed in by Parliamentary Secretary [*now Minister of State*] bearing his title in typescript but not signed accepted by Chair as complying with Standing Orders — 255(3248).

534. Point of order as to whether motion was received in time cannot be raised after motion has been moved and been under consideration — 57(756).

535. Motions and resumed motions have been taken with Second Stages of Bills and separate decisions were given where desired — 39(509), 95(1864), 104(70, 424), 113(41), 153(947, 1251), 217(878), 374(374).

536. Motion taken with another item of business is not moved until proceedings on item are completed and is then decided without debate — 55(1579, 1713), 217(878).

537. If objection is taken to withdrawal, Chair puts question "That leave be given to withdraw. . ." — 118(2168).

538. Amendment handed in towards end of debate ruled out of order on grounds

of notice — 21(1929), 153(1530), 370(386).

539. Private Members' motion cannot be moved in Government time (unless the Government so permit) — 378(774), 390(1350), 393(1462), 394(184), 408 (893), 408(898), 410(989), 410(1245), 411(2058~9), 434(2054).

540. Once the Chair allows a motion or an amendment to be moved on short notice, it is implied that the Chair has given the necessary permission — 400 (1662).

541. Where time for debate allocated by Order of the House was subsequently extended but speaking times allocated to members had not changed, Chair hesitated to permit member to move a motion without notice across the floor of the House to extend such speaking times; Chair took the view that such a decision should be made in a formal manner — 466(214).

AMENDMENTS

See also **Amendments (General)**.

542. Procedure is that motion and amendment are discussed together, mover of motion having the right to conclude: two questions are put at end of debate — 23(2539), 30(195), 64(1214).

543. Where there are a number of amendments, the first is moved, debate takes place on the motion and all the amendments; the first amendment is decided at the end of the debate and each of the others may be formally moved and a decision reached on each in turn — 200(127), 326(1991), 340(226, 436), 375(1900), 416(495~6).

— Member may not formally move an amendment to a motion where there is an amendment already before the House; however member may refer to his amendment in the course of his speech — 461(2380), 465(854).

544. Amendment addressed to later part of motion cannot be moved if earlier amendment changing same part of motion has been agreed — 340(436).

545. Where two amendments to delete the same words are offered to a Government motion, the question "That words stand" is put and, if carried, decides both — 219(1954-9).

546. In relation to motion approving a draft Order, Chair rules amendments inadmissible where there is no provision in governing Act for such amendment — 283(1564).

Official Report of the Debates

A copy of the initial transcript of a Member's contribution, known colloquially as "the blacks", is available to him/her in the network soon after delivery. This is replaced in the network later by the edited version.

An unrevised record of what is said in the House for each day's sitting is published via the Oireachtas website. Any corrections a Member may wish to have made should be notified to the Editor of Debates with a view to their being incorporated in the bound volume published subsequently.

547. The Official Report, although not strictly verbatim, is substantially a verbatim report with repetitions and redundancies omitted and obvious mistakes corrected but which leaves out nothing which adds to the meaning of a speech or which illustrates an argument made. In this sense, the Official Report is intended to be a full report of the proceedings in the House — 504(645), 612(1123).

- as it is published unrevised, members have up to 14 days after publication to bring changes they wish to have made to the notice of the Editor of Debates who is responsible for ensuring the accuracy of the report — 504(645), 612(1123).
- Official Report is never toned down by anybody; it is a record of what was said in House and it is a reflection on the reporting of the debates to suggest otherwise — 150(1299).

548. Chair is responsible for Official Report and a suggestion that it can be tampered with should not be made — 20(1093), 196(408).

- In pursuance of a general instruction to reporters, casual interjections and comments imperfectly heard are not reported — 13(1539).
- Where Editor of Debates draws attention of Chair to objectionable expression not heard by Chair at time spoken, such expression will not appear in Official Report — 29(1701).
- Objectionable statement appearing in unrevised Report which had not been heard by Chair and which had been the subject of personal explanation on later day by Member who uttered it, directed by Chair to be excised from revised volume — 99(1463).
- Alleged inaccuracies in Official Report are not a matter for the Order of Business — 504(645).
- To impute that a Member doctored the Official Report is disorderly — 354(1566).

549. Only what is spoken in House appears in report of debate: Minister can place documents which he does not want to read in Library — 315(568), 366(774), 447(722), 447(785).

550. On complaint in House by Member concerned of an error in a Division List, Chair stated that a correction would be made in the bound volume — 22(1871).

551. Typescript obtained from official reporters is not conclusive evidence of what was said — 67(863).

552. The Chair has ruled that where a member seeks to have included in the record of the Houses tables which he intends to refer to in the course of his contribution, such material should not include maps — 437(26).

Order of Business

Under Standing Order 26(2), the Taoiseach announces the order in which items of Government business are to be taken. This is the Taoiseach's prerogative and the approval of the House is not required. At the same time, the Taoiseach may propose, on motion made without notice, arrangements for sittings and for the taking and conclusion of business. Such proposals must be decided upon by the House. Following the disposal of such proposals, the Standing Order gives the Ceann

Comhairle discretion to permit questions from members generally on a limited number of subjects.

Therefore, there are three distinct parts to the Order of Business which take place in the following sequence:— (1) the Taoiseach's announcement of the items to be taken — no agreement required (2) motions relating to sittings and business which may be proposed by the Taoiseach without notice — agreement of the House required; and (3) at the discretion of the Ceann Comhairle, questions to the Taoiseach from members generally on matters permitted to be raised under the Standing Order. There is a significant body of rulings in this area, particularly regarding promised legislation.

Rulings under these headings are set out on this page and the pages following.

1. ANNOUNCEMENT BY TAOISEACH — TAOISEACH'S PREROGATIVE

553. It is the Taoiseach's prerogative under Standing Order 26 to list the items of Government business to be taken each day — 416 (1390), 469(1590), 477(945), 584(1191).

— Any amendment to delete or substitute an item of business announced by the Taoiseach is not in order — 420 (1467), 427(1314), 434(1762), 439(1470), 524(1347).

— Other members may not introduce new proposals — 427(404), 444(292), 577(1126).

554. A proposal to take a matter at a certain time is the prerogative of the Taoiseach — 414(1667~8).

555. There is no provision for opposition to the Taoiseach's announcement — 610(858).

556. There is no such thing as a right of reply on the Order of Business which is the prerogative of the Taoiseach — 426(290~2).

2. MOTIONS RELATING TO SITTINGS AND BUSINESS

*Whenever an overall time limit or a limited time for individual speeches is to be applied to a debate or the hours of sitting are to be varied, the approval of the House is required. This is usually sought by way of a motion made by the Taoiseach without notice on the Order of Business under Standing Order 26 or, less frequently where a number of measures are to be dealt with, by way of an allocation of time motion on the Order Paper — see **Allocation of Time**.*

557. Proposals on the Order of Business are open to debate but the Chair has ruled continuously that the debate must be brief — 400 (935), 445(176).

558. A proposal covering two or more items of business is in order where the arrangements proposed are similar (e.g. The items are to be taken without debate) and where the items themselves are to be decided separately when put to the House — 580(760).

559. Motion that Order of Business be not accepted may not be made — 159(154).

560. On motion to allocate time, merits of items of business affected may not be discussed — 344(1544), 400(1630), 476(450~2), 476(720), 476(722), 476(907~9), 476(913~4), 476(1206~7), 476(1444~5), 476(1447), .

561. A proposal by the Taoiseach covering one or more items of business is in order if the proposed arrangements to be followed are similar for all items (e.g. to be taken without debate or identical speaking times) 613(54).

562. In respect of allocation of time motions proposed by the Taoiseach on the Order of Business, the practice is that a spokesman for the main parties is given the opportunity to make a brief comment — 410 (846), 459(1687).

- The Chair allows the Party Leaders or a party representative to put a point of view but cannot allow an extension of this to include other members — 429(1022), 528(347-8).
- Chair usually calls each of the leaders of the opposition parties in order based on the numerical strength of their respective parties — 414 (942), 439(1199), 441(545).
- On motion to allocate time, merits of items of business affected may be referred to but not discussed in detail — 605(12).

563. An amendment to the Order of Business must be related to the proposal before the House: extraneous matter should not be introduced — 443(947).

- an amendment may only be made modifying the proposed arrangements for taking of business — 420 (1467), 427(1314), 434(1762), 439(1470), 524(1347).

564. The Chair has been reluctant to allow an amendment to the Order of Business across the floor of the House where there was ample time to put down an amendment: however having regard to the fact of a special sitting and the importance of the subject matter he has allowed a Deputy put such an amendment without debate — 445(184).

3. MATTERS PERMITTED TO BE RAISED ON THE ORDER OF BUSINESS

Rulings under this heading are subdivided into three categories: those that have general application in relation to the Order of Business; those that apply to questions in relation to promised legislation; and those that apply to other matters raised. Each is presented in turn below.

General

565. When Chair has disallowed question, it should not be answered — 345(1362), 352(973), 383(627), 402(21), 404(2390), 416(412).

566. It is not in order to cross-examine the Taoiseach on an answer he has given to a matter raised — 421 (798).

567. Chair has no power to compel a member of the Government to reply to a question asked on the Order of Business — 389 (1230), 572(235), 580(1572).

568. Member may not enter into merits of matter — 342(1496), 350(658), 414(942~3), 474(859~60), 474(863~4), 480(1241, 1244, 1245).

569. Member may only ask a question and not make a speech or statement — e.g. 82(1383), 99(582), 151(295), 185(769), 235(1099), 333(272, 1637), 334(472), 341(113), 345(1358), 348(928, 1517), 379(974, 1714), 390(295), 400(1757), 402(388),

403(2728), 416(793), 420(166), 421(1846), 424(5), 427 (1632), 430 (1595), 431(5), 431(1034), 431(1720), 431(1724), 432(875), 432(2066~7), 432(2081), 438(1139), 439(676), 441(279), 441(284), 441(546), 442(246), 443(255), 443(487), 443(1990), 444(970), 449(315), 451(1917), 453(9), 459(578), 459(584~5), 459(1320), 459(1344), 459(1696), 460(118~9), 460(1786), 461(342), 464(1713), 465(7), 465(888), 465(897), 466(311), 466(1747), 468(6), 472(261), 473(370), 479(497), 509(1068), 511(11), 515(299, 1177), 514(9, 13), 517(265), 518(6), 519(1612), 521(1352), 524(7), 525(788), 580(770), 581(1199), 590(1227), 597(276), 602(1254), 605(448), 610(1534), 613(1852), 615(1898, 1907).

— Question should not give rise to argument or debate — 380(494~5), 440(537), 441(1208), 441(1478), 457(301), 458(4), 458(6), 458(9), 458(663), 458(666), 458(1424), 459(471), 459(474), 459(578), 459(580~1), 459(1323), 459(1329~30), 459(1696), 460(4), 460(910), 461(1510), 461(2113), 463(8), 463(313), 463(314), 463(999), 463(1265), 464(7), 464(817), 464(1173~4), 464(1707), 464(2031), 465(6), 465(893~4), 465(1839), 465(1852), 465(1861), 466(1648), 466(1749~50), 466(1753), 467(248), 467(269), 469(1242), 470(175), 470(716), 475(1539), 476(213), 477(743), 477(1419), 478(437), 609(514), 616(1140).

— Questions should be brief — 484(733).

— Quotations are not in order — 498(564), 505(975).

— Preambles to questions on the order of business are not in order — 562(606), 576(53).

570. Question on Order Paper may not be anticipated — 343(1512), 376(1656), 412(200), 469(650), 469(1692~3), 470(1594), 478(1138), 572(498).

— Questions tabled for the following week ought not be anticipated on the Order of Business — 416 (978), (1868).

571. Subject matter of private notice question should not be anticipated — 591(331).

572. Questions which anticipate business to be considered are not in order — 412 (1258), 459(1332~3), 463(1713~4), 465(1839), 471(238), 471(478), 481(877), 576(610), 580(47), 581(11,545, 552, 824, 1199), 584(1192).

— It is not in order, on the Order of Business, to seek to establish the Government's stance in relation to business pending — 480(757).

— Member may not request Government to make a statement or allow a debate on a matter — 567(1260)

— If no debate has been promised, then the matter should be raised with the Party Whips — 591(332) .

573. Member may not request the Taoiseach or Ministers to make a statement or personal explanation on a particular matter on the Order of Business — 404 (1573), 428 (744), 438(602), 509(39).

— To ask the Minister to make a statement is essentially a matter appropriate to Question Time — 429(1515).

574. The Chair will not permit the Order of Business to be turned into a mini-Question Time — 425 (1456), 430 (1190), 432(873), 433(236), 440(537), 441(1203), 442(248), 448(9), 451(423), 452(1488), 456(1196), 457(1245), 458(9), 458(666), 458(1424), 459(1213), 459(1695), 461(331), 465(4), 466(1229), 467(1332), 468(8~9), 468(476), 472(259), 474(1280), 474(1499), 475(1539), 476(728), 478(247), 478(437),

597(5), 600(987~8), 601(904, 911), 607(801).

- Policy matters, such as what should be included in the content of a Bill, are not in order — 562(606).
- Minister's failure to provide information promised in reply is not in order — 607(1509).

575. Member may not, on the Order of Business, raise the matter of whether a personal explanation is required of another member — 509(39).

576. The Chair cannot permit a rehash of the previous day's Order of Business or questions to the Taoiseach — 416 (795), 464(2028), 467(1328~9), 468(4), 580(765).

577. Rulings of Chair may not be raised — e.g. 250(522, 525), 251(389), 255(2499), 260(855), 265(2223), 274(39), 276(2067), 314(152), 328(1141, 1237, 1359), 398(1685), 497(1556), 511(818, 465).

578. It is not in order to raise an issue of abuse of privileges on the Order of Business — 383(1674).

Promised Legislation

Standing Order 26(3) provides, inter alia, that the Ceann Comhairle may, at his or her discretion, permit on the Order of Business questions about legislation promised either within or outside the Dáil and about the making of secondary legislation, subject to the proviso that the Taoiseach may defer replying to a question relating to the making of secondary legislation to another day.

579. The following questions in relation to promised legislation are in order: Questions asking when legislation is to be introduced or circulated; if a date for introduction or circulation previously given can be brought forward; or the state of preparation of the legislation in regard to drafting. Questions that stray outside this context are not in order — 562(606).

580. Once information is put on the record, a question later that week seeking the same information is repetition and, in these circumstances, may be disallowed — 562(606).

581. The Chair accepts the word of the Taoiseach or Minister in regard to legislation promised — 392(742), 402(1999), 404(2004), 405(1593), 406(1131), 419 (1987), 439(1202~3), 446(11).

582. Legislation which has not been promised should be raised by way of parliamentary question — 609(1631).

583. It is in order on the Order of Business to enquire as to when legislation will be introduced, but not to anticipate questions on what might be in the Bill or omitted from it — 413 (162), 529(1022), 568(525), 569(9), 590(50), 598(266, 538, 539, 795, 796, 797) 599(8,9,1174,1175,1623,1626), 606(947), 607(1510), 608(1125), 609(1327), 611(788), 615(894).

584. While members may ask a question about when legislation may come before the House, discussion or questions about what is contained in legislation are not in order — 484(4~6), 485(614), 486(40, 43, 1066), 496(484), 499(1159), 502(289), 503 (1023~4), 503(1031, 1252), 504(179, 449, 450, 454), 505(725), 507 (498), 508(50),

510(258, 261), 511(268), 513(467), 515(6, 8, 614), 516(1336), 518(503), 519(494, 777, 1284), 520(381), 520(1174), 521(1353), 522(943), 523(72, 819), 525(1130), 527(16), 528(691), 529(54~5, 1026, 1028), 530(956), 532(393, 728) 537(1094), 545(594), 546(483), 552(570), 553(779), 555(15), 556(1201), 559(1390), 560(1073), 564(536), 566(66, 1107), 568(525, 527, 752~3), 570(153), 571(67, 856, 1192, 1513), 572(1135, 1137, 1400~1), 574(72), 577(1136), 582(268, 1008), 590(50), 598(266, 538, 539, 795, 796, 797) 599(8, 9, 1174, 1175, 1623).

— Questions concerning legislation which has not been promised are not in order — 504(179, 648), 511(491), 528(691), 532(393), 549(361~2), 556(1204), 561(1530), 562(356), 569(527, 685, 752~3, 990), 600(990, 993), 602(360, 621, 627), 606(954), 608(349, 355).

— The fact that it has been reported in the media that the Government intends to introduce legislation to deal with a particular matter does not mean that such legislation is "promised legislation" for the purposes of Standing Orders — 481(491).

— Member may not raise the matter of consultations, if any, which took place in connection with the legislation — 508(1092).

— Member may not ask which member of the Government is responsible for introducing legislation — 524(1353, 1354).

— Questions concerning the Government's legislative intentions are not in order — 525(15), 553(998), 608(355) .

585. Questions on promised legislation cannot be elaborated on during the Order of Business — 412 (600), 442(246), 463(1832), 472(46), 472(48), 473(4), 478(856), 586(13).

— Contents of promised legislation may not be raised — 455(339), 498(297, 558), 509(552), 510(258, 261), 603(29), 604(18), 616(2019, 2021).

586. A Green or White Paper is not considered to be promised legislation — 449(1988), 450(1700).

587. In raising legislation which has been promised, member must refer to specific legislation — 472(260), 474(1499~500), 555(1030).

Other matters that may be raised on the Order of Business

Standing Order 26(3) also provides that the Ceann Comhairle may permit, at his or her discretion, questions about the following matters on the Order of Business:

- *business on the Order Paper;*
- *the taking of business which has been promised;*
- *arrangements for sittings; and*
- *when Bills or other documents on the Order Paper needed in the House will be circulated.*

588. It is a matter for the Chair to decide the number of questions to be allowed on the Order of Business — 501(796), 521(1107), 615(529).

589. Unless business is promised, the matter does not arise on the Order of Business. It is a matter for the Whips — 591(332), 608(1118).

590. Order of Business does not afford an opportunity to return to matters raised during Leaders' Questions — 608(1118) .

591. Questions concerning the content of a White Paper are not in order on the Order of Business — 505(728), 506(6).

— Questions about the circulation of a White Paper are more appropriate to Question Time — 325(7644), 456(519).

592. Questions concerning commitments given in Programme for Government which do not relate to legislation are not in order on the Order of Business— 481(690).

593. Matters relating to committees are not in order on the Order of Business — 417 (1322).

594. Private agreements are not matters for the Order of Business — 496(794).

595. Advocacy of legislation is not in order on the Order of Business — 506(675), 543(14).

596. Questions relating to the appointment or dismissal of Ministers of State are not appropriate to the Order of Business — 412 (1138).

597. Member may not, on the Order of Business, ask whether time will be made available to discuss a particular matter or whether a statement will be made on a matter — 389 (590, 1113).

598. The raising of matters relating to statutory instruments (other than the making thereof) is not in order on the order of business — 429 (679), 430 (472), 441(285), 468(776).

— The laying of a statutory instrument is not appropriate to the Order of Business — 436(1845).

— The content of a statutory instrument is not appropriate to the Order of Business — 561(951)

599. It is completely out of order to make serious allegations on the Order of Business: such allegations must be pursued by formal motion if necessary — 434(1359), 459(828).

600. A member is not entitled to ask questions about the bringing forward of estimates on the Order of Business — 442(607), 496(253) 501(795), 549(619), 599(13), 592(322).

— Members cannot raise Estimates not yet before the House — 567(933).

— Deputies may ask when a promised supplementary estimate might come before the House, but not about its detail — 602(359).

— It is not appropriate to go into detail on what might be in an Estimate. — 602(358).

— It is not appropriate to discuss the content of Supplementary Estimates -556(1205).

601. Member may not raise disallowance or transfer of questions on the Order of Business — 457(1132~5), 478(38).

602. The raising of matters which are not relevant to the Order of Business, however urgent and important, places the Chair in an invidious position — it is members' prerogative to change the Order of Business if they so desire so that such matters can be entertained — 458(1168), 465(1851~2).

603. Member may not raise matter on Order of Business which is due to be taken on the adjournment and it would be disorderly for the Taoiseach to intervene in response to such attempt — 458(1738), 465(783), 465(785), 478(38), 612(376).

604. Member may not raise matter which is due to be taken in private members' time on the same day — 459(1209), 459(1212), 469(1590~1).

605. Matter which is seized by the courts should not be raised on the Order of Business — 463(1267).

606. Questions concerning compliance with the code of the conduct for officeholders, being a matter for the Public Offices Commission, are not in order on the order of business — 609(1635).

607. Matter which was the subject of debate the previous day cannot be discussed on the Order of Business — 464(1707), 478(249), 604(14).

608. Matter which is not in order on the Order of Business may be raised by way of parliamentary questions or by substantive motion in private members' time if otherwise in order — 465(1840~1), 476(728).

609. There is no provision for raising the nature or submission of, or requesting copies of, reports on the Order of Business — 465(5).

— Questions about circulation of a Tribunal of Inquiry Report to Members ruled to be relevant to the Order of Business, — 476(211).

Order Paper

*An Order Paper containing items of Government and private Members' business is published for each sitting. The first Order Paper of each week (usually Tuesday) contains all business before the Dáil at the date of the Order Paper whereas subsequent Order Papers (usually for Wednesday and Thursday) contain only business to be taken on that day and notice of new business. In addition, lists of private Members' motions tabled may be published as a supplement to the Order Paper from time to time. A Questions Paper containing parliamentary questions is published separately — see **Questions to Ministers**.*

610. No clerical error or inadvertence in connection with Order Paper can prevent transaction of business which is to be done — 19(2062).

611. When the Order Paper contains a motion for nomination of Head of Government, Questions to Ministers are not taken — 34(277).

Private Members' Business

Dáil business is, in the main, divided into Government and private Members' business. The latter is allotted three hours each week (one and one half hours on each Tuesday and Wednesday night).

612. Chair has no function in the ordering of matters to be taken in private Members' time — 383(1166).

613. Established procedure by which a private Member arranges to get Government time for a motion is to consult Government Whip — 103(350), 104(1641), 123(213).

614. An adjourned private Member's motion already ordered has precedence over a Bill of which first stage has been opposed; a motion which has not been debated has not — 37(1235), 73(392), 76(1810), 78(27), 192(1055).

615. A Private Member's motion cannot be moved on a Thursday or a Friday as there is no provision for Private Member's time on these days — 412 (855).

- Chair ruled that, during private members' time, time unused by speaker could be added to time available to subsequent speaker from that party or group — 603(972).

Privilege

Parliamentary Privilege in respect of utterances by Members in the nature of being defamatory are governed by Standing Order 59. Other aspects of privilege are, generally speaking, dealt with by the Committee on Procedure and Privileges as they arise. It should be noted that the rulings set out below pre-date the introduction of Standing Order 59.

616. Question relative to alleged violation of privilege takes priority; Chair suggests that time might be afforded as early as possible for discussion on a motion — 105(1527, 1529).

617. Committee on Procedure and Privileges is proper place to discuss gross breaches of privilege — 43(1525), 392(1264), 446(5).

618. Statement reported in press to have been made by Member to the effect that many Members were blatantly dishonest in claiming travelling expenses ruled to be *prima facie* a breach of privilege — 208(1245).

619. Chair reminds Members of necessity to maintain confidentiality with regard to Budget information circulated to Members in House prior to disclosure to Dáil by Minister — 329(565), 332(294), 333(586), 339(1469), 347(800), 355(1073), 363(931), 371(777).

620. If satisfied, on complaint by member that a *prima facie* breach of privilege has taken place, Chair allows motion referring matter to Committee on Procedure and Privileges without notice — 239(863, 865).

621. Criticism of Chair by Member outside House was raised as a breach of privilege; on following day Dáil resolved that, henceforth, adverse criticism of the conduct of Chair, made outside House, would be a breach of privilege — 105(1527, 1830).

622. Chair takes very serious note of complaints of molestation of Members by other Members because, if complaints are substantiated, grave breaches of privileges of House are involved — 102(1582), 105(1378).

623. In relation to complaint that Member had been assaulted by a Minister in precincts of House, Chair stated that he would have matter investigated; on following day Chair announced that he had investigated the complaint and had established that an assault had been made; he found that the assault constituted an action in contempt of Parliament and that it fell to be dealt with by Dáil in such manner as it might decide — 133(1579, 1758).

624. Chair ruled as *prima facie* breach of privilege the action of a Senator in passing through barrier of House while it was sitting and speaking to Minister who was seated on Government Front Bench; text of apology by Senator read to House — 225(1205).

Questions to Ministers

Parliamentary Questions are provided for in Standing Orders 33 to 42 inclusive. The texts of all oral, priority and written Questions to be taken each day (together with oral Questions for the following day in the case of Tuesday and Wednesday) are published in a Questions paper in list form each day on which Questions are to be taken.

1. NOTICE

General

625. Questions are not allowed at a special sitting — 13(1265).

Private Notice

626. Notice must be in writing — 100(193).

627. Where General Office had no knowledge of Question which Member claimed had been handed in, Chair has not permitted him to put Question — 374(2005).

628. Matter must have arisen as an emergency so suddenly as to justify the denial to the Minister of the normal notice — 338(330), 478(38).

2. PRIVATE NOTICE QUESTIONS — GENERAL

629. Where matter was a continuing one, Chair did not permit question — 312(965), 338(330).

630. Where there had been time to put down a question on ordinary notice, criterion of urgency is not met — 300(784), 333(1647), 353(2319), 355(231), 376(885).

631. Question may not pre-empt one already on Order Paper for following day — 333(1636).

632. Where question is addressed to Taoiseach, Chair has no control as to what Minister answers — 312(1170).

633. Where there are a number of questions on a matter, Chair calls on Members to put their questions in the order in which they had submitted them to his office — 375(1473), 377(42), 419(1810).

634. When Dáil meets on day other than a day specified in Standing Orders, no provision having been made for questions, private notice question may not be raised — 335(1629), 401(2053).

635. It is not usual to inform Member in writing that his private notice Question has been disallowed — 316(685).

636. New matter cannot be included in supplementary questions on Private Notice Questions — 396 (105), 460(1029).

637. The usual rules governing supplementary questions also apply to private notice questions — 464(1434).

3. TIME ALLOTTED AND QUESTIONS NOT REACHED

638. Chair has no discretion to extend question time beyond the time appointed by Standing Order — 90(564, 566).

639. It is a matter for House to decide whether the time allocated for questions should be extended — 178(353), 192(1265), 614(22).

640. On account of large number of questions remaining for answer, Chair stopped the putting of supplementary questions — 74(38), 85(1068), 183(1873).

641. Member wishing to resubmit question should contact the General Office — 481(948).

4. FORM AND CONTENT OF QUESTIONS

642. General Office frequently amends questions grammatically and to improve them — 311(295).

643. Private notice question can be asked only in form approved by Chair — 39(963-6, 1123-5).

— Members may not vary or otherwise depart from the form of Private Notice Question approved by Chair — 605(1595).

644. Questions are put on Order Paper in form accepted by Chair; if Chair does not accept them they do not appear on Order Paper — 92(2540), 138(404).

645. Chair states that best insurance against error in Questions is that they are submitted in typescript or legible handwriting — 304(1035).

646. Member cannot object to the Chair's allowing a question — 122(2065).

647. Questions ruled out of order may not be cited or raised in House for argument or debate — 21(1881), 39(966, 1124), 92(2215, 2540), 171(1774), 174(1759), 343(1907), 416(585~6), 466(204~5), 596(770).

648. Member is entitled to be informed that his question has been ruled out — 89(1219).

649. Questions are processed as quickly as possible but certain research must be done and information ascertained before decision is given — 316(484).

650. Chair has on more than one occasion deleted references to newspapers and named persons — 62(1703).

651. Practice is not to allow quotations in texts of questions — 37(1233).

652. Quotations may be used in the reply — 328(3105).

653. When doubtful question is tabled, Chair, in accordance with established practice, consults Minister as to whether or not he has jurisdiction; if Minister has no jurisdiction question is not allowed — 60(912), 476(4~5).

654. Minister to whom question is addressed may transfer it to another Minister to whose administration he thinks the question is more relevant without reference to Member who put it down; Chair is not responsible for the transfer of questions and has no power to compel a particular Minister to answer — 37(1232), 164(483), 252(1961), 254(1357), 304(277), 318(1938), 322(72), 325(762), 333(1328), 339(409), 361(274), 362(1700), 401(752), 412(52), 413(965), 414(567), 421(2005), 427(415), 430(471), 430(1053), 430(1197), 435(11), 439(1204), 442(1464), 448(542), 449(6), 457(2136), 460(238), 461(915), 465(52), 521(1171), 569(357), 606(18), 607(12), 609(17).

— During Question Time, member may not seek to raise the transfer of questions by a member of the Government — 459(900), 459(1045).

— Member dissatisfied with transfer of Question may pursue matter by way of substantive motion — 607(18).

655. Where as a result of a transfer a Question is not in time for inclusion in a ballot, it is placed at the end of the balloted Questions on the Order Paper — 361(274).

656. Questions involving collective responsibility of Government are disallowed — 336(3, 5), 592(3~5), 603(463~7), 605(386), 610(503), 615(1600, 1602).

— Questions concerning deliberations of the Cabinet or a Cabinet Subcommittee are not in order — 520(868), 544(54~5), 556(54).

— Questions concerning decisions taken by Cabinet Subcommittees are not in order — 544(58~9).

— Questions seeking information on internal arrangements of Cabinet are disallowed: accordingly, question relating to a Cabinet task force was disallowed but one relating to task force of Ministers of State was allowed — 351(527).

657. Chair in deciding whether question is in order does so on advice before him and on his own responsibility — 191(779), 209(1935), 318(1936), 457(2136), 446(204~5), 470(175~6), 500(272), 511(466).

658. The Director of Public Prosecutions is a statutory officer who is independent of the Minister; Minister is not responsible to House for his actions — 368(1630).

659. For the purpose of the anticipation rule, Ceann Comhairle must have official written notice of when the debate will take place; the Chair has no discretion in the matter — 388 (1187), 471(1254).

660. It is not appropriate to put down Questions about the sittings of the House because, although the Taoiseach has the privilege of proposing the adjournment, it is a matter for the House to decide what shall be done — 397 (1222).

5. ORAL ANSWERS

661. One Minister may reply on behalf of another as Members of Government have collective responsibility — 70(1451).

662. Fact that no member of Government is present (Minister of State present) is not matter for Chair — 316(1587).

663. Chair has no power to compel a Minister to answer a question or to add to the answer given — e.g. 14(1290), 17(465), 40(2591), 50(351), 59(2192), 165(1028), 258(1642), 330(1988), 386(957), 386(1681), 456(998), 458(50), 483(66), (401, 402), 510(85~6), 515(1331), 521(1171), 547(1100), 549(158), 552(559), 572(545,881,998), 574(403,667),579(19), 582(,998), 599(2014), 610(1813), 611(784).

— this is unaffected by the relaxation of the *sub judice* rule — 456(1606).

— Chair has no control over information given by Minister in reply to Question — 503(1238~9), 562(1479).

664. Chair has no control over who answers question: it is common practice for Ministers of State to answer questions — 369(718).

— Where Minister is in the course of replying to a particular question, Minister of State may not intervene in reply — 456(1429).

665. Chair cannot compel a Minister to repeat a reply at request of Member who says he did not hear it — 244(890).

666. If two or more questions are linked together, it is within discretion of Minister to give reply in form he thinks is suitable; Chair cannot compel Minister to answer questions separately nor is it a matter for Chair to give Minister permission to answer the questions together — 101(1311), 103(893), 159(1227), 241(287), 252(1496), 277(718), 331(1695), 334(1628), 341(28), 337(16), 340(638), 342(1546), 352(1848), 356(1559), 389(2158), 392(1003~4), 402(2083), 405(1832), 421(2071), 423(1131), 434(621), 436(1572), 452(1685), 457(1341), 465(1900), 523(5), 561(1254), 612(330).

— It is normal procedure to inform the House if questions are being taken together — 436(1549).

667. Chair has no control over reply given by Minister except when Minister is out of order, when Chair will so state — e.g. 119(1445), 162(1126), 171(587), 183(1697), 187(160, 169), 192(898), 195(909), 229(468), 266(773), 267(366), 271(338), 347(1192), 337(343), 340(1524), 369(2390), 371(678), 392(1038), 401(82), 404(863~4), 406(907), 412(398), 414(1404), 415(772), 416(1760), 422(838), 423(719), 424(1654), 425(794), 426(375), 428(1455), 430(1374), 435(552), 439(933), 441(1572), 442(82), 446(546), 446(1241), 452(1703), 453(1255), 456(596), 456(1605), 458(50), 460(1874), 462(1172), 464(407), 465(68), 465(2114), 465(2116), 467(38), 470(308), 470(1002), 470(1235), 470(1263), 470(1598), 472(318), 477(545).

668. Chair considers that very lengthy replies are an abuse of procedure — 114(1159), 191(1224), 427(1736), 427(1744), 428(16), 430(1688), 435(1125), 442(945), 443(22), 446(505), 453(108), 470(1361), 478(920), 499(19).

669. Even if the House agrees, the time allocated for oral answers cannot be extended beyond that provided for in Standing Orders — 422 (102).

670. Extension of the time available for Priority Questions requires an order of the House — 480(117), 506(531).

671. Where time limit for a particular question has been exceeded, Chair is required to call the next question; allegation that Chair is thereby protecting Minister is

a disorderly remark and should be withdrawn — 511(340~1).

672. A Minister replying to a question should not be subjected to cross-examination — 419 (2087).

673. Questions should be dealt with *seriatim* in the manner in which they appear on the Order Paper — 471(296~7), 472(10).

674. Priority Question is not replied to if the Deputy who tabled it is not present: Question goes for written reply — 463(1087), 498(22, 1174), 500(18), 505(504), 506(158), 513(24), 514(839), 559(1001), 582(326), 609(7).

— Substitution should be notified to Chair prior to printing of Order Paper — 498(315).

— Chair allowed member not present when priority question was reached to ask question at a later point during priority question time — 604(619), 609(11), 611(518).

6. ANSWERS FURNISHED IN OFFICIAL REPORT

675. Where Minister states that reply is lengthy and he proposes to furnish it in the Official Report, Chair has no option but to permit this to be done — 303(1054).

676. Permission of Member asking question is not required to have reply printed in Official Report and not answered orally — 112(767).

7. SUPPLEMENTARY QUESTIONS

677. The Chair decides whether supplementary questions will be allowed — 413 (1513).

678. Chair must disallow supplementary question introducing subject matter of questions that had been ruled out of order — 590(1524).

679. In relation to questions nominated for priority, where member was present before supplementary questions had concluded on question with which his own question was to have been taken, Chair, while stating that his decision was not to be regarded as a precedent, allowed the time that would have been available for both questions and permitted Member to ask supplementary question — 584(1161).

680. The Chair has the right of selection in calling Members for supplementary questions — 412 (389).

— It is not in order for Minister of State to ask supplementary questions — 500 (1046).

681. When reply is to be printed in Official Report and not given orally Member should await reply rather than pursue matter by supplementary question — 59(1541), 69(2925), 74(1266), 103(1776), 306(1228), 342(37), 356(1547), 358(5), 359(353, 1211), 362(1577), 364(613), 374(1099), 380(1461), 416(243), 428(521), 432(642), 443(590), 455(981), 479(173), 549(1000), 608(866).

682. Chair stopped supplementary questions on remaining questions because of limited time remaining for questions — 74(38), 85(1068), 183(1873).

683. [*Save in the case of questions nominated for priority*] Supplementary question can be put by any Member — 13(1403), 474(303).

— Where more than one Member rises to ask a supplementary question, Chair gives precedence to Member who tabled question — 385(84), 391(835), 452(1288).

684. Questions should be short and precise and in form of question; there are too many preambles — 340(2151), 414(1732), 448(1718), 460(1324), 462(1545), 483(512), 485(957), 486(668-9, 676).

685. Chair cannot compel Minister to answer supplementary question — e.g. 14(1290), 141(1010), 218(486), 270(840), 301(1091), 334(28).

686. Quotations (from documents, letters, newspapers, Official Report, reports, statements, telegrams, etc.) may not be made — e.g. 16(1790), 32(14), 78(164), 103(489, 1109), 146(1297), 176(1423), 214(514), 263(350), 320(956), 346(1340), 349(607), 405(1435), 406(896), 412(389), 414(1011), 416(1758), 423(1760), 424(1057), 426(3), 426(374), 426(985), 427(1730), 428(522), 430(538), 430(1829), 431(390), 432(1251), 433(848~9), 435(2180), 438(15), 438(692), 438(838), 438(1560), 439(188), 439(911~2), 440(1138), 440(1409), 441(1289), 442(457), 443(306), 443(1412), 444(66), 444(855), 445(1003), 445(1534), 446(560), 446(1784), 448(90), 448(1367), 449(1551), 451(1573), 452(70), 452(83), 454(506), 456(1006), 456(1280), 456(1603~4), 457(1315), 457(1748), 458(150), 458(468), 461(897), 462(97), 462(1037), 462(1549), 462(1888), 463(1089), 463(1518), 465(42), 465(1327), 465(1920), 466(389), 467(423), 470(1002), 470(1679), 472(1095), 473(667), 473(678), 474(409), 474(1318), 474(1332), 474(1337), 487(1551), 488(1178), 497(223), 497(801), 498(362), 498(1177), 499(705), 500(592), 501(852), 502(884), 502(74, 1302), 503(1246), 504(160), 505(49), 509(777), 511(59, 75, 813), 515(1376), 517(436), 518(61), 520(21), 521(1414), 522(978), 523(31), 524(1011), 525(1179), 526(60, 845), 528(7, 419), 528(7,419), 552(88), 553(612), 555(368,374), 556(1010, 1282), 557(4,687), 558(880), 61(417), 562(669,830), 563(436), 566(630), 568(1486), 570(131), 571(895), 572(515,924), 574(26), 575(74), 576(22,1361,968), 579(1742),580(853), 581(592, 1066~9), 590(20), 601(270), 608(435), 616(866).

— Members are prohibited from quoting or displaying a document — 429(1215).

— Newspaper reports may not be paraphrased — 483(64~5)

— Quotations may be used in the reply — 328(3105).

687. Purpose of supplementary question is to seek information, not to impart it or to keep asking Minister whether he is aware of certain matters — e.g. 54(23), 156(820), 174(323), 179(26), 209(1138), 222(1981), 229(648), 358(1356), 361(487, 1604), 389(341), 398(1432), 414(1012), 415(683), 431(1556), 446(1234), 466(1503), 483(392), 497(84), 497(103), 499(716), 502(893), 503(72, 1518), 481(1156), 485(207, 233), 488(1178), 532(916,922),534(91),537(101), 561(40, 784), 562(350, 1483), 569(94, 1068), 572(314), 581(539~40), 584(1057), 606(1047), 608(439), 610(1556), 614(431).

— Progress at Question Time should be by way of supplementary question rather than statement or debate — 416(590), 423(1747), 429(117), 435(843), 437(1029), 439(911), 441(643), 443(22), 443(26), 443(708), 443(1415), 443(1776), 448(1363), 449(46), 449(422), 450(1489), 451(1595), 452(79), 461(1782), 465(446~7), 465(450), 466(732), 466(2153~4), 472(324), 476(782), 476(793), 476(951), 564(306).

688. Speeches, statements, argument, debate and repetition are out of order — e.g. 49(904), 101(1612), 165(41), 214(321), 361(1604), 365(2461), 372(2714, 2719), 386(624), 405(418), 406(869), 414(1764), 416(1737), 417(1587), 419(1580),

419(2057), 420(1061), 421(375), 421(85), 424(1628), 428(840), 429(420), 430(131), 430(1047), 432(106), 432(938), 433(1439), 434(958), 437(125), 439(104), 440(735), 443(577), 446(1789), 446(1480), 448(1718), 454(392), 456(1281), 457(754), 457(767), 457(1242), 457(1326~7), 457(2152), 458(47), 458(150), 459(87), 460(1324), 460(2170), 462(1545), 464(887), 465(599), 465(947), 466(1503), 466(1821~2), 467(18), 467(1390~1), 467(1404), 470(312), 470(1235), 471(918), 474(1579), 475(1589), 476(939), 477(93), 477(217), 487(395), 497(89), 502(74), 510(447), 511(801), 527(299), 561(1260), 576(11), 580(1141), 583(432~3), 601(258), 603(13), 607(793), 608(439), 616(864).

689. Members who habitually make speeches instead of asking questions or are persistently irrelevant advised that the Chair may exercise his discretion to refuse or curtail supplementary questions from them — 85(30), 89(2020), 94(1943), 356(2504).

690. When next question is called, supplementary questions in relation to preceding one are disorderly — 28(861), 54(2060), 56(2491), 88(1296), 98(1264), 101(1031), 111(499), 164(1022), 178(30, 338), 185(909), 196(14, 944, 958), 203(222), 342(945), 369(2353), 389(2188), 390(1284), 420(1066), 457(355), 475(1173~4).

691. Questions put by way of interruption should not be answered as they are out of order — 497(218), 498(30), 499(887), 504(169, 224), 511(1060).

692. A supplementary question must be relevant to the original question and may not enlarge on it — 160(1174), 169(453), 174(1949), 182(292), 184(961), 193(1013), 240(43), 249(1882), 254(256), 344(74), 350(825), 361(1604), 364(700), 386(611), 392(40), 413(1802), 414(1403~5), 416(622), 419(2062), 423(1475), 424(1036), 439(99~100), 442(931), 448(1217), 448(1718), 450(1131), 457(1319), 461(1275~6), 465(1883), 465(1921), 481(557), 503(1505), 580(1555), 591(38, 49), 599(598), 603(19), 608(16), 613(1088).

- The Chair decides whether a supplementary question is relevant — 412(770~1).
- Supplementary questions outside the scope of the original question are not in order, though a passing reference may be allowed — 450(1158).
- Where question was a broadly based policy question, Chair ruled that member wishing to raise a particular case should table a separate question — 477(542), 477(544), 603(13).
- Where a question addressed to the Taoiseach is general in nature, supplementary questions which are specific and relate to a matter of administration for which another member of the Government is responsible are not in order — 481(662), 561(1259), 568(503), 606(1604), 609(799), 610(501).
- In relation to questions to the Taoiseach concerning Cabinet subcommittees, supplementary questions which are relate to matters of administration or policy for which another member of the Government is responsible are not in order — 605(386~7).
- A question seeking specific information does not afford an opportunity for dealing with policy — 603(467).

693. A statistical question does not afford an opportunity for dealing with policy — 342(2173), 343(1233, 2204), 344(83), 346(686, 1627), 349(357), 352(1860), 358(5), 363(2050), 403(2511), 405(1823), 413(629), 414(2523~4), 417(1555), 418(671), 419(6), 420(197~8), 421(1701), 423(1157), 426(377), 428(833), 429(1134), 430(1017), 431(75), 433(13), 433(1064), 435(852), 435(1818), 436(4), 436(1916),

437(233), 440(1503~4), 442(70), 442(453), 446(493), 448(1740), 452(488), 453(395), 453(918), 453(1360), 455(419~20), 456(606), 461(1277), 462(1539~40), 463(66), 463(1509), 463(1516), 463(1943~4), 465(948~9), 465(1872), 465(1891), 466(13), 466(15), 471(19), 471(286), 471(1624), 472(2), 475(334~5), 475(337), 475(1587~8), 476(494), 476(929), 479(545), 498(1167), 576(1315), 586(1433), 595(253,254), 611(8).

- Supplementary questions should not be asked on purely statistical questions where the reply is in the form of a tabular statement — 496(1193-4), 500(1054~5), 501(837~40), 520(868).
- Where questions have been asked, it is the prerogative of the Minister, if he or she wishes, to comment on them — 452(1578).
- When the main question is a policy question, it is in order to ask a statistical question — 499(1459).

694. Hypothetical questions may not be asked or answered — 78(574), 82(1067), 98(1048), 102(1115), 195(1529), 318(346).

695. Supplementary question should not be used for purpose of making aspersions on an individual — 43(595).

696. Minister may not be asked to express an opinion on or to decide a matter of law — 89(954), 353(1382).

697. Questions requiring a member of the Government to interpret the law are not in order — 572(23).

698. Judicial decision may not be criticised — 242(2095), 244(1572).

699. Where Minister refused to make any comment on a matter on the basis that it would be prejudicial to the case of a person outside House, Chair did not accept any supplementaries on the matter — 375(2024).

700. Supplementary question should not be multiple or omnibus in character — 86(1321), 88(1136), 89(1625), 270(832, 850), 275(1390), 280(1885), 290(654, 1091), 291(18), 346(2036), 373(702), 403(1172), 404(2243), 412(390), 419(1242), 424(1641), 430(1866), 457(1319), 459(634), 471(1653), 476(931), 483(862), 486(671).

701. When Chair has refused Member permission to ask supplementary question, it should not be answered by Minister — 114(838), 141(1047), 186(333), 226(1189), 355(2016), 361(2349), 419(1818).

702. Member asking supplementary question may not address it to a Minister other than Minister to whom main question was addressed — 419 (2063), 431(529), 576(112).

703. Supplementary questions should not encroach on later questions on Order Paper — 412 (715~6), 438(1970), 457(1630), 464(876), 555(817~8), 562(835).

704. Supplementary questions should not prejudge a matter which is due to come before the Committee on Procedure and Privileges the same day — 473(411).

705. Chair has control over length of Members' supplementaries — 428(16).

706. Questions to the Minister should relate only to his area of responsibility — 431(1205), 443(65).

707. Questions from a seated position are not acceptable — 445(1532), 445(1907), 560(1109).

708. A Deputy may not cross-examine a Minister who is replying to Questions — 445(1909), 528(434).

Quorum

709. When Member calls attention to fact that there is no quorum present, business is not allowed to proceed until quorum is present — 24(634), 26(1351), 112(2102), 568(1024).

710. When Member calls attention to fact that there is no quorum present, he may not make a speech on matter — 82(1085).

711. As a quorum was not present Chair, pursuant to Standing Orders —

(a) adjourned House — 66(1916), 195(1448).

(b) suspended sitting — 362(783).

712. Decision arrived at without division may not be subsequently challenged on grounds that no quorum was then present; matter should have been raised before question put and decision come to — 10(1605).

Reopening of Discussion on Matter (S.O. 56)

Under Standing Order 56(1), the reopening of discussion on a matter already discussed within the preceding six months is not allowed.

713. Matter debated on stage of recent Bill should not be redebated on an Estimate — 100(1966), 38(507), 53(93).

714. Matter decided on recent motion should not be redebated on —

(a) Bill — 58(69), 73(1007).

(b) motion for adjournment [S.O. 21(3)] — 70(1456).

(c) Estimate — 50(755), 55(2057, 2348), 61(896), 74(2363), 102(99).

715. The different stages of a Bill are part of the procedure for legislation and are not covered by the Standing Order on the reopening of discussion — 353(1080).

Sittings of Dáil

Adjournment — *see* **Adjournment of the Dáil**

SPECIAL SITTING (STANDING ORDER 24)

716. A special sitting of the Dáil is confined to a particular subject matter — 445(185~6).

717. Questions (including Private Notice Questions) to Members of the

Government are not allowed on a special sitting — 401 (2053), 404 (634).

718. Matters may not be raised under Standing Order 32 at a special sitting — 401 (2295), 404 (634).

SUSPENSION OF SITTING

719. Private Member not permitted to move motion for suspension of sitting in cases such as the following:

- (a) for a meal — 84(81, 246).
- (b) to permit Minister in charge of business to attend — 155(125), 171(77).
- (c) to get amendment, proposed to be moved at short notice, typed — 204(1624).
- (d) to facilitate the viewing of a sporting event — 476(778).

720. Great disorder having arisen, Chair suspended sitting — e.g. 119(1444), 174(813), 195(177), 250(503), 273(103), 310(440), 331(1706), 342(524, 944), 345(1656), 348(961).

Staff of the Houses

721. Matters concerning staff should be raised with Ceann Comhairle or Clerk and not in House — 112(514).

722. Advice tendered to Chair by officer of House cannot be subjected to comment in House — 111(1667), 171(1409), 179(1197), 180(1460), 209(1811), 255(3043), 270(2184), 329(779), 342(2514).

723. References to, or charges against, officials of House should not be made — 196(2998), 252(1683), 433(740).

Standing Orders

GENERAL

724. Standing Orders afford certain protection to minority but their main purpose is to assist in transaction of business — 24(2071).

SUSPENSION OF STANDING ORDERS UNDER S.O. 177

Standing Order 177 provides for the suspension of Standing Orders. However, a Private Member may seek leave to do so only in Private Members' Time.

725. Private Member may move for suspension of Standing Order or Standing Orders in Government time only if Government agrees to make time available — 253(515), 390(1344, 1346).

726. Chair has judged motion to suspend Standing Orders as not one of urgent necessity — 333 (1652), 353(2088).

727. Explanatory statements provided for in Standing Order No. 177(1) are conditional on the Chair having allowed the motion for the suspension of a Standing

Order or Orders — 408 (1429).

Statements

GENERAL

728. In relation to statements, there is no definition of "Party"; a single Deputy has never been regarded as a "Party" but in relation to a recently formed Party which had four Members in House, Chair formed view that it met requirements of Standing Order 43 — 363(1018).

(a) Member representing Party in Opposition which contested previous general election and which had two members returned permitted to speak — 194(1653), 345(1645, 1651).

(b) For the purposes of Standing Order 43, a "Party" in opposition must have at least two members — 401 (2300), 404(1137).

729. A member of the Government may make a statement at any time once he has given notice to the Chair — 340(1802).

730. Statement by spokesman for a Party in Opposition must be within the confines of the Ministerial statement — 316(1999).

731. Minister has no right of reply unless the Dáil so orders — 334(1267).

732. There may be no questions after statement has been made — 345(2830), 347(225), 358(1034).

— Where House decides to conduct statements on a particular issue with a question and answer session, the usual rules governing supplementary questions apply — 456(1601), 465(2107).

— Where quotations were made during statements preceding the question and answer session, Chair allowed quotations during supplementary questions — 465(2112~3).

BUDGET STATEMENTS

733. It is a matter for Minister for Finance to determine who should get copies of Budget Statement in advance — 333(487, 586), 415(10).

734. Chair reminds Members of the House that none of the confidential information which will be circulated in advance by the Minister to certain Members may be disclosed to anyone until the Minister has revealed it to the House — 415 (330), 484(77).

— Chair informs House that, in line with recent precedent, a copy of Minister's Budget speech is being made available to all Deputies in accordance with the arrangements agreed by the Committee on Procedure and Privileges and requests that members wishing to leave the Chamber before the Minister has concluded relinquish their copies of the speech to the usher on duty — 460(718), 555(1257), 611(1510).

735. Debate on the budget is confined to taxation, expenditure and financial policy and other matters can only be raised in so far as they are connected with financial policy — 461(669~70).

Statutory Instruments

736. Debate on motion to annul or approve an instrument is confined to that particular instrument: discussion of parent Act or its administration does not arise — 59(1565), 62(1668), 76(1991), 78(2018), 81(366), 85(1457), 247(1430), 255(2265).

737. Separate resolution of approval is not necessary for each Rule in the case of Rules of Court; they must be approved or disapproved *in globo* — 16(2161-6, 2170, 2263, 2324), 23(39).

738. When Member tables motion to annul statutory instrument which, under statute, can only be annulled within certain number of sitting days, it is responsibility of Member and not that of Chair to make enquiries as to when period expires; after expiration of period, motion cannot be moved — 175(733).

739. Amendment ruled out of order where there was no provision in Act for amendment of Draft Order — 283(1564).

Tribunals of Inquiry, etc.

740. On motion that it is expedient to establish a Tribunal to inquire into a definite matter of urgent public importance —

(a) amendment proposing alternative form of inquiry is in order — 22(31).

(b) Dáil may not enter into an investigation of the matter — 22(34, 54), 64(821), 312(802, 804), 408(2422).

(c) what is in order is whether the inquiry should be set up and the terms of reference accepted; matters to go before Tribunal may not be prejudged — 243(1580, 1617), 312(801, 804).

741. Chair of opinion that animadversions on conduct of Chair given in evidence by Member before a Tribunal should be considered by Committee on Procedure and Privileges when Tribunal had reported; to consider matter earlier would be an interference with deliberations of Tribunal — 109(312).

742. It is not the function of the House, nor is it desirable, to refer to the outcome or to anticipate a Tribunal's shortcomings: apart from the fact that the House might be accused by the Tribunal of infringing on its responsibility, it is a fruitless exercise to comment in any respect on it — 414 (1586~7).

743. The conduct of hearings heard under a Tribunal of Inquiry is solely a matter for its judicial chairman and accordingly should not be raised in the Dáil — 413 (721), 414 (1583~4), 582(15), 609(52).

744. In relation to debate on motion having broad policy implications relating in part to a sitting tribunal of inquiry, Chair ruled that issues before a tribunal were not a matter for the Dáil which should not attempt to have a parallel tribunal on the matter at issue. Chair ruled that reference to direct evidence before a tribunal by named or identifiable individuals who have not been convicted of any offence should not be made and that there was an onus on Members to ensure their contributions were not raised in such an overt manner that it appeared to be an attempt by the Oireachtas to encroach on the functions of the Courts or a Judicial Tribunal — 616(1853).

745. The House, having set up a tribunal, should not interfere in its affairs and it

should not be referred to in debate — 425(435, 578~86), 478(853~4), 598(530), 602(1200), 616(460,503,1108).

- There should be no reference to a tribunal until it reports — 428(31).
- House does not have the right to interfere in any way with the proceedings of a tribunal — 524(253).
- Matters which may come before a tribunal should not be raised — 524(1350).

746. Issues before a tribunal are not a matter for the Order of Business 509(38), 513(731, 517 (1246), 599(1624).

- Relevance of evidence before a judicial tribunal of inquiry is not a matter for the Order of Business and the House has no right to attempt to interfere with its proceedings — 504(644).
- Dáil should not attempt to have a parallel tribunal on matters that may come before a tribunal, but Chair will allow the leaders of parties, which are recognised groups under Standing Orders, to ask a relevant but brief question on the Order of business — 509(543~4).
- Progress or reports of judicial enquiries are not a matter for the Order of Business — 521(1351).

Visitors

747. Admission to public gallery is under control of Ceann Comhairle — 124(952).

748. Admission to gallery is a privilege, not a matter of right — 21(63), 41(112).

749. No Member is entitled to more than two tickets but if gallery is full a Member's right cannot be exercised; no Member is entitled to two tickets on special occasions — 13(1415), 124(952).

750. In deciding whether further tickets can be issued, Chair adverts to number already issued for the day — 103(1286).

751. Gallery should be silent at all times — 320(826), 383(1766), 390(11), 430(1262), 466(1708), 99(1756).

752. Members are responsible for conduct of their visitors; visitors may not take part in deliberations of House; applause (even where Members are applauding), demonstrations of approval or disapproval are forbidden — 1(477, 520), 21(63), 41(112), 43(1276), 44(145, 918), 47(433), 91(44), 94(67), 108(1335), 110(136), 111(313), 117(765), 126(77), 146(42, 98), 160(1271), 245(871), 249(677), 309(1688), 312(29), 355(2545, 2556), 424(1259), 496(895), 560(1186), 562(409).

753. Chair may ask that the public gallery be cleared where there are continual demonstrations or interruptions — 21(63), 41(112), 44(918), 47(433), 111(313), 239(1864, 1878).

754. A book or newspaper may not be read in galleries — 30(629), 92(2119).

755. Occupants of galleries, including press gallery, should not be referred to — 56(1394), 69(951), 78(1408), 91(1810), 97(2635, 2660), 107(129), 117(610), 124(952), 134(765), 173(637), 214(617), 224(1210), 261(1704), 317(290), 327(905),

1806), 337(434), 406(1056), 440(20), 445(1440), 450(1466), 581(602), 582(1120).

756. Distinguished visitors should not be referred to in debate — 423(1375).

**Table indicating the Dates to which Volumes of
the Parliamentary Debates relate**

| <i>Dáil</i> | <i>Volume No(s).</i> | <i>Period covered</i> |
|----------------------------|---------------------------------|--------------------------|
| 3rd Dáil:..... | 1 (Provisional Parliament)..... | 9/9/1922 to 4/12/1922 |
| | 2 to 4..... | 6/12/1922 to 9/8/1923 |
| 4th Dáil:..... | 5 to 19..... | 19/9/1923 to 20/5/1927 |
| 5th Dáil:..... | 20..... | 23/6/1927 to 16/8/1927 |
| 6th Dáil:..... | 21 to 40..... | 11/10/1927 to 17/12/1931 |
| 7th Dáil:..... | 41 to 45..... | 9/3/1932 to 22/12/1932 |
| 8th Dáil:..... | 46 to 68..... | 8/2/1933 to 14/6/1937 |
| 9th Dáil:..... | 69 to 71..... | 21/7/1937 to 25/5/1938 |
| 10th Dáil:..... | 72 to 90..... | 30/6/1938 to 26/5/1943 |
| 11th Dáil:..... | 91 to 93..... | 1/7/1943 to 10/5/1944 |
| 12th Dáil:..... | 94 to 109..... | 9/6/1944 to 11/12/1947 |
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| 14th Dáil:..... | 126 to 145..... | 13/6/1951 to 23/4/1954 |
| 15th Dáil:..... | 146 to 160..... | 2 /6/1954 to 13/12/1956 |
| 16th Dáil:..... | 161 to 191..... | 20/3/1957 to 1/9/1961 |
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| 18th Dáil:..... | 215 to 240..... | 21/4/1965 to 21/5/1969 |
| 19th Dáil:..... | 241 to 264..... | 2/7/1969 to 5/2/1973 |
| 20th Dáil:..... | 265 to 299..... | 14/3/1973 to 25/5/1977 |
| 21st Dáil:..... | 300 to 328..... | 5/7/1977 to 21/5/1981 |
| 22nd Dáil:..... | 329 to 332..... | 30/6/1981 to 27/1/1982 |
| 23rd Dáil:..... | 333 to 338..... | 9/3/1982 to 4/11/1982 |
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| 27th Dáil:..... | 425 to 479..... | 14/12/1992 to 15/5/1997 |
| 28th Dáil:..... | 480 to 552..... | 26/6/1997 to 24/4/2002 |
| 29th Dáil:..... | 553 to 636..... | 6/6/2002 to 26/4/2007 |
| 30 th Dáil..... | 637 to 727..... | 14/6/2007 to 1/2/2011 |