

SEANAD ÉIREANN

**MODIFICATIONS IN EFFECT TO THE STANDING ORDERS
RELATIVE TO PUBLIC BUSINESS
(2020 EDITION)**

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SEPTEMBER, 2021

| <i>S.O. No.</i> | <i>Subject</i> | <i>Page No.</i> |
|-----------------|---|-----------------|
| | Substitution of “Chairperson” for all references to “Chairman” | 4 |
| 5A | Declaration by Cathaoirleach | 5 |
| 6A | Declaration by Leas-Chathaoirleach | 6 |
| 16 | Leader of the House (<i>permanent and temporary modifications</i>) | 7 |
| 22 | Time and days of sitting. Summoning of Seanad. Suspension of Sitting | 10 |
| 29 | Matter for discussion at the commencement of sitting | 11 |
| 31 | Two minute statement on matter of concern to members | 12 |
| 45 | Time limits on non-Government motions | 13 |
| 45A | Non-Government motions: Panel and University members | 14 |
| 49A | Privilege: Utterances which may have had an adverse effect: submission to Chair | 15 |
| 49B | Privilege: Utterances which may have had an adverse effect: Submission to Committee on Parliamentary Privileges and Oversight | 18 |
| 49C | Privilege: Prior notice of intention to make an utterance | 23 |
| 50 | Role of the Chair in maintaining order and making rulings | 24 |
| 52 | Suspension of member | 25 |
| 52A | Types of suspension from the service of the Seanad and its Committees | 28 |
| 60 | Division bell rung and time for locking of doors (<i>temporary modification</i>) | 31 |
| 60A | Group voting in divisions in the Seanad Chamber (<i>temporary modification</i>) | 33 |
| 61 | Taking of divisions (<i>temporary modification</i>) | 35 |
| 70 | Scope and Context of Activities of Select Committees | 36 |
| 71 | Functions of Departmental Select Committees | 38 |
| 72 | Powers of Select Committees | 42 |
| 72A | Raising matters of order in Committee | 46 |
| 78 | Debating of Reports from Committees | 47 |
| 79 | Responsibility of Committee Chair for compliance with Standing Orders, rules and protocols | 50 |
| 81 | Declaration by Chairperson, vice-Chairperson and Temporary Chairperson | 52 |
| 82 | Substitution in, and attendance at Select or Special Committees | 53 |
| 85 | Quorum of Select Committees | 54 |
| 89 | Disorderly conduct in Committees | 55 |
| 94A | Committee on Remit Oversight | 57 |
| 94B | Instruction may be sought for an extension of Committee orders of reference | 59 |
| 94C | Instruction by Committee on Remit Oversight to desist | 61 |
| 97 | Nomination of members by Committee of Selection to serve on Select or Special Committees | 63 |
| 98 | Committee on Parliamentary Privileges and Oversight | 64 |

| | | |
|-----|---|----|
| 99 | Committee on Members' Interests | 69 |
| 104 | Joint Administration Committee | 70 |
| 105 | Committee on the Irish Language, Gaeltacht and the Irish-speaking Community | 71 |
| 141 | Form of matters brought before Seanad | 74 |
| 142 | Expressions of sympathy | 75 |
| 144 | Initiation of Bills by introduction | 77 |
| 145 | Definition of "group" | 78 |

“COMHALTA CEANNAIS” A CHUR IN IONAD AN LEAGAIN CHOMHFHREAGRAIGH DE “FEAR CEANNAIS”, GACH ÁIT A BHFUIL SÉ

SUBSTITUTION OF “CHAIRPERSON” FOR ALL REFERENCES TO “CHAIRMAN”

Date of modification: 19th January, 2021.

Duration of modification: **Permanent**

Effect: The substitution in Standing Orders of “Chairperson” for all references to “Chairman”.

Go ndéantar Buan-Orduithe Sheanad Éireann i dtaobh Gnó Phoiblí a leasú tríd an leagan cuí gramadaí de “Comhalta Ceannais” a chur in ionad an leagain chomhfhreagraigh de “Fear Ceannais”, gach áit a bhfuil sé.

That the Standing Orders of Seanad Éireann relative to Public Business is amended by the substitution of “Chairperson” for “Chairman” wherever it occurs.

BUAN-ORDÚ 5A – DEARBHÚ AG AN GCATHAOIRLEACH

STANDING ORDER 5A – DECLARATION BY CATHAOIRLEACH

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for a declaration to be taken by the Cathaoirleach on election.

Glactar leis seo an Buan-Ordú nua seo a leanas:

The following new Standing Order is hereby adopted:

“5A. Ar dhul i gCeannas dó nó di den chéad uair tar éis a thofa nó a tofa, tabharfaidh an Cathaoirleach an dearbhú seo a leanas:—

“5A. Upon first taking the Chair after his or her election, the Cathaoirleach shall make the following declaration:—

‘Dearbháim go sollúnta go ndéanfaidh mé, go cuí agus go dílis agus a mhéid is eol agus is cumas dom, oifig Chathaoirleach Sheanad Éireann a fheidhmiú gan scáth gan fabhar, na rialacha mar atá siad leagtha síos ag an Teach seo a chur i bhfeidhm go cothrom neamhchlaonta, ord a choimeád agus cearta agus pribhléidí comhaltaí a chaomhnú de réir an Bhunreachtá agus de réir Bhuan-Ordúithe Sheanad Éireann.’”

‘I do solemnly declare that I will duly and faithfully and to the best of my knowledge and ability, execute the office of Cathaoirleach of Seanad Éireann without fear or favour, apply the rules as laid down by this House in an impartial and fair manner, maintain order and uphold the rights and privileges of members in accordance with the Constitution and the Standing Orders of Seanad Éireann.’”

BUAN-ORDÚ 6A – DEARBHÚ AG AN LEAS-CHATHAOIRLEACH

STANDING ORDER 6A – DECLARATION BY LEAS-CHATHAOIRLEACH

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for a declaration to be taken by the Leas-Chathaoirleach on election.

Glactar leis seo an Buan-Ordú nua seo a leanas:

The following new Standing Order is hereby adopted:

“6A. Ar dhul i gCeannas dó nó di den chéad uair tar éis a thofa nó a tofa, tabharfaidh an Leas-Chathaoirleach an dearbhú seo a leanas: —

“6A. Upon first taking the Chair after his or her election, the Leas-Chathaoirleach shall make the following declaration:—

‘Dearbhaim go sollúnta go ndéanfaidh mé, go cuí agus go dílis agus a mhéid is eol agus is cumas dom, oifig Leas-Chathaoirleach Sheanad Éireann a fheidhmiú gan scáth gan fabhar, na rialacha mar atá siad leagtha síos ag an Teach seo a chur i bhfeidhm go cothrom neamhchlaonta, ord a choimeád agus cearta agus pribhléidí comhaltaí a chaomhnú de réir an Bhunreachtá agus de réir Bhuan-Orduithe Sheanad Éireann’.”

‘I do solemnly declare that I will duly and faithfully and to the best of my knowledge and ability, execute the office of Leas-Chathaoirleach of Seanad Éireann without fear or favour, apply the rules as laid down by this House in an impartial and fair manner, maintain order and uphold the rights and privileges of members in accordance with the Constitution and the Standing Orders of Seanad Éireann’.”

BUAN-ORDÚ 16 – TREORAÍ AN TÍ

STANDING ORDER 16 – LEADER OF THE HOUSE

Date of modification: 18th September, 2020.

Duration of modification: **Permanent**¹

Effect: Allows for a consequential change to the start time of the Order of Business to reflect the increase in the number of commencement matters that may be selected per day on weeks where there are less than three sittings of the Seanad.

An méid seo a leanas a chur in ionad Bhuan-Ordú 16:

“16. Déanfaidh Treoraí an Tí (an Leas-Treoraí nó Seanadóir eile a bheidh údaraithe ag an Rialtas chun críche an Bhuan-Ordaithe seo), ag gníomhú dó nó di thar ceann an Rialtais sa Seanad, an gnó do gach lá suí agus an t-ord ina dtógfar an gnó sin a thairiscint uair an chloig tar éis an ama a bheidh sonraithe le haghaidh tosach gnó phoiblí i gcás go ndéanfar ceithre ní a roghnú chun a bpléite faoi Bhuan-Ordú 29 agus uair an chloig go leith tar éis an ama a bheidh sonraithe le haghaidh tosach gnó phoiblí i gcás go ndéanfar níos mó ná ceithre ní den sórt sin a roghnú.”.

The substitution of the following for Standing Order 16:

“16. The Leader of the House (Deputy Leader or another Senator authorised by the Government for the purpose of this Standing Order) acting on behalf of the Government in the Seanad, shall propose the business for each sitting day and the order in which it shall be taken one hour after the time specified for the commencement of public business where four matters are selected for discussion under Standing Order 29 and one and a half hours after the time specified for the commencement of public business where more than four such matters are selected.”.

¹ Féach an chéad leathanach eile chun téacs an Bhuan-Ordaithe atá, go sealadach, in ionad an Bhuan-Ordaithe seo a fháil.

See next page for temporary substitution of this Standing Order.

BUAN-ORDÚ 16 – TREORAÍ AN TÍ

STANDING ORDER 16 – LEADER OF THE HOUSE

Date of modification: 16th October, 2020.

Duration of modification: **Temporary – until 31st December, 2021.²**

Effect: Provides for matters to be raised on the business of the Seanad on days where no proposal would be made by the Leader on the Order of Business, but all of the usual contributions may be made by members.

Go ndéanfar an méid seo a leanas a chur, go sealadach, in ionad Bhuan-Ordú 16:

The temporary substitution of the following for Standing Order 16:

“**16.** (1) Déanfaidh Treoraí an Tí (an Leas-Treoraí nó Seanadóir eile a bheidh údaraithe ag an Rialtas chun críche an Bhuan-Ordaithe seo), ag gníomhú dó nó di thar ceann an Rialtais sa Seanad, an gnó do gach lá suí agus an t-ord ina dtógfar an gnó sin a thairiscint uair an chloig i ndiaidh an ama a bheidh sonraithe le haghaidh tosach gnó phoiblí i gcás go ndéanfar ceithre ní a roghnú chun a bpléite faoi Bhuan-Ordú 29 agus uair an chloig go leith i ndiaidh an ama a bheidh sonraithe le haghaidh tosach gnó phoiblí i gcás go ndéanfar níos mó ná ceithre ní den sórt sin a roghnú. Beidh Treoraí an Tí ina chomhalta nó ina comhalta *ex officio* den Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú.

“**16.** (1) The Leader of the House (Deputy Leader or another Senator authorised by the Government for the purpose of this Standing Order) acting on behalf of the Government in the Seanad, shall propose the business for each sitting day and the order in which it shall be taken one hour after the time specified for the commencement of public business where four matters are selected for discussion under Standing Order 29 and one and a half hours after the time specified for the commencement of public business where more than four such matters are selected. The Leader of the House shall be an *ex officio* member of the Committee on Parliamentary Privileges and Oversight.

(2) Maidir le tairiscint lena dtairgfear an gnó do níos mó ná lá suí amháin, seachas lá déanta na tairisceana sin, ní thairgfear léi togra den sórt sin maidir le níos mó ná dhá lá suí as a chéile.

(2) A motion proposing the business for more than one sitting day, other than the day on which such motion is made, shall not make such proposal in respect of more than two consecutive sitting days.

(3) Féadfaidh an Seanad a ordú go bhféadfar, ar aon lá suí a mbeidh sé ordaithe ag an Seanad ina leith nach ndéanfar togra faoi mhír (1), nithe maidir le gnó an tSeanad a ardú le Treoraí an Tí gan fógra.

(3) The Seanad may order that, on any sitting day in respect of which the Seanad has ordered that a proposal under paragraph (1) shall not be made, matters on the business of the Seanad may be raised with the Leader of the House without notice.

² Fadaíodh ré an mhodhnaithe shealadaigh seo go dtí an 31^ú Nollaig 2021 le Rún ón Seanad an 23^ú Aibreán 2021.

The duration of this temporary modification was extended to 31st December, 2021 by Resolution of the Seanad of 23rd April, 2021.

(4) Mura n-ordóidh an Seanad a mhalairt, ní rachaidh an tréimhse ar lena linn a fhéadfar nithe dá dtagraítear i mír (3) a phlé thar uair an chloig.

(5) Ní fhéadfaidh Seanadóir níos mó ná ní amháin a ardú aon lá agus ní rachaidh ráiteas aon Seanadóra ar an ní sin thar dhá nóiméad, ach amháin go bhféadfaidh Ceannaire gach Grúpa (nó duine a ainmneofar ina ionad nó ina hionad) níos mó ná ní amháin a ardú ach ní rachaidh a ráiteas ar na nithe sin thar trí nóiméad ar fad.

(6) Ní rachaidh freagra Threoraí an Tí ar na nithe a bheidh ardaithe thar deich nóiméad.

(7) Ní vótálfaidh an Seanad ar aon ní a éireoidh as ní a ardófar faoi mhír (3).”.

(4) Unless the Seanad shall otherwise order, the period for which matters referred to in paragraph (3) may be discussed shall not exceed one hour.

(5) A Senator may not raise more than one matter on any day and the statement of any Senator on such matter shall not exceed two minutes, except that the Leader of each Group (or a person nominated in his or her stead), may raise more than one matter but his or her statement on such matters shall not exceed three minutes in the aggregate.

(6) The response of the Leader of the House to the matters raised shall not exceed ten minutes.

(7) The House shall not divide on any matter arising out of a matter raised under paragraph (3).”.

BUAN-ORDÚ 22 – AM AGUS LAETHANTA SUÍ. AN SEANAD A CHOMÓRADH. SUÍ A CHUR AR FIONRAÍ

STANDING ORDER 22 – TIME AND DAYS OF SITTING. SUMMONING OF SEANAD. SUSPENSION OF SITTING

Date of modification: 16th October, 2020.

Duration of modification: **Permanent**

Effect: Limits contributions on and amendments to the Leader’s proposal on the Order of Business on days when the Seanad has exceptionally been convened for a special purpose to that special purpose only.

Go ndéantar Buan-Ordú 22 a leasú tríd an mír seo a leanas a chur isteach i ndiaidh mhír (3):

“(3A) I gcás go mbeidh tionól den Seanad comórtha de bhun mhír (2) nó (3), cloífead, sa díospóireacht ar an togra arna dhéanamh faoi mhír (1) de Bhuan-Ordú 16 agus ar na leasuithe ar an gcéanna, más ann, ag an tionól sin, leis na socruithe a thairg Treoraí an Tí maidir leis na cúiseanna speisialta, leis an gcríoch shonrach nó leis an tairiscint chun rialacháin a neamhniú, de réir mar a bheidh, ar comóradh an tionóil ina leith.”.

That Standing Order 22 is amended by the insertion of the following paragraph after paragraph (3):

“(3A) Where a meeting of the Seanad has been summoned pursuant to paragraph (2) or (3), debate on and amendments, if any, to the proposal made under paragraph (1) of Standing Order 16 at such meeting shall be confined to the arrangements proposed by the Leader of the House in respect of the special reasons, specific purpose or motion for the annulment of regulations, as the case may be, in respect of which the meeting was summoned.”.

BUAN-ORDÚ 29 – NÍ A PHLÉ I DTOSACH SUÍONNA

STANDING ORDER 29 – MATTER FOR DISCUSSION AT THE COMMENCEMENT OF SITTINGS

Date of modification: 18th September, 2020.

Duration of modification: **Permanent**

Effect: Provides for commencement matters to be taken on any day that the Seanad sits and allows for an additional two commencement matters to be selected per day on weeks when the Seanad sits less than three days.

Leasaítear Buan-Ordú 29 –

Standing Order 29 is amended –

(a) i mír (1)(a), trí “, ar an Máirt, ar an gCéadaoin agus ar an Déardaoin,”; a scriosadh, agus

(b) i mír (1)(b), tríd an gcoinníoll seo a leanas a chur isteach i ndiaidh “pléifear iad láithreach”：“: Ar choinníoll, i gcás gur dealraitheach don Chathaoirleach gur lú ná trí líon na laethanta suí in aon seachtain a bhféadfar nithe faoin mBuan-Ordú seo a phlé, féadfaidh sé nó sí, gach lá den sórt sin, suas le sé ní a rialaíodh oiriúnach a roghnú chun a bpléite”.

(a) in paragraph (1)(a), by the deletion of “, on Tuesdays, Wednesdays and Thursdays,”; and

(b) in paragraph (1)(b), by the insertion after “discussed forthwith” of the following proviso: “: Provided that where it appears to the Cathaoirleach that the number of sitting days in any week on which matters under this Standing Order may be discussed will be fewer than three he or she may, on each such day, select for discussion up to six matters ruled suitable”.

BUAN-ORDÚ 31 – RÁITEAS DHÁ NÓIMÉAD AR NÍ IS CÁIS LE COMHALTAÍ

STANDING ORDER 31 – TWO MINUTE STATEMENT ON MATTER OF CONCERN TO MEMBERS

Date of modification: 16th October, 2020.

Duration of modification: **Permanent**

Effect: The deletion of Standing Order 31.

Go ndéanfar Buan-Ordú 31 a scriosadh. That Standing Order 31 be deleted.

BUAN-ORDÚ 45 – SRIANTA AMA AR THAIRISCINTÍ NACH ÓN RIALTAS IAD

STANDING ORDER 45 - TIME LIMITS ON NON-GOVERNMENT MOTIONS

Date of modification: 19th January, 2021.

Duration of modification: **Permanent**

Effect: Amends time limits for individual speeches for non-Government motions.

I mBuan-Ordú 45, an méid seo a leanas a chur in ionad mhír (b):

“(b) ní rachaidh óráidí Seanadóra a mholfaidh tairiscint agus Seanadóra a chuideoidh le tairiscint thar 16 nóiméad, i gceann a chéile; ní rachaidh óráid an Aire nó an Aire Stáit a bheidh i gceist thar 15 nóiméad, agus beidh an Seanadóir a rinne an tairiscint nó cibé Seanadóir eile, nach mbeidh labhartha cheana aige nó aici agus a údaróidh sé nó sí chuige sin, i dteideal 5 nóiméad le haghaidh óráid mar fhreagra; ní rachaidh óráid aon Seanadóra eile sa díospóireacht thar 6 nóiméad.”.

In Standing Order 45, the substitution of the following for paragraph (b):

“(b) the combined speeches of a Senator proposing and a Senator seconding a motion shall not exceed 16 minutes; the speech of the Minister or Minister of State concerned shall not exceed 15 minutes and the Senator proposing, or such other Senator who has not already spoken as he or she may authorise in that behalf, shall be entitled to 5 minutes for a speech in reply; the speech of any other Senator in the course of the debate shall not exceed 6 minutes.”.

BUAN-ORDÚ 45A – TAIRISCINTÍ NACH ÓN RIALTAS IAD: ROLLA-CHOMHALTAÍ AGUS COMHALTAÍ OLLSCOILE

STANDING ORDER 45A – NON-GOVERNMENT MOTIONS: PANEL AND UNIVERSITY MEMBERS

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: Provides for time to be allocated to panel and university members for debates on motions relevant to that panel or university.

Glactar leis seo an Buan-Ordú nua seo a leanas:

“**45A.** (1) Aon Seanadóir a toghadh chun rolla-shuíocháin nó chun suíocháin ollscoile, féadfaidh sé nó sí fógra tairisceana a thabhairt i gcomhair díospóireachta le linn an ama a thabharfar chuige sin don rolla nó don ollscoil ar toghadh an Seanadóir sin ina leith.

(2) Ar mholadh ó Threoraí an Tí de réir Bhuan-Ordú 16, tabharfar am, i leith gach rolla agus gach ollscoile, faoi dhó ar a laghad in aon bhliain iomlán féilire, i gcomhair díospóireachta ar thairiscint a bhfuil fógra tugtha maidir léi de réir mhír (1).

(3) Roghnóidh an Cathaoirleach tairiscint i gcomhair díospóireachta as measc na dtairiscintí a chuirfear faoi bhráid an tSeanaid de réir mhír (1).

(4) Bainfidh forálacha Bhuan-Ordú 45 le tairiscintí faoin mBuan-Ordú seo.

(5) Glaofar ar Sheanadóirí a toghadh i leith an rolla nó na hollscoile lena mbaineann, agus atá i láthair, chun labhairt faoi thairiscint faoin mBuan-Ordú seo roimh Sheanadóirí eile.”.

The following new Standing Order is hereby adopted:

“**45A.** (1) Any Senator who has been elected to a panel or a university seat may give notice of a motion for debate during time allocated for that purpose to the panel or university in respect of which that Senator was elected.

(2) On the proposal of the Leader of the House in accordance with Standing Order 16, time shall be allocated, in respect of each panel and each university, at least twice in any full calendar year for debate on a motion of which notice has been given in accordance with paragraph (1).

(3) A motion for debate under this Standing Order shall be selected by the Cathaoirleach from among the motions submitted in accordance with paragraph (1).

(4) The provisions of Standing Order 45 shall apply to motions moved under this Standing Order.

(5) Senators who have been elected in respect of the panel or university concerned and who are present shall be called upon to speak to a motion under this Standing Order before other Senators.”.

BUAN-ORDÚ 49A – PRIBHLÉID: CAINT A BHFÉADFADH DOCHAR A BHEITH DÉANTA LÉI: AIGHNEACTH A CHUR FAOI BHRÁID AN CHATHAOIRLIGH

STANDING ORDER 49A – PRIVILEGE: UTTERANCES WHICH MAY HAVE HAD AN ADVERSE EFFECT: SUBMISSION TO CHAIR

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for submissions to be made to the Cathaoirleach and Chairpersons of Committees in relation to utterances that may have had an adverse effect on a person referred to in proceedings.

Glactar leis seo an Buan-Ordú nua seo a leanas:

The following new Standing Order is hereby adopted:

“49A. (1) Chun críche an Bhuan-Ordaithe seo, Bhuan-Ordú 49B agus Bhuan-Ordú 50—

“49A. (1) For the purpose of this Standing Order, Standing Order 49B and Standing Order 50—

ciallaíonn ‘go ndearnadh dochar le caint’ go ndearnadh tagairt do dhuine as a ainm nó as a hainm, nó ar shlí ar furasta an duine sin a aithint, agus go bhfuil dóchúlacht shuntasach ann, maidir leis an duine sin—

‘adversely affected by an utterance’ means that a person has been referred to in proceedings by name or in such a way as to be readily identifiable, and there is a significant likelihood that that person, to a substantial degree—

- (a) go ndearnadh dochar dó nó di ina cháil nó ina cáil nó ina bhaint nó ina baint nó ina phlé nó ina plé le daoine eile,
- (b) go ndearnadh díobháil dó nó di ina shlí/slí bheatha, ina cheird/ceird, ina oifig/hoifig nó ina chreidmheas/creidmheas airgeadais,
- (c) go ndearnadh cur isteach míreasúnta ar a phríobháideacht nó a príobháideacht,

- (a) has been adversely affected in reputation, or in respect of dealings or associations with others,
- (b) has been injured in occupation, trade, office or financial credit, or
- (c) has had his or her privacy unreasonably invaded,

de bhíthin na tagartha sin a rinneadh dó nó di: Ar choinníoll, maidir le caint a rinne dochar do dhuine, nach gá gurb ionann agus mí-úsáid pribhléide í de réir bhrí na mBuan-Orduithe seo.

by reason of that reference to him or her: Provided that an utterance which has had an adverse effect on a person will not necessarily constitute an abuse of privilege within the meaning of these Standing Orders.

ciallaíonn ‘Cathaoirleach’ —

‘Chair’ means—

- | | |
|--|--|
| (a) i gcás imeachtaí Sheanad Éireann, an Cathaoirleach, nó | (a) the Cathaoirleach in the case of the proceedings of Seanad Éireann, or |
| (b) Cathaoirleach an Choiste i gcás imeachtaí — | (b) the Chair of the Committee in the case of the proceedings of— |
| (i) Coiste arna cheapadh ag Seanad Éireann, nó | (i) a Committee appointed by Seanad Éireann, or |
| (ii) Comhchoiste arna cheapadh ag an dá Theach, | (ii) a Joint Committee appointed by both Houses, |
| nó aon Fhochoiste díobh sin, | or any sub-Committee thereof, |

ciallaíonn ‘Cléireach iomchuí’ —

‘relevant Clerk’ means —

- | | |
|---|---|
| (a) i gcás imeachtaí an tSeanaid, Cléireach Sheanad Éireann, nó | (a) in the case of Seanad proceedings, the Clerk of Seanad Éireann, or |
| (b) i gcás imeachtaí Roghchoiste, Coiste Speisialta nó Comhchoiste, Cléireach an Choiste. | (b) in the case of the proceedings of a Select, Special or Joint Committee, the Clerk of the Committee. |

folaíonn ‘imeachtaí’—

‘proceedings’ include the proceedings of—

- | | |
|--|--|
| (a) imeachtaí Sheanad Éireann agus Choiste den Seanad uile, agus | (a) Seanad Éireann and Committee of the whole Seanad, and |
| (b) i ndáil le Coistí— | (b) in relation to Committees— |
| (i) imeachtaí Coiste arna cheapadh ag Seanad Éireann, agus | (i) a Committee appointed by Seanad Éireann, and |
| (ii) imeachtaí Comhchoiste arna cheapadh ag an dá Theach, | (ii) a Joint Committee appointed by both Houses, or any sub-Committee thereof, and |

nó aon Fhochoiste díobh sin, agus foláíonn ‘caint’ gach ní arna fhoilsiú i dTuairisc Oifigiúil na nDíospóireachtaí.

‘utterance’ includes all matters published in the Official Report of the Debates.

(2) Ní bheidh feidhm ag an mBuan-Ordú seo agus Buan-Ordú 49B maidir le finné a bheidh ag láithriú os comhair Coiste de

(2) This Standing Order and Standing Order 49B shall not apply to a witness attending before a Committee pursuant to

bhun ordachán faoi alt 67 nó 83 den Acht um Thithe an Oireachtais (Fiosrúcháin, Pribhléidí agus Nósanna Imeachta), 2013.

(3) Aon duine a bheidh den tuairim go ndearna caint dochar dó nó di, féadfaidh sé nó sí aighneacht scríofa a chur faoi bhráid an Chléirigh iomchuí tráth nach déanaí ná 6 seachtaine tar éis an chaint a dhéanamh. Déanfaidh an Cléireach iomchuí, a luaithe is indéanta tar éis an aighneacht a bheith curtha faoina bhráid nó faoina bráid, an aighneacht a thabhairt don Chathaoirleach lena breithniú aige nó aici faoi mhír (4).

(4) Déanfaidh an Cathaoirleach, a luaithe is indéanta agus de réir aon treoirlínte iomchuí arna n-eisiúint ag an nGasra Oibre de Chathaoirligh Coistí faoi Bhuan-Ordú 107, de réir mar is cuí, an gníomh, más ann, a bheidh le déanamh mar fhreagra ar aighneacht faoi mhír (3), a chinneadh, agus cuirfidh sé nó sí an méid sin in iúl don duine a rinne an aighneacht dá réir sin: Ar choinníoll thairis sin go bhféadfaidh an Cathaoirleach, dá rogha féin, an aighneacht a tharchur aon tráth chuig an gCoiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú lena breithniú de réir Bhuan-Ordú 49B.”.

a direction under either section 67 or 83 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

(3) A person who is of the opinion that he or she has been adversely affected by an utterance may make a written submission to the relevant Clerk not later than 6 weeks following the making of the utterance. The relevant Clerk shall, as soon as practicable following receipt of a submission, furnish the submission to the Chair for his or her consideration under paragraph (4).

(4) The Chair shall, as soon as practicable and in accordance with any relevant guidance issued by the Working Group on Committee Chairpersons under Standing Order 107 as appropriate, determine the action, if any, to be taken in response to a submission under paragraph (3), and shall notify the person who has made the submission accordingly: Provided further that the Cathaoirleach may, at his or her discretion, at any time refer the submission to the Committee on Parliamentary Privileges and Oversight for consideration in accordance with Standing Order 49B.”.

BUAN-ORDÚ 49B – PRIBHLÉID: CAINT A BHFÉADFADH DOCHAR A BHEITH DÉANTA LÉI: AIGHNEACHT A CHUR FAOI BHRÁID AN CHOISTE UM PRIBHLÉIDÍ PARLAIMINTEACHA AGUS FORMHAOIRSIÚ

STANDING ORDER 49B – PRIVILEGE: UTTERANCES WHICH MAY HAVE HAD AN ADVERSE EFFECT: SUBMISSION TO COMMITTEE ON PARLIAMENTARY PRIVILEGES AND OVERSIGHT

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for submissions to be made to the Committee on Parliamentary Privileges and Oversight in relation to utterances that may have had an adverse effect on a person referred to in proceedings.

Glactar leis seo an Buan-Ordú nua seo a leanas:

The following new Standing Order is hereby adopted:

“**49B.** (1) Aon duine—

“**49B.** (1) A person who—

(a) nach mbeidh sásta leis an bhfógra i dtaobh fhreagra an Chathaoirligh ar a aighneacht nó a haighneacht tosaigh faoi Bhuan-Ordú 49A (4), nó

(a) is not satisfied with the notification of the Chair’s response to his or her initial submission under Standing Order 49A (4), or

(b) nach mbeidh fógra den sórt sin faighte aige nó aici laistigh de 6 seachtaine tar éis an aighneacht tosaigh a dhéanamh,

(b) has not received such a notification within 6 weeks of the making of the initial submission,

féadfaidh sé nó sí, tráth nach déanaí ná 12 sheachtain tar éis an aighneacht tosaigh a dhéanamh, aighneacht eile a chur faoi bhráid an Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsíú.

may, not later than 12 weeks following the making of the initial submission, make a further submission to the Committee on Parliamentary Privileges and Oversight.

(2) Ní cosc mír (1) ar dhuine a mbeidh fógra faighte aige nó aici mar fhreagra laistigh de 6 seachtaine tar éis aighneacht tosaigh a dhéanamh aighneacht eile a chur faoi bhráid an Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsíú: Ar choinníoll go ndéanfar an aighneacht eile tráth nach déanaí ná 12 sheachtain tar éis an aighneacht tosaigh a dhéanamh.

(2) Paragraph (1) shall not prevent a person who has received a notification in response within 6 weeks of making an initial submission from making a further submission to the Committee on Parliamentary Privileges and Oversight: Provided that such further submission is made not later than 12 weeks after the initial submission.

(3) Déanfaidh an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsíú aon aighneacht nó tarchur—

(3) The Committee on Parliamentary Privileges and Oversight shall consider any submission or referral made—

(a) a dhéanfar faoi mhír (1), nó

(a) under paragraph (1), or

(b) a dhéanfaidh an Cathaoirleach faoi Bhuan-Ordú 49A (4) nó faoin mBuan-Ordú seo,

a bhreithniú a luaithe is indéanta tar éis í nó é a fháil. Féadfaidh an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú, mar eisceacht, a chinneadh go nglacfar le haighneacht tráth níos déanaí ná na tréimhsí ama a shonraítear sa Bhuan-Ordú seo, i gcás, sna himthosca iomchuí go léir, gur deimhin leis an gCoiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú gur ghníomhaigh an duine go pras agus go bhfuil cúiseanna dosháraithe ann, agus fianaise ag tacú leo, don Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú an aighneacht a ghlacadh.

(4) I gcás nach mbeidh aighneacht déanta faoi Bhuan-Ordú 49A nó faoin mBuan-Ordú seo, féadfaidh an Cathaoirleach, i gcás go mbeidh sé nó sí den tuairim go bhféadfadh dochar a bheith déanta do dhuine, caint a tharchur chuig an gCoiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú lena breithniú de réir an Bhuan-Ordaithe seo.

(5) I gcás go bhfaighidh an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú aighneacht nó tarchur faoin mBuan-Ordú seo, tabharfaidh sé fógra don chomhalta a rinne an caint agus tabharfaidh sé deis don chomhalta sin aighneacht dá chuid féin nó dá cuid féin a chur faoi bhráid an Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú.

(6) I gcás go mbaineann aighneacht nó tarchur faoin mBuan-Ordú seo le caint a rinne comhalta den Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú, staonfaidh an comhalta sin ó na himeachtaí go léir i leith na haighneachta nó an tarchuir: Ar choinníoll go bhféadfaidh comhalta eile ionadú a dhéanamh don chomhalta sin sna himeachtaí sin de réir Bhuan-Ordú 82.

(7) Le linn dó cinneadh a dhéanamh faoin mBuan-Ordú seo (agus féadfaidh cinneadh i dtaobh ar tharla mí-úsáid pribhléide a

(b) by the Cathaoirleach under Standing Order 49A (4) or under this Standing Order,

as soon as practicable following its receipt. The Committee on Parliamentary Privileges and Oversight may, by exception, decide to accept a submission later than the time periods specified in this Standing Order where, in all the relevant circumstances, the Committee on Parliamentary Privileges and Oversight is satisfied that the person has acted promptly, and that there are compelling reasons, supported by evidence, for the Committee on Parliamentary Privileges and Oversight to accept the submission.

(4) Where a submission has not been made under Standing Order 49A or under this Standing Order, the Cathaoirleach may, where he or she is of the opinion that a person may have been adversely affected, refer an utterance to the Committee on Parliamentary Privileges and Oversight for consideration in accordance with this Standing Order.

(5) Where the Committee on Parliamentary Privileges and Oversight has received a submission or referral under this Standing Order, it shall notify the member who made the utterance, and shall afford such member an opportunity to make their own submission to the Committee on Parliamentary Privileges and Oversight.

(6) Where a submission or referral under this Standing Order relates to an utterance by a member of the Committee on Parliamentary Privileges and Oversight, such member shall recuse themselves from all proceedings in respect of that submission or referral: Provided that another member may substitute for such member for such proceedings in accordance with Standing Order 82.

(7) When making a determination under this Standing Order (which may include a determination on whether an abuse of

bheith san áireamh), beidh aird ag an gCoiste um Pribhléidí Parlaiminteacha agus Formhaoirsíú ar leas an phobail, nósanna imeachta cothroma agus riachtanais an cheartais aiceanta agus bunreachta, agus cibé cúinsí eile is cuí agus is iomchuí leis de réir mar a bheidh leagtha amach sna treoirlínte arna nglacadh ag an gCoiste de réir Bhuan-Ordú 98.

(8) Le linn dó leas an phobail a bhreithniú chun cinneadh a dhéanamh faoin mBuan-Ordú seo, déanfaidh an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsíú cothromaíocht a aimsiú—

- (a) maidir le cearta comhaltaí chun gabháil faoi shaoirse do dhíospóireacht i dtaobh nithe a mbaineann tábhacht phoiblí leo (ar cearta iad atá faoi réir fhorálacha na mBuan-Orduithe agus rialuithe ón gCathaoirleach arna dtabhairt de bhun Bhuan-Ordú 50), agus
- (b) cearta gach duine dá ndéanann an díospóireacht sin difear.

(9) Chun críocha an Bhuan-Ordaithe seo, folaíonn “leas an phobail” breithniú a dhéanamh ar na nithe seo a leanas, ach gan bheith teoranta dóibh:

- (a) a mhéid a bhaineann an chaint le ní a bhaineann le beartas poiblí agus leis an gcéanna a chur chun cinn,
- (b) a mhéid a bhaineann an chaint le ní is díol mór inní don phobal,
- (c) an amhlaidh go ndearnadh an chaint le linn dualgas parlaiminteach comhalta a chomhlíonadh,
- (d) a mhéid a rinneadh an chaint ar bhealach freagrach, lena n-áirítear í a bheith iomchuí

privilege has occurred), the Committee on Parliamentary Privileges and Oversight shall have regard to the public interest, fair procedures and the requirements of natural and constitutional justice, and such other considerations as it considers appropriate and relevant as set out in such guidelines as shall be adopted by the Committee in accordance with Standing Order 98.

(8) In considering the public interest for the purposes of making a determination under this Standing Order, the Committee on Parliamentary Privileges and Oversight shall balance—

- (a) the rights of members to engage freely in debate on matters of public importance (which rights are subject to the provisions of Standing Orders and rulings of the Chair made pursuant to Standing Order 50), and
- (b) the rights of all persons affected by such debate.

(9) For the purposes of this Standing Order, “public interest” includes, but is not limited to, consideration of the following matters:

- (a) the degree to which the utterance is in relation to, and in furtherance of, a matter of public policy,
- (b) the degree to which it relates to a matter of significant public concern,
- (c) whether the utterance was made in the course of the performance of a member’s parliamentary duty,
- (d) the degree to which it was made in a responsible manner, including its

maidir leis na himeachtaí,
agus

- (e) a mhéid a dhéanann an chaint dochar do dhuine ar féidir é nó í a aithint.

Féadfar cúinsí breise a leagan amach i dtreoirínte arna nglacadh ag an gCoiste de réir Bhuan-Ordú 98.

(10) Tar éis dó cinneadh a dhéanamh faoi mhír (7), féadfaidh an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú cibé moltaí is cuí leis a dhéanamh agus tuairisciú don Seanad ar an gcéanna. Féadfaidh ceann amháin nó níos mó de na nithe seo a leanas a bheith ar áireamh sna moltaí sin, ach gan bheith teoranta dóibh—

- (a) go mbeidh sé ina threoir ag an Seanad don Choiste iomchuí cibé gníomh a dhéanamh, faoi réir cibé coinníollacha, a chinnfidh an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú;
- (b) go ndéanfaidh an Seanad comhalta a cháineadh ar chúiseanna a shonrófar:

Ar choinníoll, i gcás go ndéanfaidh an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú moladh faoin mír seo, nach ndéanfaidh aon ní cosc a chur air a chinneadh gur mí-úsáid phribhléide í an chaint iomchuí.

(11) Déanfaidh an Seanad tairiscint faoi mhír (10) a bhreithniú a luaithe is indéanta.

(12) I gcás go gcinntear leis an tuarascáil ón gCoiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú gur tharla mí-úsáid phribhléide, cuirfear ceangal ar an gcomhalta a rinne an chaint í a tharraingt siar le linn imeachtaí den Seanad nó den Choiste iomchuí, de réir mar is cuí, agus laistigh de cibé tréimhse ama agus i cibé foirm focal a shonróidh an Coiste ina thuarascáil. Déanfaidh an Cathaoirleach (nó Cathaoirleach an Choiste, de réir mar

relevance to the
proceedings, and

- (e) the degree to which the utterance adversely affects an identifiable person.

Additional considerations may be set out in guidelines adopted by the Committee in accordance with Standing Order 98.

(10) Having made a determination under paragraph (7), the Committee on Parliamentary Privileges and Oversight may make such recommendations as it considers appropriate and shall report to the Seanad thereon. Such recommendations may include, but are not limited to, one or more of the following—

- (a) that the relevant Committee be instructed by the Seanad to take such action, subject to such conditions, as the Committee on Parliamentary Privileges and Oversight shall determine;
- (b) that a member be censured by the Seanad for stated reasons:

Provided that where the Committee on Parliamentary Privileges and Oversight makes a recommendation under this paragraph, nothing shall preclude it from making a finding that the relevant utterance constituted an abuse of privilege.

(11) The Seanad shall consider a motion under paragraph (10) as soon as is practicable.

(12) Where the report of the Committee on Parliamentary Privileges and Oversight finds that an abuse of privilege has occurred, the member who made the utterance is required to withdraw it during the proceedings of the Seanad or the relevant Committee, as appropriate, and within such time period and in such form of words as shall be specified by the Committee in its report. The Cathaoirleach (or Committee Chair, as the case may be)

a bheidh) tar éis dul i gcomhairle leis an gcomhalta lena mbaineann, an t-am agus an lá a dhéanfar an tarraingt siar a chinneadh, agus déanfaidh an Cathaoirleach nó Cathaoirleach an Choiste cinneadh an Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú i dtaobh na cainte a léamh amach díreach sula nglaofar ar an gcomhalta an chaint a tharraingt siar.

(13) Más rud é nach ndéanfaidh an comhalta an chaint a rinne sé nó sí a tharraingt siar ar an modh atá leagtha amach i mír (12), déanfaidh an Cathaoirleach (tar éis fógra, más infheidhme, a fháil ón gCléireach don Choiste iomchuí nach ndearna an comhalta an chaint a tharraingt siar) díreach roimh an Ord Gnó, an chéad lá suí de chuid Sheanad Éireann i ndiaidh an lae arna chinneadh chun an chaint a tharraingt siar, nó a luaithe is indéanta dá éis sin, cinneadh an Choiste um Pribhleidí Parlaiminteacha agus Formhaoirsiú i dtaobh na cainte a léamh amach agus an comhalta a ainmniú lena fhionraí nó lena fionraí ó sheirbhís an tSeanaid agus a chuid Coistí de réir Bhuan-Ordú 52.”.

shall, following consultation with the member concerned, determine the time and the day for the making of the withdrawal, and the Cathaoirleach or Chair shall read out the Committee on Parliamentary Privileges and Oversight’s finding on the utterance immediately prior to calling on the member to withdraw the utterance.

(13) If the member does not withdraw their utterance in the manner outlined in paragraph (12), the Cathaoirleach (having been notified where applicable by the Clerk to the relevant Committee that the member has not withdrawn the utterance), shall, immediately prior to the Order of Business, on the next sitting day of Seanad Éireann after the day determined for the withdrawal of the utterance, or as soon as is practicable thereafter, read out the Committee on Parliamentary Privileges and Oversight’s finding on the utterance and name the member for suspension from the service of the Seanad and its Committees in accordance with Standing Order 52.”.

BUAN-ORDÚ 49C – PRIBHLÉID: RÉAMHFHÓGRA A THABHAIRT GO BHFUIL SÉ I GCEIST CAINT A DHÉANAMH

STANDING ORDER 49C – PRIVILEGE: PRIOR NOTICE OF INTENTION TO MAKE AN UTTERANCE

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides that a member may give prior notice about making an utterance during the course of proceedings that may adversely affect a person.

Glactar leis seo an Buan-Ordú nua seo a leanas:

“**49C.** D’ainneoin fhorálacha Bhuan-Ordú 49A nó 49B, aon chomhalta a mheasfaidh gurb é leas an phobail é go ndéanfaidh seisean nó sise caint a d’fhéadfadh, de réir na brí dá bhforáiltear i mBuan-Ordú 49A, dochar a dhéanamh do dhuine, féadfaidh sé nó sí réamhfhógra príobháideach i scríbhinn a thabhairt don Chathaoirleach (nó don Chathaoirleach Coiste, de réir mar a bheidh) go bhfuil sé i gceist aige nó aici caint den sórt sin a dhéanamh agus na cúiseanna atá léi; agus déanfar an fógra sin a chur san áireamh le linn feidhmiú fhorálacha Bhuan-Ordú 49B a bheith á bhreithniú.”.

The following new Standing Order is hereby adopted:

“**49C.** Notwithstanding the provisions of Standing Order 49A or 49B, any member who considers that it is in the public interest for him or her to make an utterance which could, within the meaning provided for in Standing Order 49A, adversely affect a person, may give prior private notice in writing to the Cathaoirleach (or Committee Chair, as the case may be) of his or her intention to make such an utterance and the reasons therefor; and such notice shall be taken into account in the consideration of the application of the provisions of Standing Order 49B.”.

BUAN-ORDÚ 50 – RÓL AN CHATHAOIRLIGH CHUN ORD A CHOIMEÁD AGUS RIALUITHE A THABHAIRT

STANDING ORDER 50 – ROLE OF THE CHAIR IN MAINTAINING ORDER AND MAKING RULINGS

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Sets out the role of the Chair in maintaining order and making rulings.

An méid seo a leanas a chur in ionad Bhuan-Ordú 50:

The substitution of the following for Standing Order 50:

“**50.** (1) Chun críche an Bhuan-Ordaithe seo, ciallóidh ‘Cathaoirleach’ —

“**50.** (1) For the purpose of this Standing Order, ‘Chair’ shall mean—

(a) an Cathaoirleach, an Leas-Chathaoirleach, nó Cathaoirleach sealadach ag gníomhú de bhun Bhuan-Ordú 14, nó

(a) the Cathaoirleach, the Leas-Chathaoirleach, or a temporary Chair acting pursuant to Standing Order 14, or

(b) Cathaoirleach, Leas-Chathaoirleach nó Cathaoirleach sealadach Coiste arna ainmniú nó arna hainmniú de bhun na mBuan-Orduithe seo.

(b) a Chair, vice-Chair or a temporary Chair of a Committee appointed pursuant to these Standing Orders.

(2) Is é nó í an Cathaoirleach an t-aon bhreitheamh ar ord in imeachtaí agus tá údarás aige nó aici mí-ord a chosc agus iallach a chur géilleadh go tapaidh dá rialú.

(2) The Chair is the sole judge of order in proceedings and has authority to suppress disorder, and to enforce prompt obedience to his or her ruling.

(3) Tá údarás ag an gCathaoirleach na Buan-Orduithe a léiriú agus rialú a thabhairt ar nithe nach dtagann go sainráite faoi réim na mBuan-Orduithe, lena n-áirítear, ach gan bheith teoranta dóibh, nithe a bhaineann le caint nach mbaineann le hábhar, le hathrá agus le húsáid chuí pribhléide le linn díospóireachta.

(3) The Chair has authority to interpret Standing Orders and to rule on matters which are not expressly covered in Standing Orders, including but not limited to matters relating to relevance, repetition and appropriate use of privilege during debate.

(4) Ní dhéanfaidh aon ní sa Bhuan-Ordú seo, ná sna Buan-Orduithe seo i gcoitinne, cosc a chur ar an Teach comhalta a chur ar fionraí ó sheirbhís an tSeanaid agus a chuid Coistí de réir fhorálacha Bhuan-Ordú 52.”.

(4) Nothing in this Standing Order, or in these Standing Orders generally, shall prevent the House from suspending a member from the service of the Seanad and its Committees in accordance with the provisions of Standing Order 52.”.

BUAN-ORDÚ 52 – COMHALTA A CHUR AR FIONRAÍ

STANDING ORDER 52 – SUSPENSION OF MEMBER

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for the suspension of a member from the service of the Seanad and its Committees.

An méid seo a leanas a chur in ionad Bhuan-Ordú 52:

“52. (1) Féadfaidh an Cathaoirleach comhalta a ainmniú lena fhionraí nó lena fionraí ó sheirbhís an tSeanaid agus a chuid Coistí, más rud é, i dtuairim an Chathaoirligh, go bhfuil iompar an chomhalta sa Seanad nó i gCoiste den Seanad uile go han-mhí-ordúil.

(2) Déanfaidh an Cathaoirleach comhalta a ainmniú de réir fhorálacha na mBuan-Orduithe seo—

(a) i dtuarascáil ón gCoiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú ina mbeidh cinneadh gur mhí-úsáid comhalta pribhléid, nó

(b) sa tuarascáil de réir Bhuan-Ordú 89, ó Chathaoirleach Coiste, nó ó Choiste arna cheapadh ag an Seanad, gur iompair comhalta é ní féin go han-mhí-ordúil agus gur thug sé nó sí neamhaird ar údarás na Cathaoireach.

(3) I gcás go mbeidh comhalta ainmnithe, déanfaidh an Cathaoirleach tairiscint agus an cheist a chur láithreach san fhoirm chuí ar an tairiscint, agus ní cheadófar aon leasú, cur ar athló ná díospóireacht. Más rud é, ar fhógairt an toraidh, go mbeidh an comhalta ar fionraí ó sheirbhís an tSeanaid, imeoidh an comhalta láithreach as an seomra: Ar choinníoll, ar bhonn eisceachtúil, go bhféadfar vótáil a éileamh ar an gceist agus déanfar an vótáil sin gan mhoill agus beidh

The substitution of the following for Standing Order 52:

“52. (1) A member may be named by the Cathaoirleach for suspension from the service of the Seanad and its Committees, where, in the opinion of the Cathaoirleach, the member’s conduct in the Seanad or in Committee of the whole Seanad is grossly disorderly.

(2) A member shall be named by the Cathaoirleach in accordance with the provisions of these Standing Orders—

(a) on a report of the Committee on Parliamentary Privileges and Oversight containing a determination that a member has abused privilege, or

(b) on the report in accordance with Standing Order 89, of a Committee Chair, or a Committee appointed by the Seanad, that a member has been grossly disorderly and has disregarded the authority of the Chair.

(3) Where a member is named, the Cathaoirleach shall move and forthwith put the question in the appropriate form on the motion, no amendment, adjournment or debate being allowed. If, on the declaration of the result, the member stands suspended from the service of the Seanad, the member shall withdraw from the chamber forthwith: Provided, on an exceptional basis, a division may be claimed on the question and shall take

an comhalta i dteideal vóta a chaitheamh in aon vótáil den sórt sin.

(4) Faoi réir mhír (5), déanfaidh an Cathaoirleach, ar scríbhinn aiféala lena mbeifear sásta agus a bheidh le cur ar Chín Lae Imeachtaí an tSeanaid a fháil ó chomhalta a bheidh ar fionraí—

- (a) an scríbhinn aiféala a leagan faoi bhráid an tSeanaid, agus
- (b) an tairiscint a dhéanamh díreach roimh an Ord Gnó an chéad lá eile chun suí, gan fógra, leasú, cur ar athló ná díospóireacht, nó a luaithe is indéanta dá éis sin, agus cuirfidh sé nó sí láithreach an cheist chun an tOrdú fionraíochta a chur ar ceal, agus leis sin, ar fhógairt an toraidh, beidh an tOrdú ar ceal agus ligfear an comhalta ar ais: Ar choinníoll go bhféadfar, ar bhonn eisceachtúil, vótáil a éileamh faoin gceist agus go ndéanfar an vótáil sin láithreach.

(5) I gcás comhalta a chur ar fionraí de bhun é nó í a bheith ainmnithe de bharr nach ndearna sé nó sí caint a cinneadh a bheith ina mí-úsáid phribhléide a tharraingt siar—

- (a) ní cosc an fhionraí ar an gcomhalta do dhul isteach i Seomra an tSeanaid chun an chaint a tharraingt siar agus chuige sin amháin, agus
- (b) i gcás go ndéanfaidh comhalta a chaint nó a caint a tharraingt siar, déanfaidh an Cathaoirleach tairiscint chun an tOrdú fionraíochta a chur ar ceal de réir mhír (4): Ar choinníoll nach bhféadfar aon tairiscint a dhéanamh chun an tOrdú fionraíochta a chur ar

place immediately, and the member shall be entitled to vote in any such division.

(4) Subject to paragraph (5), the Cathaoirleach, on receiving from a suspended member a written and approved expression of regret, to be entered in the Journal of the Proceedings of the Seanad, shall—

- (a) lay the expression of regret before the Seanad, and
- (b) move the motion without notice, amendment, adjournment or debate immediately prior to the Order of Business on the next sitting day, or as soon as is practicable thereafter, and forthwith put the question for the discharge of the Order of suspension, whereupon, on the declaration of the result, the Order shall be discharged, and the member re-admitted: Provided on an exceptional basis a division may be claimed on the question and shall take place forthwith.

(5) Where a member is suspended pursuant to having been named for not having withdrawn an utterance found to be an abuse of privilege—

- (a) suspension shall not prevent the member entering the Seanad Chamber solely for the purposes of withdrawing the utterance, and
- (b) where the member has withdrawn their utterance, the Cathaoirleach shall move to discharge the Order of suspension in accordance with paragraph (4): Provided that no motion for discharge of the Order of suspension may be made

ceal mura mbeidh a chaint nó a caint tarraingthe siar ag an gcomhalta, fiú amháin más rud é go mbeidh scríbhinn aiféala lena mbeifear sásta tugtha ag an gcomhalta don Chathaoirleach.”.

unless the member has withdrawn their utterance, even where the member has given the Cathaoirleach a written and approved expression of regret.” .

BUAN-ORDÚ 52A – SAGHSANNA FIONRAÍOCHTA Ó SHEIRBHÍS AN TSEANAID AGUS A CHOISTÍ

STANDING ORDER 52A – TYPES OF SUSPENSION FROM THE SERVICE OF THE SEANAD AND ITS COMMITTEES

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for the type and length of suspension of a member when the member is suspended under Standing Order 52.

Glactar leis seo an Buan-Ordú nua seo a leanas:

The following new Standing Order is hereby adopted:

“**52A.** (1) Beidh ar áireamh san fhionraí ó sheirbhís an tSeanaid, i gcás go ndéanfar an comhalta a ainmniú faoi Bhuan-Ordú 52—

“**52A.** (1) Suspension from the service of the Seanad where the member has been named under Standing Order 52—

(a) mar gheall ar iompar an-mhí-ordúil sa Seanad nó i gCoiste den Seanad uile, nó

(a) for gross disorder in the Seanad or in Committee of the whole Seanad, or

(b) toisc nach ndearna sé nó sí caint ar cinneadh gur mhí-úsáid phribhléide í a tharraingt siar,

(b) for not having withdrawn an utterance found to be an abuse of privilege,

fionraí ó sheirbhís le haon Choiste arna cheapadh ag an Seanad chun ar cheapadh an comhalta roimh a fhionraí nó a fhionraí, nó lena linn.

shall include suspension from the service of any Committee appointed by the Seanad to which the member shall have been appointed previous to, or during, his or her suspension.

(2) I gcás gur ainmníodh comhalta sa tuarascáil ó Chathaoirleach Coiste arna cheapadh ag an Seanad, nó sa tuarascáil ó Choiste arna cheapadh ag an Seanad, is ar fhionraí ó sheirbhís leis an gCoiste sin amháin a bheidh an comhalta.

(2) Where a member has been named on the report of the Chair of a Committee appointed by the Seanad, or on the report of a Committee appointed by the Seanad, the member’s suspension shall be solely from service with that Committee.

(3) Beidh comhalta ar fhionraí, ar an gcéad ócáid go ceann dhá lá suí, ar an dara hócáid go ceann ceithre lá suí agus ar an tríú hócáid nó ar aon ócáid ina dhiaidh sin go ceann ocht lá suí: Ar choinníoll—

(3) A suspension of a member shall on the first occasion last for two sitting days, on the second occasion for four sitting days, and on the third or any subsequent occasion for eight sitting days: Provided that—

(a) i gcás aon fhionraí, go ndéanfar an lá a cuireadh an comhalta ar fhionraí a áireamh le linn líon na laethanta fionraí a ríomh, agus

(a) in any suspension, the day on which the member is suspended shall be counted in calculating the number of days, and

(b) i gcás comhalta a chur ar fionraí de bhun é nó í a bheith ainmnithe—

(i) toisc nach ndearna sé nó sí caint ar cinneadh gur mhí-úsáid phribhléide í a tharraingt siar, nó

(ii) ar thuarascáil Coiste arna cheapadh ag an Seanad,

beidh an comhalta ar fionraí go ceann ceithre lá suí.

(4) I gcás go ndéanfar comhalta a chur ar fionraí ó sheirbhís aon Choiste arna cheapadh ag an Seanad—

(a) forléireofar an tagairt do ‘lá suí’ i mír (3) mar thagairt do líon na n-ócáidí a thiochfaidh Coiste le chéile (agus measfar gur cruinniú ar leithligh ó chruinniú de Chomhchoiste é cruinniú de Roghchoiste); agus

(b) i gcás nach ndéanfar an comhalta a chur ar fionraí ó sheirbhís an tSeanaid ach go gcuirfear ar fionraí é nó í ó sheirbhís Coiste arna cheapadh ag an Seanad, agus ar an gcúis sin amháin, gheobhaidh Cathaoirleach an Choiste an scríbhinn aiféala faoi Bhuan-Ordú 52(4) agus féadfaidh sé nó sí í a cheadú. Déanfar scríbhinn aiféala lena mbeifear sásta a chur faoi bhráid an tSeanaid, agus cuirfear cóip di chuig an gCathaoirleach. Ar an gcóip a fháil, déanfaidh an Cathaoirleach tairiscint chun an tOrdú fionraíochta a chur ar ceal de réir Bhuan-Ordú 52(4).

(5) Ní cosc aon ní sa Bhuan-Ordú seo ar chomhalta gníomhú mar ionadaí do

(b) where a member is suspended pursuant to having been named—

(i) for not having withdrawn an utterance found to be an abuse of privilege, or

(ii) on the report of a Committee appointed by the Seanad,

the member’s suspension shall last for four sitting days.

(4) Where a member is suspended from the service of any Committee appointed by the Seanad—

(a) the reference to ‘sitting days’ in paragraph (3) shall be interpreted as referring to the number of occasions on which a Committee meets (with a meeting of a Select Committee considered as a separate meeting to that of a Joint Committee); and

(b) where the member is not suspended from the service of the Seanad but is suspended solely from the service of a Committee appointed by the Seanad, the written expression of regret under Standing Order 52(4) shall be received by the Chair of the Committee, who may approve it. An approved expression of regret shall be laid before the Seanad, and a copy sent to the Cathaoirleach. On receipt of the copy, the Cathaoirleach shall move to discharge the Order of suspension in accordance with Standing Order 52(4).

(5) Nothing in this Standing Order shall prevent a member from acting in

chomhalta a bheidh ar fionraí ó sheirbhís
Coiste, de réir Bhuan-Ordú 82.”.

substitution for a member suspended from
the service of a Committee, in accordance
with Standing Order 82.”.

BUAN-ORDÚ 60 – BUALADH AN CHLOIG VÓTÁLA AGUS AN T-AM CHUN GLAS A CHUR AR NA DOIRSE

STANDING ORDER 60 – DIVISION BELL RUNG AND TIME FOR LOCKING OF DOORS

Date of modification: 25th September, 2020.

Duration of modification: **Temporary – until 31st December, 2021.**³

Effect: Temporarily facilitates divisions in light of adapted procedures due to Covid-19 restrictions.

Leasaítear, go sealadach, Buan-Ordú 60: Standing Order 60 is temporarily amended by:

- (a) tríd an gcoinníoll seo a leanas a chur isteach i mír (1) i ndiaidh “a bheith caite”: ”:Ar choinníoll, i gcás go measfaidh sé nó sí gur gá é ar mhaithe le sábháilteacht gach duine sa Seomra agus le seoladh cuí na n-imeachtaí, go bhféadfaidh an Cathaoirleach a ordú, tar éis seal nach lú ná ceithre nóiméad a bheith caite, nach gcuirfear an glas ar na doirse”.
- (a) after “shall direct” in paragraph (1), the insertion of the following proviso: “: Provided that, where he or she considers it necessary for the safety of all persons in the Chamber and the proper conduct of proceedings, the Cathaoirleach may direct after the lapse of the period of not less than four minutes that the doors shall not be locked”.
- (b) Trí “, nó ordú ón gCathaoirleach nach gcuirfear an glas ar na doirse, de réir mar a bheidh,” a chur isteach i mír (2) i ndiaidh “an glas a chur ar na doirse”.
- (b) after “locking of the doors” in paragraph (2), the insertion of “, or the direction of the Cathaoirleach that the doors shall not be locked as the case may be,”.

Date of further modification: 8th December, 2020.

Duration of modification: **Temporary – until 31st December, 2021.**³

Effect: Temporarily provides for group voting in divisions in the Seanad Chamber.

Leasaítear, go sealadach, Buan-Ordú 60: Standing Order 60 is temporarily amended by:

- (a) tríd an gcoinníoll seo a leanas a chur isteach i ndiaidh “an glas a chur ar na doirse” i mír (2) “: Ar choinníoll, más rud é, maidir le cibé vótáil roimhe sin nó vótáil ar ina leith a ordóidh an Cathaoirleach don Seanad vótáil
- (a) after “one minute respectively” in paragraph (2), the insertion of the following proviso: “: Provided that, where such earlier division or division in respect of which the Cathaoirleach orders the Seanad to divide again has

³ Fadaíodh ré na modhnuithe sealadacha seo go dtí an 31ú Nollaig 2021 le Rún ón Seanad an 23ú Aibreán 2021. The duration of these temporary modifications were extended to 31st December, 2021 by Resolution of the Seanad of 23rd April, 2021.

a dhéanamh arís, go ndearnadh í de réir Bhuan-Ordú 60A, gurb é ceithre nóiméad fad na tréimhse agus fad an tseala iomchuí i ngach cás.”.

been taken in accordance with Standing Order 60A, the relevant period and interval shall be four minutes in each case.”.

BUAN-ORDÚ 60A – VÓTÁIL GHRÚPA LE LINN VÓTÁLACHA I SEOMRA AN TSEANAID

STANDING ORDER 60A – GROUP VOTING IN DIVISIONS IN THE SEANAD CHAMBER

Date of modifications: 8th December, 2020.
19th January, 2021.

Duration of modification: **Temporary – until 31st December, 2021.**⁴

Effect: Provides for group voting in divisions in the Seanad Chamber.

Go nglactar leis seo go sealadach leis an mBuan-Ordú nua seo a leanas:

“**60A.**(1)⁵ Nuair a bheidh an Cathaoirleach den tuairim gurb amhlaidh do na himthosca go gcuirfí isteach go míchuí ar an tsábháilteacht dá mbeadh gach Seanadóir i láthair le linn vótálacha a dhéanamh, déanfar an vótáil de réir fhorálacha an Bhuan-Orduithe seo.

(2) Faoi réir cibé athruithe agus eisceachtaí dá bhforáiltear leis an mBuan-Ordú seo, beidh feidhm ag forálacha Bhuan-Orduithe 58 go 63 maidir le vótálacha a dhéanfar faoin mBuan-Ordú seo.

(3) Nuair a éileofar vótáil, cuirfidh an Cathaoirleach faoi deara an clog vótála a bhualadh ar feadh seal nach lú ná ceithre nóiméad, agus cuirfear an glas ar na doirse chomh luath agus a ordóidh sé nó sí tar éis seal breise, nach lú ná ceithre nóiméad, a bheith caite.

(4) Sula ndéanfar glas a chur ar na doirse, déanfar cibé líon Seanadóirí dár féidir, i dtuairim an Chathaoirligh, slí a sholáthar go sábháilte, a ligean isteach sa Seomra. Féadfaidh an Cathaoirleach, i gcomhairle le hionadaithe na ngrúpaí, na Seanadóirí a ainmniú a fhéadfaidh páirt a

That the following new Standing Order is hereby temporarily adopted:

“**60A.**(1)⁵ When the Cathaoirleach is of the opinion that the circumstances are such that the presence during the taking of divisions of all Senators would compromise safety unduly, the division shall be taken in accordance with the provisions of this Standing Order.

(2) Subject to such variations and exceptions as are provided for by this Standing Order, the provisions of Standing Orders 58 to 63 shall apply to divisions conducted under this Standing Order.

(3) When a division is claimed, the Cathaoirleach shall cause the division bell to be rung for a period of not less than four minutes, and the doors shall be locked so soon after the lapse of a further period of not less than four minutes as he or she shall direct.

(4) Before the doors are locked, so many Senators as, in the opinion of the Cathaoirleach, may be safely accommodated shall be admitted to the Chamber. The Cathaoirleach may, in consultation with the representatives of the groups, designate the Senators who may

⁴ Fadaíodh ré an mhodhnaithe shealadaigh seo go dtí an 31ú Nollaig 2021 le Rún ón Seanad an 23ú Aibreán 2021.

The duration of this temporary modification was extended to 31st December, 2021 by Resolution of the Seanad of 23rd April, 2021.

⁵ Mír ionaid (1) arna cur isteach le Rún ón Seanad an 19ú Eanáir 2021.

Substituted paragraph (1) inserted by Resolution of the Seanad of 19th January, 2021.

ghlacadh i ngach ceann de na tréimhsí vótála le haghaidh gach vótála: Ar choinníoll, ach amháin mar a fhoráiltear a mhalairt leis na Buan-Orduithe seo, nach ndiúltófar cead isteach d'aon Seanadóir ar mian leis nó léi dul isteach sa Seomra sula gcuirfear glas ar na doirse.

(5) Beidh na háiritheoirí arna n-ainmniú de réir Bhuan-Ordú 61 i láthair gach tráth le linn an vótáil a dhéanamh.

(6) Is le glaoch rolla a dhéanfar vótálacha faoin mBuan-Ordú seo ar shlí a ordóidh an Cathaoirleach.

(7) Nuair a ghlaofar an rolla den chéad uair, ordóidh an Cathaoirleach go mbainfear an glas de na doirse, cuirfidh sé nó sí faoi deara an clog vótála a bhualadh ar feadh seal nach lú ná dhá nóiméad, agus cuirfear an glas ar na doirse chomh luath agus a ordóidh sé nó sí tar éis seal breise, nach lú ná dhá nóiméad, a bheith caite agus leanfaidh déanamh na vótála ar aghaidh.

(8) Nuair a ghlaofar an rolla an dara huair, ordóidh an Cathaoirleach go mbainfear an glas de na doirse, cuirfidh sé nó sí faoi deara an clog vótála a bhualadh ar feadh seal nach lú ná nóiméad amháin, agus cuirfear an glas ar na doirse chomh luath agus a ordóidh sé nó sí tar éis seal breise, nach lú ná nóiméad amháin, a bheith caite agus leanfaidh déanamh na vótála ar aghaidh.

(9) Nuair a ghlaofar an rolla an tríú huair nó más dealraitheach don Chathaoirleach nach bhfuil aon chomhalta i láthair nach raibh i láthair nuair a glaodh an rolla an chéad uair nó an dara huair, faisnéisfear an toradh de réir Bhuan-Ordú 63.”.

participate in each period of voting for each division: Provided that, save as otherwise provided by these Standing Orders, no Senator who wishes to enter the Chamber before the doors are locked shall be denied entry.

(5) The tellers nominated in accordance with Standing Order 61 shall be present at all times during the taking of the division.

(6) Divisions under this Standing Order shall be taken by roll call in a manner directed by the Cathaoirleach.

(7) When the roll has been called for the first time, the Cathaoirleach shall direct that the doors be unlocked, shall cause the division bell to be rung for a period of not less than two minutes and the doors shall be locked so soon after the lapse of a further period of not less than two minutes as he or she shall direct and the taking of the division shall continue.

(8) When the roll has been called for the second time, the Cathaoirleach shall direct that the doors be unlocked, shall cause the division bell to be rung for a period of not less than one minute and the doors shall be locked so soon after the lapse of a further period of not less than one minute as he or she shall direct and the taking of the division shall continue.

(9) When the roll has been called for the third time or if it appears to the Cathaoirleach that there are no members present who were not present when the roll was called the first or second time, the result shall be declared in accordance with Standing Order 63.”.

BUAN-ORDÚ 61 – VÓTÁLACHA A DHÉANAMH

STANDING ORDER 61 – TAKING OF DIVISIONS

Date of modifications: 25th September, 2020.
8th December, 2020.

Duration of modification: **Temporary – until 31st December, 2021.**⁶

Effect: Temporarily provides for group voting in divisions in the Seanad Chamber.

Leasaítear, go sealadach, Buan-Ordú 61: Standing Order 61 is temporarily amended by:

- | | |
|---|---|
| <p>(a) trí “nó, de réir mar a bheidh, tar éis don Chathaoirleach a ordú nach gcuirfear an glas orthu nó i gcás go mbeidh an vótáil á déanamh de réir Bhuan-Ordú 60A⁷” a chur isteach i ndiaidh “Nuair a bheidh an glas curtha ar na doirse”.</p> <p>(b) tríd an gcoinníoll seo a leanas a chur isteach i ndiaidh “agus cuirfear ar Chín Lae Imeachtaí an tSeanaid ainmneacha na Seanadóirí a d’éirigh amhlaidh.”: “: Ar choinníoll fairis sin, i gcás go n-ordóidh an Cathaoirleach nach gcuirfear an glas ar na doirse, nach bhféadfaidh sé nó sí an cheist a chur arís agus a fhógairt athuair cad é an toradh a bhí ar an gceist, ná a iarraidh ar na Seanadóirí atá ag éileamh na vótála éirí ina n-áiteanna”.</p> | <p>(a) the insertion of “or, as the case may be, after the Cathaoirleach has directed that they shall not be locked or where the division is being taken in accordance with Standing Order 60A⁷” after “doors have been locked”.</p> <p>(b) after “Journal of the Proceedings of the Seanad” to insert the following proviso: “: Provided further that, where the Cathaoirleach has directed that the doors shall not be locked, he or she may not again put the question and declare afresh the result or call upon the Senators who claim the division to rise in their places”.</p> |
|---|---|

⁶ Fadaíodh ré an mhodhnaithe shealadaigh seo go dtí an 31ú Nollaig 2021 le Rún ón Seanad an 23ú Aibreán 2021.

The duration of this temporary modification was extended to 31st December, 2021 by Resolution of the Seanad of 23rd April, 2021.

⁷ I mír (a), cuireadh an téacs “nó i gcás go mbeidh an vótáil á déanamh de réir Bhuan-Ordú 60A” isteach ina dhiaidh sin le Rún ón Seanad an 8ú Nollaig 2020.

In paragraph (a), the text “or where the division is being taken in accordance with Standing Order 60A” was subsequently inserted by Resolution of the Seanad of 8th December, 2020.

BUAN-ORDÚ 70 – SCÓIP AGUS COMHTHÉACS GNÍOMHAÍOCHTAÍ ROGHCHOISTÍ.

STANDING ORDER 70 – SCOPE AND CONTEXT OF ACTIVITIES OF SELECT COMMITTEES

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: Amends scope of activity and powers of Select Committees.

An méid seo a leanas a chur in ionad Bhuan-Ordú 70:

“**70.** (1) Féadfaidh an Seanad Roghchoiste a cheapadh chun aon Bille nó ní a bhreithniú agus a thuairim a thuairisciú mar eolas agus cabhair don Seanad agus, i gcás Bille, a thuairisciú cé acu a leasaigh sé an Bille nó nár leasaigh. Sa tairiscint sin luafar go sonrath tagartha an Choiste, míneofar na cumhachtaí a thugtar dó, socrófar an líon comhaltaí atá le fónamh air, luafar an líon is córam dó, agus féadfar dáta a cheapadh don Choiste chun tuairisciú don Seanad.

(2) Beidh sé ina threoir do gach Roghchoiste—

- (a) nach bhféadfaidh sé ach na nithe sin a bhreithniú, gabháil do na gníomhaíochtaí sin, na cumhachtaí sin a fheidhmiú agus na feidhmeanna sin a urscaoileadh a údarófar go sonrath faoina orduithe tagartha agus faoi na Buan-Orduithe;
- (b) go mbainfidh na nithe, na gníomhaíochtaí, na cumhachtaí agus na feidhmeanna sin le hullmhú tuarascála don Seanad agus nach n-éireoidh siad ach i gcomhthéacs ullmhú tuarascála den sórt sin;
- (c) nach mbreithneoidh sé aon ní a bheidh á bhreithniú ag an gComhchoiste um Achainíochtaí ón bPobal, nó a

The substitution of the following for Standing Order 70:

“**70.** (1) The Seanad may appoint a Select Committee to consider any Bill or matter and to report its opinion for the information and assistance of the Seanad and, in the case of a Bill, whether or not it has amended the Bill. Such motion shall specifically state the orders of reference of the Committee, define the powers devolved upon it, fix the number of members to serve on it, state the quorum thereof, and may appoint a date upon which the Committee shall report back to the Seanad.

(2) It shall be an instruction to each Select Committee that—

- (a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;
- (b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Seanad;
- (c) it shall not consider any matter which is being considered, or of which notice has been given of a

mbeidh fógra tugtha ag an gComhchoiste um Achainíochas ón bPobal i dtaobh é a bheith beartaithe é a bhreithniú, i bhfeidhmiú a fheidhmeanna faoi Bhuan-Ordú 108 (1)⁸; agus

(d) go staonfaidh sé ó aon ní a fhiosrú i seisiún poiblí nó ó fhaisnéis rúnda maidir le haon ní a fhoilsiú más rud é go n-iarrfaidh na daoine seo a leanas amhlaidh air, ar chúiseanna a shonrófar agus a thabharfar i scríbhinn—

(i) comhalta den Rialtas nó Aire Stáit, nó

(ii) sealbhóir príomhoifige comhlachta atá faoi chúram Roinne Rialtais, nó

(iii) sealbhóir príomhoifige comhlachta nach comhlacht Stáit, atá á mhaoiniú go páirteach ag an Stát,

ar choinníoll go bhféadfaidh an Coiste achomharc a dhéanamh chuig an gCathaoirleach in aghaidh aon iarrata den sórt sin a dhéanfar, agus is cinneadh críochnaitheach a bheidh i gcinneadh an Chathaoirligh.”.

proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 108 (1)⁸; and

(d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—

(i) a member of the Government or a Minister of State, or

(ii) the principal officeholder of a State body within the responsibility of a Government Department, or

(iii) the principal officeholder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Cathaoirleach, whose decision shall be final.”.

⁸ Arna choinneáil fad atá athbhreithniú ag an gComhchoiste um Achainíochas ón bPobal ar feitheamh. Retained pending review of the Joint Committee on Public Petitions.

BUAN-ORDÚ 71 – FEIDHMEANNA ROGHCHOISTÍ ROINNE

STANDING ORDER 71 – FUNCTIONS OF DEPARTMENTAL SELECT COMMITTEES

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: Amends functions of Departmental Select Committees.

An méid seo a leanas a chur in ionad Bhuan-Ordú 71:

The substitution of the following for Standing Order 71:

“71. (1) Féadfaidh an Seanad Roghchoiste Roinne a cheapadh chun breithniú a dhéanamh agus, mura bhforáiltear a mhalairt sna Buan-Orduithe seo nó le hordú, tuairisciú don Seanad ar aon ní a bhaineann le—

“71. (1) The Seanad may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Seanad on any matter relating to—

(a) reachtaíocht, beartas, rialachas, caiteachas agus riaradh—

(a) legislation, policy, governance, expenditure and administration of—

(i) Roinne Rialtais, agus

(i) a Government Department, and

(ii) comhlachtaí Stáit atá faoi chúram na Roinne sin,

(ii) State bodies within the responsibility of such Department,

agus

and

(b) feidhmíocht comhlachta nach comhlacht Stáit, i ndáil le comhaontú chun seirbhísí a sholáthar a bheidh déanta aige le haon Roinn Rialtais nó comhlacht Stáit sen sórt sin.

(b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.

(2) Déanfaidh Roghchoiste arna cheapadh de bhun an Bhuan-Ordaithe seo nithe eile a bhreithniú freisin, ar nithe iad—

(2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—

(a) a bheidh arna dtarchur chuig an gCoiste de bhua na mBuan-Orduithe seo nó an dlí reachtúil, nó

(a) stand referred to the Committee by virtue of these Standing Orders or statute law, or

(b) a tharchuirfear chuig an gCoiste le hordú ón Seanad.

(b) shall be referred to the Committee by order of the Seanad.

(3) Is é an príomhchuspóir a bheidh le Coiste do bhreithniú nithe a bhaineann le beartas, rialachas, caiteachas agus riarachán faoi mhír (1)—

- (a) cuntasacht an Aire nó an Aire Stáit iomchuí, agus
- (b) measúnú a dhéanamh ar fheidhmíocht na Roinne Rialtais iomchuí nó comhlachta Stáit atá faoi chúram na Roinne iomchuí le linn seirbhísí poiblí a sholáthar, agus na torthaí beartaithe á mbaint amach, lena n-áirítear luach ar airgead.

(4) Ní bhreithneoidh Roghchoiste arna cheapadh de bhun an Bhuan-Ordaithe seo aon ní a bhaineann le cuntais a bheidh iniúchta ag an Ard-Reachtair Cuntas agus Ciste ná tuarascálacha de chuid an Ard-Reachtair Cuntas agus Ciste mura rud é—

- (a) go ndéanfaidh an Coiste um Chuntais Phoiblí toiliú leis an mbreithniú sin, nó
- (b) go bhfuil tuarascáil tugtha ag an gCoiste um Chuntais Phoiblí ar na cuntais nó na tuarascálacha sin.

(5) Féadfar Roghchoiste arna cheapadh de bhun an Bhuan-Ordaithe seo a chomhcheangal le Roghchoiste arna cheapadh ag Dáil Éireann chun bheith ina Chomhchoiste agus chun gníomhú mar Chomhchoiste chun críocha mhír (1) agus cibé críocha eile a shonrófar sna Buan-Orduithe seo nó le hordú ón Seanad: ar choinníoll nach mbreithneoidh an Comhchoiste-

- (a) Céim an Choiste de Bhille,
- (b) Meastacháin i gcomhair Seirbhísí Poiblí, nó
- (c) togra in aon tairiscint arna tarchur chuig an gCoiste le

(3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—

- (a) for the accountability of the relevant Minister or Minister of State, and
- (b) to assess the performance of the relevant Government Department or a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.

(4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—

- (a) consents to such consideration, or
- (b) has reported on such accounts or reports.

(5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Dáil Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Seanad: Provided that the Joint Committee shall not consider-

- (a) the Committee Stage of a Bill,
- (b) Estimates for Public Services, or
- (c) a proposal contained in a motion for the approval of an

hordú ón Dáil maidir le comhaontú idirnáisiúnta a tharraingeodh muirear ar chistí poiblí a cheadú.

international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.

(6) Déanfar aon tuarascáil a bheartóidh an Comhchoiste a thabhairt, arna glacadh ag an gComhchoiste, a thabhairt do dhá Theach an Oireachtais.

(6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.

(7) Beidh Cathaoirleach Comhchoiste arna cheapadh de bhun an Bhuan-Ordaithe seo ina chomhalta nó ina comhalta de Dháil Éireann.

(7) The Chairperson of a Joint Committee appointed pursuant to this Standing Order shall be a member of Dáil Éireann.

(8) I gcás go mbeartóidh Roghchoiste breithniú a dhéanamh ar na nithe seo a leanas—

(8) Where a Select Committee proposes to consider—

(a) dréachtghníomhartha reachtacha AE arna dtarchur chuig an Roghchoiste faoi Bhuan-Ordú 116, lena n-áirítear an chaoi a gcomhlíonann na gníomhartha sin prionsabal na coimhdeachta,

(a) EU draft legislative acts standing referred to the Select Committee under Standing Order 116, including the compliance of such acts with the principle of subsidiarity,

(b) tograí eile le haghaidh reachtaíocht AE agus saincheisteanna beartais gaolmhara, lena n-áirítear cláir agus treoirlínte arna n-ullmhú ag an gCoimisiún Eorpach mar bhonn le gníomh reachtach a d'fhéadfaí a dhéanamh,

(b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,

(c) doiciméid neamhreachtacha arna bhfoilsíú ag aon institiúid de chuid AE i ndáil le nithe a bhaineann le beartas AE, nó

(c) non-legislative documents published by any EU institution in relation to EU policy matters, or

(d) nithe a liostaítear lena mbreithniú ar an gclár oibre do chruinnithe den Chomhairle (Airí) iomchuí de chuid an Aontais Eorpaigh agus toradh na gcruinnithe sin,

(d) matters listed for consideration on the agenda for meetings of the relevant EC Council (of Ministers) of the European Union and the outcome of such meetings,

féadfar fógra dá réir a thabhairt do na daoine seo a leanas, agus beidh de cheart

the following may be notified accordingly and shall have the right to attend and take

acu a bheith i láthair agus páirt a ghlacadh sa mbreithniú sin gan ceart a bheith acu tairiscintí nó leasuithe a dhéanamh ná ceart vótála:

- (i) comhaltaí de Pharlaimint na hEorpa arna dtoghadh ó thoghlaigh in Éirinn,
- (ii) comhaltaí de thoscaireacht na hÉireann chuig Tionól Parlaiminteach Chomhairle na hEorpa, agus
- (iii) ar chuireadh a fháil ón gCoiste, comhaltaí eile de Pharlaimint na hEorpa.

(9) Féadfaidh Roghchoiste arna cheapadh de bhun an Bhuan-Ordaithe seo, i leith aon Ombudsman a bhfuil sé de chúram air nó uirthi formhaoirsiú a dhéanamh ar sheirbhísí poiblí faoi réim chúram beartais na Roinne iomchuí, breithniú a dhéanamh—

- (a) ar cibé tairiscintí a bhaineann le hOmbudsman a cheapadh agus a tharchuirfear chuig an gCoiste, agus
- (b) ar cibé tuarascálacha Ombudsman a leagfar faoi bhráid ceachtar Teach den Oireachtas nó faoi bhráid an dá Theach sin agus a roghnóidh an Coiste: Ar choinníoll go mbeidh feidhm ag forálacha Bhuan-Ordú 113 i gcás nach mbeidh an tuarascáil Ombudsman, nó cuid nó codanna di, breithnithe ag an Roghchoiste laistigh de thréimhse dhá mhí (gan tréimhsí sosa na Nollag, na Cásca nó an tsamhraidh achur san áireamh) tar éis an tuarascáil a leagan faoi bhráid ceachtar Teach den Oireachtas nó faoi bhráid an dá Theach sin⁹.”.

part in such consideration without having a right to move motions or amendments or the right to vote:

- (i) members of the European Parliament elected from constituencies in Ireland,
- (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
- (iii) at the invitation of the Committee, other members of the European Parliament.

(9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—

- (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
- (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 113 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas⁹.”.

⁹ Arna choinneáil fad atá athbhreithniú ag an gComhchoiste um Achainíocha ón bPobal ar feitheamh. Retained pending review of the Joint Committee on Public Petitions.

BUAN-ORDÚ 72 – CUMHACHTAÍ ROGHCHOISTÍ

STANDING ORDER 72 – POWERS OF SELECT COMMITTEES

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: Amends powers of Select Committees.

An méid seo a leanas a chur in ionad Bhuan-Ordú 72:

“72. Mura n-ordóidh an Seanad a mhalairt, beidh na cumhachtaí seo a leanas ag Coiste arna cheapadh de bhun na mBuan-Orduithe seo:

(1) an chumhacht fianaise béil agus fianaise scríofa a iarraidh agus na nithe seo a leanas a chlóbhualadh agus a fhoilsiú ó am go ham—

- (a) miontuairiscí ar an bhfianaise sin a éisteadh go poiblí, agus
- (b) cibé fianaise i scríbhinn is cuí leis an gCoiste;

(2) an chumhacht Fochoistí a cheapadh agus aon ní a chuimsítear lena orduithe tagartha a tharchur chuig na Fochoistí sin agus aon cheann dá chumhachtaí a tharmligean chuig na Fochoistí sin, lena n-áirítear an chumhacht tuairisciú go díreach don Seanad;

(3) an chumhacht moltaí a dhréachtú maidir le hathrú reachtaíochta agus maidir le reachtaíocht nua;

(4) i ndáil le haon ionstraim reachtúil, lena n-áirítear na hionstraimí reachtúla sin a leagtar, nó a leagtar ina ndrúacht, faoi bhráid ceachtar Tí den Oireachtas nó faoi bhráid an dá Theach sin, an chumhacht-

- (a) ceangal a chur ar aon Roinn Rialtais nó ar aon údarás déanta ionstraimí lena mbaineann—
 - (i) meabhrán a chur faoi bhráid an Roghchoiste

The substitution of the following for Standing Order 72:

“72. Unless the Seanad shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

(1) power to invite and receive oral and written evidence and to print and publish from time to time—

- (a) minutes of such evidence as was heard in public, and
- (b) such evidence in writing as the Committee thinks fit;

(2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Seanad;

(3) power to draft recommendations for legislative change and for new legislation;

(4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to –

- (a) require any Government Department or other instrument-making authority concerned to—
 - (i) submit a memorandum to the

ina míneofar aon ionstraim reachtúil, nó

Select Committee explaining the statutory instrument, or

(ii) a bheith i láthair ag cruinniú den Roghchoiste chun aon ionstraim reachtúil den sórt sin a mhíniú: Ar choinníoll go bhféadfaidh an Roinn sin nó an t-údaras sin diúltú a bheith i láthair ar chúiseanna a thabharfar i scríbhinn don Roghchoiste, agus féadfaidh an Roghchoiste tuairisciú don Seanad ina leith sin, agus

(ii) attend a meeting of the Select Committee to explain any such statutory instrument: Provided that the authority concerned may decline to attend for reasons given in writing to the Select Committee, which may report thereon to the Seanad, and

(b) moladh a dhéanamh, más dóigh leis gur gá gníomh den sórt sin a dhéanamh, i dtaobh ar chóir an ionstraim a neamhniú nó a leasú;

(b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;

(5) an chumhacht ceangal a chur ar chomhalta den Rialtas nó ar Aire Stáit a bheith i láthair os comhair an Roghchoiste chun na nithe seo a leanas a phlé—

(5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss—

(a) beartas, nó

(a) policy, or

(b) reachtaíocht bheartaithe phríomha nó thánaisteach (sula bhfoilseofar an reachtaíocht sin) a bhfuil sé nó sí freagrach inti go hoifigiúil: Ar choinníoll go bhféadfaidh comhalta den Rialtas nó Aire Stáit diúltú a bheith i láthair ar chúiseanna a shonrófar agus a thabharfar i scríbhinn don Roghchoiste, agus féadfaidh an Roghchoiste tuairisciú don Seanad ina leith sin; agus ar choinníoll fairis sin go bhféadfaidh comhalta den Rialtas nó Aire Stáit a iarraidh a bheith i láthair ag cruinniú den Roghchoiste, lena chumasú dó nó di an

(b) proposed primary or secondary legislation (prior to such legislation being published), for which he or she is officially responsible: Provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Seanad: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Select Committee to enable him or her to discuss such policy or proposed legislation;

beartas nó an reachtaíocht
bheartaithe sin a phlé;

(6) an chumhacht ceangal a chur ar chomhalta den Rialtas nó ar Aire Stáit a bheith i láthair os comhair an Roghchoiste agus mionteagaisc ó bhéal a thabhairt, i seisiún príobháideach más rud é go n-iarrfaidh an comhalta den Rialtas nó an tAire Stáit amhlaidh, roimh chruinnithe den Chomhairle (Airí) iomchuí de chuid AE chun a chumasú don Roghchoiste a thuairimí a chur in iúl: Ar choinníoll go bhféadfaidh an Coiste ceangal a chur ar chomhalta den Rialtas nó ar Aire Stáit a bheith i láthair amhlaidh tar éis na gcruinnithe sin freisin;

(7) an chumhacht ceangal a chur ar Chathaoirleach ainmnithe comhlachta nó gníomhaireachta atá faoi choimirce Roinne a bheith i láthair os comhair an Roghchoiste, sula gceapfar é nó í, chun na tosaíochtaí straitéiseacha atá aige nó aici maidir leis an ról a phlé;

(8) an chumhacht ceangal a chur ar chomhalta den Rialtas nó ar Aire Stáit atá freagrach go hoifigiúil in Acht a chur i ngníomh freastal os comhair Roghchoiste i ndáil le tuarascáil faoi Bhuan-Ordú 168 a bhreithniú;

(9) faoi réir aon srianta a bheidh forordaithe thairis sin le dlí, an chumhacht ceangal a chur ar shealbhóirí príomhoifige—

- (a) comhlachta Stáit atá faoi chúram Roinne Rialtais, nó
- (b) comhlachta nach comhlacht Stáit, atá á mhaoiniú go páirteach ag an Stát,

a bheith i láthair ag cruinnithe den Roghchoiste, de réir mar is cuí, chun saincheistanna a phlé a bhfuil siad freagrach iontu go hoifigiúil: Ar choinníoll go bhféadfaidh sealbhóir oifige den sórt sin diúltú a bheith i láthair ar chúiseanna a shonrófar agus a thabharfar i scríbhinn don Roghchoiste, agus

(6) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the attendee, oral briefings in advance of meetings of the relevant EC Council (of Ministers) of the European Union to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;

(7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;

(8) power to require that a member of the Government or Minister of State who is officially responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 168;

(9) subject to any constraints otherwise prescribed by law, power to require that principal office-holders of a—

- (a) State body within the responsibility of a Government Department, or
- (b) non-State body which is partly funded by the State,

shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Seanad; and

féadfaidh an Roghchoiste tuairisciú don Seanad ina leith sin; agus

(10) an chumhacht—

(a) seirbhísí daoine a bhfuilsaineolas nó eolas teicniúil acu a fhostú, d'fhonn cabhrú leis nó le haon Fhochoiste dá chuid le linn nithe áirithe a bhreithniú; agus

(b) tabhairt faoi thaisteal;

Ar choinníoll go mbeidh na cumhachtaí faoin mír seo faoi réir cibé moltaí a dhéanfaidh an Gasra Oibre de Chathaoirligh Coistí faoi Bhuan-Ordú 107(4)(a).”.

(10) power to—

(a) engage the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and

(b) undertake travel;

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Chairpersons under Standing Order 107(4)(a).”.

BUAN-ORDÚ 72A – CÚRSAÍ OIRD A ARDÚ I GCOISTE

STANDING ORDER 72A – RAISING MATTERS OF ORDER IN COMMITTEE

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for rulings of the Chair on matters of order on request.

Glactar leis seo an Buan-Ordú nua seo a leanas:

The following new Standing Order is hereby adopted:

“72A. (1) I gcás, i gcúrsa imeachtaí Coiste arna cheapadh ag an Seanad, nó aon Fhochoiste den Choiste sin, go n-iarrfaidh comhalta nó finné rialú maidir le cúrsa oird, rialóidh an Cathaoirleach láithreach, nó a luaithe is indéanta, maidir leis an ní.

“72A. (1) Where, in the course of the proceedings of a Committee appointed by the Seanad, or any sub-Committee thereof, a member or a witness requests a ruling on a matter of order, the Chair shall rule on the matter forthwith, or as soon as is practicable.

(2) Féadfaidh cúrsaí oird faoi mhír (1) a bheith bainteach leis na nithe seo a leanas ach gan bheith teoranta dóibh—

(2) Matters of order under paragraph (1) may relate but are not limited to—

(a) an ábharthacht a bhaineann leis na himeachtaí maidir le horduithe tagartha an Choiste,

(a) the relevance of the proceedings to the orders of reference of the Committee,

(b) an ábharthacht a bhaineann le ceistiú maidir leis an ní nó na nithe atá faoi scrúdú le linn na n-imeachtaí mar atá leagtha amach sa chuireadh don fhinné,

(b) the relevance of questioning to the matter or matters under examination during the proceedings as set out in the invitation to the witness,

(c) caint a dhéanfar i gcúrsa na n-imeachtaí,

(c) utterances made in the course of the proceedings,

(d) fógra neamhleor i dtaobh nithe a thógfáir le linn na n-imeachtaí, lena n-áirítear doiciméid,

(d) inadequate notice of matters raised during the proceedings, including documents,

(e) comhlíonadh aon treoirlínte nó aon phrótacal a bheidh glactha ag an gCoiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú de réir Bhuan-Ordú 98, agus

(e) compliance with any guidelines or protocol adopted by the Committee on Parliamentary Privileges and Oversight in accordance with Standing Order 98, and

(f) aon ní eile a bhaineann le seoladh na n-imeachtaí i gcoitinne.”.

(f) any other matter related to the general conduct of the proceedings.”.

BUAN-ORDÚ 78 – DÍOSPÓIREACHT AR THUARASCÁLACHA Ó CHOISTÍ

STANDING ORDER 78 – DEBATING OF REPORTS FROM COMMITTEES

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: Makes additional provision for debating of reports from Committees.

An Buan-Ordú seo a leanas a chur in ionad Bhuan-Ordú 78:

“78. (1) Más rud é go ndéanfaidh Buan-Choiste, Roghchoiste, Coiste Speisialta nó Comhchoiste, de réir mar a bheidh, tuarascáil a thabhairt ina bhfuil iarraidh go ndéanfaidh an Seanad díospóireacht ar antuarascáil, déanfar tairiscint go ndéanfaidh an Seanad an tuarascáil a thabhairt dá aire a chur ar Riar na hOibre a luaithe is indéanta tar éis don Choiste an tuarascáil a ghlacadh: Ar choinníoll go measfar aon tairiscint den sórt sin nach ndéanfar laistigh de thrí mhí ón dáta ar cuireadh ar Riar na hOibre i dtosach í a bheith tite ar lár, ach sin gan dochar do cheart comhaltaí an tairiscint sin a chur síos arís.

(2) Féadfaidh Treoraí an Tí nó Seanadóir eile atá údaraithe ag Treoraí an Tí chun críche an Bhuan-Ordaithe seo tairiscint dá dtagraítear i mír (1) a dhéanamh.

(3) Más rud é nach ndéanfar tairiscint faoi mhír (1) laistigh de thréimhse dhá mhí ón dáta ar cuireadh ar Riar na hOibre i dtosach í, féadfar tairiscint chomhchosúil a dhéanamh, faoi lámh Seanadóra mar thairgeoir agus Seanadóra eile mar chuiditheoir. Déileálfar le haon tairiscint den sórt sin mar thairiscint seachas tairiscint Rialtais ach amháin go mbeidh feidhm ag míreanna (4), (5) agus (6) den Bhuan-Ordú seo maidir léi.

(4) Féadfaidh Treoraí an Tí a mholadh, de réir Bhuan-Ordú 16, go bhféadfaidh Cathaoirleach Coiste atá ina chomhalta nó ina comhalta de Dháil Éireann nó comhalta eile den Choiste sin atá ina chomhalta nó ina comhalta de Dháil

The substitution of the following for Standing Order 78:

“78. (1) Where a Standing, Select, Special or Joint Committee, as the case may be, makes a report containing a request that the report be debated by the Seanad, a motion to take note of the report shall, as soon as practicable after the adoption of the report by the Committee, be placed on the Order Paper: Provided that any such motion which is not moved within three months from the date on which it was first placed on the Order Paper shall be deemed to have lapsed but without prejudice to the right to put down such motion again.

(2) A motion referred to in paragraph (1) may be moved by the Leader of the House or by another Senator authorised by the Leader of the House for the purpose of this Standing Order.

(3) Where a motion proposed under paragraph (1) is not moved within two months from the date on which it was first placed on the Order Paper a similar motion, signed by a Senator as proposer and another Senator as seconder, may be proposed. Any such motion shall be dealt with as a motion other than a Government motion save that paragraphs (4), (5) and (6) of this Standing Order shall apply to it.

(4) The Leader of the House may propose, in accordance with Standing Order 16, that the Chairperson of a Committee who is a member of Dáil Éireann or another member of that Committee who is a member of Dáil

Éireann a bheidh ainmnithe ina ionad nó ina hionad labhairt ar an tairiscint.

(5) Mura n-ordaíonn an Seanad a mhalairt, beidh feidhm ag na forálacha seo a leanas maidir le díospóireacht ar thairiscint faoin mBuan-Ordú seo:

(a) ní thabharfar thar dhá uair an chloig ar fad le haghaidh na díospóireachta ar thairiscint, agus ar bheith caite don tréimhse sin, mura mbeidh na himeachtaí ar an tairiscint críochnaithe roimhe sin, cuirfidh an Cathaoirleach láithreach an cheist nó na ceistanna is gá chun iad a chríochnú;

(b) ní rachaidh óráid an tSeanadóir a rinne tairiscint thar cúig nóiméad; ní rachaidh óráid Cathaoirligh nó chomhalta de choiste a bheidh molta faoi mhír (4) nó ar Seanadóir é nó í thar 12 nóiméad; ní rachaidh óráid an Aire nó an Aire Stáit a bheidh i gceist thar chúig nóiméad déag, agus beidh an Seanadóir a rinne an tairiscint nó cibé Seanadóir eile, nach mbeidh labhartha cheana aige nó aici a údaróidh sé nó sí chuige sin, i dteideal cúig nóiméad le haghaidh óráid mar fhreagra; Ar choinníoll go bhféadfaidh an Seanadóir sin géilleadh don Chathaoirleach nó do chomhalta de choiste a bheidh molta faoi mhír (3); ní rachaidh óráid aon Seanadóir eile sa díospóireacht thar ocht nóiméad.

(6) I gcás go mbeidh tairiscint faoi mhír (1) go ndéanfaidh an Seanad tuarascáil a thabhairt dá aire rite, féadfar tairiscint a chur ar Riar na hOibre ar an gCoiste a bheidh i gceist dá iarraidh sin, is tairiscint go ndéanfaidh an Seanad dul chun cinn maidir le cur i ngníomh na moltaí sa

Éireann nominated in his or her stead may speak to the motion.

(5) Unless the Seanad otherwise orders, the following provisions shall apply to a debate on a motion proposed under this Standing Order:

(a) the time allowed for the debate on a motion shall not exceed a period of two hours in the aggregate and at the expiration of this period, if the proceedings on the motion have not previously concluded, the Cathaoirleach shall put forthwith the question or questions necessary to bring them to a conclusion;

(b) the speech of the Senator proposing a motion shall not exceed five minutes; the speech of a Chairperson or member of a Committee proposed under paragraph (4) or who is a Senator shall not exceed 12 minutes; the speech of the Minister or Minister of State concerned shall not exceed fifteen minutes and the Senator proposing, or such other Senator who has not already spoken as he or she may authorise in that behalf, shall be entitled to five minutes for a speech in reply: Provided that such Senator may give way to the Chairperson or member of a Committee proposed under paragraph (3); the speech of any other Senator in the course of the debate shall not exceed eight minutes.

(6) Where a motion under paragraph (1) to take note of a report has been carried, a motion to take note of progress on implementation of the recommendations contained in such report may be placed on the Order Paper at the request of the Committee concerned. Any such motion

tuarascáil sin a thabhairt dá aire. Féadfar aon tairiscint den sórt sin a dhéanamh i ndiaidh tréimhse sé mhí ón dáta a ritheadh an chéad tairiscint.”.

may be moved after the lapse of six months after the date on which the first motion was carried.”.

BUAN-ORDÚ 79 – FREAGRACHT CATHAOIRLEACH COISTE MAIDIR LE BUAN-ORDUITHE, RIALACHA AGUS PRÓTACAIL A CHOMHLÍONADH

STANDING ORDER 79 – RESPONSIBILITY OF COMMITTEE CHAIR FOR COMPLIANCE WITH STANDING ORDERS, RULES AND PROTOCOLS

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Sets out the responsibilities of Committee Chairs to ensure compliance with Standing Orders and rules in accordance with Standing Order 50.

An méid seo a leanas a chur in ionad Bhuan-Ordú 79:

The substitution of the following for Standing Order 79:

“79. (1) Beidh Cathaoirleach gach Coiste arna cheapadh ag an Seanad freagrach as a áirithiú go gcomhlíonfaidh a Choiste nó a Coiste na Buan-Orduithe agus na rialacha a bheidh leagtha síos ag an Teach nó na Tithe agus as imeachtaí an Choiste a sheoladh go hordúil agus go cothrom, de réir Bhuan-Ordú 50.

“79. (1) The Chair of every Committee appointed by the Seanad shall be responsible for ensuring compliance by his or her Committee with the Standing Orders and rules laid down by the House/s and for the orderly and fair conduct of the proceedings of the Committee, in accordance with Standing Order 50.

(2) Beidh an Cathaoirleach freagrach as—

(2) It shall be the responsibility of the Chair to—

- (a) a chinntiú go ngníomhóidh an Coiste faoi réim a orduithe tagartha arna gcinneadh ag an Teach,
- (b) a chinntiú go ngníomhóidh an Coiste faoi réim théarmaí aon chuireadh arna eisiúint chuig aon fhinné chun láithriú os comhair an Choiste,
- (c) ord a choimeád sa Choiste, lena n-áirítear rialú maidir le cúrsaí oird nuair a iarrfaidh comhalta, finné nó tríú páirtí air nó uirthi déanamh amhlaidh,
- (d) cothromaíocht a aimsiú maidir le cearta daoine dá dtagraítear le linn imeachtaí agus cearta comhaltaí, ag féachaint do cibé treoirlínte nó prótacaíl a bheidh glactha ag an gCoiste um Pribhléidí

- (a) ensure that the Committee acts within the scope of its orders of reference as determined by the House,
- (b) ensure that the Committee acts within the scope of the terms of any invitation issued to any witness to appear before the Committee,
- (c) maintain order in the Committee, including ruling on matters of order when requested to do so by a member, witness or third party,
- (d) balance the rights of persons referred to during proceedings with the rights of members, having regard to such guidelines or protocols as shall be adopted by the Committee

Parlaiminteacha agus
Formhaoirsiú de réir Bhuan-
Ordú 98, agus

- (e) a chinntiú go gcomhlíonfar cibé rialacha riaracháin lena rialófar Coistí agus a chinnfidh Coimisiún Thithe an Oireachtais.

(3) I gcás go dtabharfaidh Cathaoirleach rialú maidir leis an gCoiste do chloí lena chuid orduithe tagartha faoi mhír (2)(a) den Bhuan-Ordú seo, tabharfar fógra maidir leis an rialú sin don Choiste agus don Chathaoirleach ina cháil nó ina cáil mar Chathaoirleach an Choiste um Fhormhaoirsiú Sainchúrait.

(4) Más rud é, i dtuairim an Choiste iomchuí, gur mhainnigh Cathaoirleach Coiste a fhreagrachtaí nó a freagrachtaí a urscaoileadh mar atá leagtha amach sna Buan-Orduithe seo, féadfaidh an Coiste, ar thairiscint shubstainteach, an Cathaoirleach a cháineadh agus tuairisciú don Choiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú ar an gcéanna.”.

on Parliamentary Privileges
and Oversight in accordance
with Standing Order 98, and

- (e) ensure compliance with such administrative rules governing Committees as may be determined by the Houses of the Oireachtas Commission.

(3) Where a Chair makes a ruling in respect of adherence by the Committee to its orders of reference under paragraph (2)(a) of this Standing Order, such ruling shall be notified to the Committee, and to the Cathaoirleach in his or her capacity as Chair of the Committee on Remit Oversight.

(4) Where in the opinion of the relevant Committee, the Committee Chair has failed to discharge his or her responsibilities as set out in these Standing Orders, the Committee may, on substantive motion, censure the Chair and report thereon to the Committee on Parliamentary Privileges and Oversight.”.

BUAN-ORDÚ 81 – DEARBHÚ AG AN GCATHAOIRLEACH AGUS AN LEAS-CHATHAOIRLEACH

STANDING ORDER 81 – DECLARATION BY CHAIRPERSON, VICE-CHAIRPERSON AND TEMPORARY CHAIRPERSON

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for a declaration to be taken by Chairs and vice-Chairs of Committees on election.

Leasaítear Buan-Ordú 81 tríd an mír seo a leanas a chur isteach díreach roimh mhír (3):

Standing Order 81 is amended by the insertion of the following paragraph before paragraph (3):

“(2A) Ar dhul i gCeannas dó nó di den chéad uair tar éis a thofa nó a tofa, tabharfaidh an Cathaoirleach agus an Leas-Chathaoirleach an dearbhú seo a leanas:

“(2A) Upon first taking the Chair after his or her election, the Chair and vice-Chair shall make the following declaration:

‘Dearbhaím go sollúnta go ndéanfaidh mé, go cuí agus go dílis agus a mhéid is eol agus is cumas dom, oifig Chathaoirleach / Leas-Chathaoirleach an [cuir isteach ainm an Choiste] a fheidhmiú gan scáth gan fabhar, na rialacha mar atá siad leagtha síos ag an Teach a chur i bhfeidhm go cothrom neamhchlaonta, ord a choimeád agus cearta agus pribhléidí comhaltaí a chaomhnú de réir an Bhunreachtá agus na mBuan-Orduithe.’”.

‘I do solemnly declare that I will duly and faithfully and to the best of my knowledge and ability, execute the office of [vice-]Chair of the..... [insert the name of Committee] without fear or favour, apply the rules as laid down by the House in an impartial and fair manner, maintain order and uphold the rights and privileges of members in accordance with the Constitution and Standing Orders.’”.

BUAN-ORDÚ 82 – IONADÚ I ROGHCHOISTÍ NÓ I GCOISTÍ SPEISIALTA AGUS FREASTAL ORTHU

STANDING ORDER 82– SUBSTITUTION IN, AND ATTENDANCE AT SELECT OR SPECIAL COMMITTEES

Date of modification: 24th May, 2021.

Duration of modification: **Permanent**

Effect: Provides for restrictions on nominated substitutes in Select or Special Committees.

Go ndéanfar Buan-Ordú 82 a leasú tríd an méid seo a leanas a chur in ionad mhír (1)(a):

“(1) (a) I gcás comhalta a bheidh ainmnithe chun fónamh ar Roghchoiste nó ar Choiste Speisialta a bheith as láthair, féadfaidh ionadaí páirt a ghlacadh sna himeachtaí agus beidh sé nó sí i dteideal vótáil in ionad an chomhalta a bheidh as láthair: Ar choinníoll nach comhalta den Rialtas ná Aire Stáit an tionadaí ainmnithe.”.

Standing Order 82 is amended by the substitution of the following for paragraph (1)(a):

“(1) (a) In the absence of a member nominated to serve on a Select or Special Committee, a substitute may take part in the proceedings and shall be entitled to vote in the absent member’s stead: Provided that the nominated substitute may not be a member of the Government or a Minister of State.”.

Date of further modification: 21st June, 2021.

Duration of modification: **Permanent**

Effect: To make provision for remote participation in Committee meetings.

Go ndéanfar Buan-Ordú 82 a leasú tríd an mír seo a leanas a chur isteach i ndiaidh mhír (2):

“(3) Féadfaidh comhaltaí páirt a ghlacadh i gcruinniú de Bhuanchoiste, de Roghchoiste nó de Choiste Speisialta trí cibé ardán sonraithe físchomhdhála a bheidh arna cheadú agus arna sholáthar ag Coimisiún Thithe an Oireachtais: Ar choinníoll, i gcás gur go poiblí a sheolfar an cruinniú, nach bhféadfaidh comhalta páirt a ghlacadh amhlaidh ach amháin ó ionad laistigh de mhaighne an Oireachtais; Ar choinníoll thairis sin nach gceadófar páirt a ghlacadh i vótálacha trí ardán den sórt sin, cibé acu an mbeidh an Coiste i seisiún poiblí nó i seisiún príobháideach.”.

Standing Order 82 is amended by the insertion of the following paragraph after paragraph (2):

“(3) Members may participate in a meeting of a Standing, Select or Special Committee by means of such specified videoconferencing platform as may be approved and provided by the Houses of the Oireachtas Commission: Provided that, where the meeting is in public, a member may so participate only from within the parliamentary precincts; Provided further that participation in divisions by means of such platform shall not be permitted, whether the Committee is in public or in private session.”.

BUAN-ORDÚ 85 – CÓRAM ROGHCHOISTÍ

STANDING ORDER 85 – QUORUM OF SELECT COMMITTEES.

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: Provision for the use of videoconferencing.

Leasaítear Buan-Ordú 85 –

Standing Order 85 is amended by –

(a) trí “nó, chun críche Bhuan-Ordú 95 (3)¹⁰ a bheidh ag glacadh páirt in imeachtaí ar cibé ardán físchomhdhála arna cheadú agus arna sholáthar ag Coimisiún Thithe an Oireachtais” a chur isteach i ndiaidh “i láthair”.

(b) tríd an gcoinníoll seo a leanas a chur le mír (3) “: Ar choinníoll fairis sin go ndéanfar tagairtí sna Buan-Orduithe do bheith i láthair, do pháirt a ghlacadh in imeachtaí, do bheith i láthair agus páirt a ghlacadh, a fhorléiriú dá réir sin.”.

(a) after “present” in paragraph (3), the insertion of “or, for the purpose of Standing Order 95 (3)¹⁰ taking part in proceedings on such specified videoconferencing platform as may be approved and provided by the Houses of the Oireachtas Commission” .

(b) the addition of the following proviso in paragraph (3) “: Provided further that references in Standing Orders to being present, taking part in proceedings, attending and participating shall be construed accordingly.”.

¹⁰ Scríosadh mír (3) de Bhuan-Ordú 95 ina dhiaidh sin le Rún ón Seanad an 21^ú Meitheamh 2021. Dá bhrí sin, níl an leasú sin ar Bhuan-Ordú 85 iomchuí a thuilleadh. Déan tagairt don mhír nua (3) a cuireadh isteach i mBuan-Ordú 82 chun an fhoráil nuashonraithe a fháil. Paragraph (3) of Standing Order 95 was subsequently deleted by Resolution of the Seanad of 21st June, 2021. This amendment to Standing Order 85 is therefore now no longer relevant. Refer to new paragraph (3) inserted into Standing Order 82 for up-to-date provision.

BUAN-ORDÚ 89 – IOMPAR MÍ-ORDÚIL I GCOISTÍ

STANDING ORDER 89 – DISORDERLY CONDUCT IN COMMITTEES

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for circumstances of gross disorder in Committees.

An méid seo a leanas a chur in ionad Bhuán-Ordú 89:

“**89.** (1) Ordóidh Cathaoirleach Coiste a bheidh ceaptha ag Seanad Éireann, nó Fochoiste dá chuid, do chomhalta den Choiste, do chomhalta de Sheanad Éireann a bheidh i láthair de bhun Bhuán-Ordú 82, nó d’aon duine eile a bheidh i láthair, a bheidh á iompar nó á hiompar féin go han-mhí-ordúil, imeacht láithreach ón gcruinniú den Choiste agus fanacht as ar feadh an chuid eile den chruinniú sin. An comhalta nó an duine eile a n-ordófar dó nó di imeacht de bhun an Bhuán-Ordaithe seo, imeoidh sé nó sí láithreach ón gcruinniú.

(2) Chun críocha an Bhuán-Ordaithe seo, folóidh iompar an-mhí-ordúil neamhaird a thabhairt ar údarás na Cathaoireach, amhail ordachán arna thabhairt ag an gCathaoirleach dó nó di chun scor de cheistiú áirithe a shárú nó diúltú caint a tharraingt siar nuair a ordóidh an Cathaoirleach dó nó di déanamh amhlaidh.

(3) Más rud é, gur dóigh le Cathaoirleach Coiste a bheidh ceaptha ag Seanad Éireann, nó aon Fhochoiste dá chuid, ar aon ócáid, nach leor na cumhachtaí a thugtar faoi mhír (1) chun déileáil le hiompar mí-ordúil comhalta, féadfaidh an Cathaoirleach tuarascáil a thabhairt don Seanad san fhoirm thíos, ina molfar go n-ainmneofar an comhalta lena fhionraí nó lena fionraí ó sheirbhís leis an gCoiste. Craolfaidh an Cathaoirleach, ag an gcruinniú ag ar tharla an t-iompar mí-ordúil go bhfuil beartaithe aige nó aici an tuarascáil a thabhairt, agus cuirfidh sé nó sí teachtaireacht i scríbhinn ina thaobh sin chuig Cléireach an tSeanaid agus í san fhoirm seo a leanas:

The substitution of the following for Standing Order 89:

“**89.** (1) The Chair of a Committee appointed by Seanad Éireann, or a sub-Committee thereof, shall order a member of the Committee, a member of Seanad Éireann attending pursuant to Standing Order 82, or any other person present, whose conduct is grossly disorderly, to withdraw immediately from the meeting of the Committee for the remainder of that meeting. The member or other person ordered to withdraw in pursuance of this Standing Order shall forthwith withdraw from the meeting.

(2) For the purposes of this Standing Order, gross disorder shall include disregarding the authority of the Chair, such as contravening a direction by the Chair to cease particular questioning or refusing to withdraw an utterance when directed to do so by the Chair.

(3) If, on any occasion, the Chair of a Committee appointed by the Seanad, or any sub-Committee thereof, deems that the powers conferred under paragraph (1) are inadequate to deal with the disorderly conduct of a member, the Chair may make a report to the Seanad in the form below, recommending that the member be named for suspension from service with the Committee. The Chair shall announce at the meeting at which the disorderly conduct occurs that he or she intends to make the report, and shall send a message in that regard to the Clerk of the Seanad in writing and in the following form:

‘Tuiriscím leis seo go bhfuil an Seanadóir [cuir isteach ainm an tSeanadóira] lena ainmniú/lena hainmniú le cur ar fionraí ó sheirbhís [cuir isteach ainm an Choiste] de réir Bhuan-Ordú 52, tar éis dó/di iompar/ an-mhí-ordúil a dhéanamh agus neamhaird a thabhairt ar m’údarás mar Chathaoirleach an [cuir isteach an dáta].’

Is ionann teachtaireacht den sórt sin agus tuarascáil faoin mír seo.

(4) Féadfaidh Cathaoirleach Coiste, in ionad tuarascáil a thabhairt faoi mhír (3), a mholadh go ndéanfaidh an Coiste ina iomláine tuarascáil a thabhairt san fhoirm thíos, i ndáil le hiompar mí-ordúil comhalta, is tuarascáil ina molfar go ndéanfar an comhalta a fhionraí ó sheirbhís leis an gCoiste. I gcás go gcomhaontóidh Coiste tuarascáil den sórt sin a thabhairt, cuirfidh sé teachtaireacht i scríbhinn ina thaobh sin chuig Cléireach an tSeanaid agus í san fhoirm seo a leanas:

‘Tuiriscíonn.....[cuir isteach ainm an Choiste] leis seo go bhfuil an Seanadóir [cuir isteach ainm an tSeanadóira] lena ainmniú/lena hainmniú le cur ar fionraí ó sheirbhís..... [cuir isteach ainm an Choiste] de réir Bhuan-Ordú 52, tar éis dó nó di iompar an-mhí-ordúil a dhéanamh agus neamhaird a thabhairt ar údarás na Cathaoireach ag cruinniú an [cuir isteach an dáta].’

Is ionann teachtaireacht den sórt sin agus tuarascáil faoin mír seo.

(5) Ar Chléireach an tSeanaid d’fháil tuarascála faoi mhír (3) nó (4), déanfaidh an Cathaoirleach, díreach roimh an Ord Gnó ar an gcéad lá suí eile, nó a luaithe is indéanta ina dhiaidh sin, an comhalta a ainmniú de réir Bhuan-Ordú 52, agus beidh feidhm ag forálacha an Bhuan-Ordaithe sin.”.

‘I hereby report that Senator..... [insert the name of the Senator] at a meeting of the..... [insert the name of the Committee] on..... [insert the date] having been grossly disorderly and having disregarded my authority as Chair, falls to be named for suspension from the service of the..... [insert the name of the Committee] in accordance with Standing Order 52.’

Such a message shall constitute a report under this paragraph.

(4) A Chair of a Committee may, in place of making a report under paragraph (3), propose that a report be made by the Committee as a whole in the form below in relation to the disorderly conduct of a member, recommending that the member be suspended from the service of the Committee. Where a Committee has agreed to make such a report, it shall send a message to the Clerk of the Seanad in writing and in the following form:

‘The..... [insert the name of the Committee] hereby reports that Senator..... [insert the name of the Senator] at a meeting on..... [insert the date] having been grossly disorderly and having disregarded the authority of the Chair, falls to be named for suspension from the service of the..... [insert the name of the Committee] in accordance with Standing Order 52.’

Such a message shall constitute a report under this paragraph.

(5) On receipt by the Clerk of the Seanad of a report under paragraph (3) or (4), the Cathaoirleach shall, immediately prior to the Order of Business on the next sitting day, or as soon as is practicable thereafter, name the member in accordance with Standing Order 52, and the provisions of that Standing Order shall apply.”.

BUAN-ORDÚ 94A – AN COISTE UM FHORMHAOIRSIÚ SAINCHÚRAIM

STANDING ORDER 94A – COMMITTEE ON REMIT OVERSIGHT

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for a Committee on Remit Oversight.

Glactar leis seo an Buan-Ordú nua seo a leanas:

“94A. (1) Beidh arna bhunú, i ndiaidh ationól an tSeanaid tar éis Olltoghcháin, Coiste um Fhormhaoirsiú Sainchúram, chun na hiarrataí seo a leanas a bhreithniú, arb iarrataí iad a bhaineann le sainchúram Buanchóistí, Roghchoistí nó Coistí Speisialta:

- (a) iarraidh ó Choiste ar chinneadh i dtaobh an amhlaidh go dtagann breithniú ar ní faoina shainchúram,
- (b) iarraidh ón gCathaoirleach ar chinneadh faoi mhír (a) i leith Coiste ar leith,
- (c) iarraidh ó Choiste chun a orduithe tagartha a leathnú chun críche áirithe, de réir Bhuan-Ordú 94B, lena n-áirítear aon aighneacht ó Choiste dá ndéantar difear.

(2) Chun críocha an Bhuan-Ordaithe seo agus Bhuan-Orduithe 94B agus 94C –

folóidh ‘ní a bhreithniú’ aon togra ó Choiste chun gabháil do ghníomhaíocht, cumhacht a fheidhmiú nó feidhm a urscaoileadh,

ciallóidh ‘sainchúram’ orduithe tagartha Coiste arna n-údarú leis na Buan-Orduithe nó le hOrdú ón Seanad.

The following new Standing Order is hereby adopted:

“94A. (1) A Committee on Remit Oversight shall stand established following the reassembly of the Seanad subsequent to a General Election, to consider the following requests relating to the remit of Standing, Select or Special Committees:

- (a) a request by a Committee for a determination as to whether the consideration of a matter is within its remit,
- (b) a request by the Cathaoirleach for a determination under paragraph (a) in respect of a particular Committee,
- (c) a request by a Committee for an extension to its orders of reference for a particular purpose, in accordance with Standing Order 94B, including any submission from an affected Committee.

(2) For the purpose of this Standing Order and Standing Orders 94B and 94C –

‘consideration of a matter’ shall include any proposal by a Committee to engage in an activity, exercise a power or discharge a function,

‘remit’ shall mean the orders of reference of a Committee as authorised by Standing Orders or by Order of the Seanad.

(3) Déanfaidh an Coiste um Fhormhaoirsiú Sainchúraim iarraidh faoi mhír (1) a bhreithniú a luaithe is indéanta. Féachfaidh an Coiste le cinneadh a dhéanamh laistigh de sheachtain tar éis iarraidh a fháil, mura dtiocfaidh an Coiste ar an tuairim nach gá an ní a chinneadh go práinneach, agus sa chás sin tabharfar fógra don iarrthóir maidir leis an amscála le haghaidh cinneadh.

(4) Beidh sé de chumhacht ag an gCoiste um Fhormhaoirsiú Sainchúraim cibé cinní a dhéanamh, agus cibé coinníollacha a chur ag gabháil leo, de réir mar is cuí leis i ndáil le hiarrataí faoi mhír (1). I bhfeidhmiú na cumhachta sin, féadfaidh an Coiste a chinneadh go dtagann ní faoi shainchúram níos mó ná Coiste amháin, agus, más rud é go measfaidh sé gur gá déanamh amhlaidh, féadfaidh sé Coiste ceannais a ainmniú chun an ní a bhreithniú.

(5) Le linn breithniú a dhéanamh ar iarrataí faoin mBuan-Ordú seo a bhaineann le Comhchoistí, déanfar an Coiste um Fhormhaoirsiú Sainchúraim a chomhcheangal le Coiste dá shamhail de chuid Dháil Éireann chun bheith ina Chomhchoiste um Fhormhaoirsiú Sainchúraim.

(6) I gcás go mbeidh comhalta den Choiste um Fhormhaoirsiú Sainchúraim ina chomhalta nó ina comhalta freisin de Choiste dá ndéanann aon iarraidh a bheidh le breithniú ag an gCoiste um Fhormhaoirsiú Sainchúraim difear dó, staonfaidh an comhalta sin ó pháirt a ghlacadh sna himeachtaí go léir i leith na hiarrata sin: Ar choinníoll go bhféadfaidh comhalta eile ionadaíocht a dhéanamh don chomhalta sin sna himeachtaí sin de réir Bhuan-Ordú 82.”.

(3) The Committee on Remit Oversight shall consider a request under paragraph (1) as soon as is practicable. The Committee shall endeavour to make a determination within a week of receipt of a request, unless the Committee forms the opinion that the matter does not require an urgent determination, in which case the timescale for a decision will be notified to the requester.

(4) The Committee on Remit Oversight shall have the power to make such determinations, and attach such conditions, as it sees fit in relation to requests under paragraph (1). In exercising this power, the Committee may determine that a matter is within the remit of more than one Committee, and, if it considers it necessary to do so, may designate a lead Committee to consider the matter.

(5) When considering requests under this Standing Order which relate to Joint Committees, the Committee on Remit Oversight shall be joined with a similar Committee of Dáil Éireann, to form the Joint Committee on Remit Oversight.

(6) Where a member of the Committee on Remit Oversight is also a member of a Committee affected by any request to be considered by the Committee on Remit Oversight, such member shall recuse themselves from all proceedings in respect of that request: Provided that another member may substitute for such member for such proceedings in accordance with Standing Order 82.”.

BUAN-ORDÚ 94B – FÉADFAR TREOIR A IARRAIDH CHUN ORDUITHE TAGARtha COISTE A LEATHNÚ

STANDING ORDER 94B – INSTRUCTION MAY BE SOUGHT FOR AN EXTENSION OF COMMITTEE ORDERS OF REFERENCE

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for a Committee to request a determination on remit.

Glactar leis seo an Buan-Ordú nua seo a leanas:

“94B. (1) I gcás gur mian le Roghchoiste, Coiste Speisialta nó Buanchoiste aon ní a bhreithniú, ar ní é, i dtuairim an Chathaoirligh, a d’fhéadfadh gan bheith ag teacht faoina shainchúram, iarraidh an Coiste ar an gCoiste um Fhormhaoirsiú Sainchúram an ní a chinneadh; agus féadtar go mbeidh ar áireamh freisin san iarraidh ar chinneadh iarraidh chun orduithe tagartha an Choiste a leathnú más gá é chun an ní a bhreithniú.

(2) Aon Choiste a mbeidh sé i gceist aige iarraidh a dhéanamh faoi mhír (1), tabharfaidh sé fógra d’aon Choiste dá ndéantar difear go bhfuil sé i gceist aige an iarraidh a dhéanamh, agus féadfaidh an Coiste dá ndéantar difear aighneacht a chur faoi bhráid an Choiste um Fhormhaoirsiú Sainchúram i leith an ní sin. I gcás nach dtabharfaidh an Coiste iarrthach fógra do Choiste dá ndéantar difear de réir an Bhuan-Ordaithe seo, tabharfaidh an Coiste um Fhormhaoirsiú Sainchúram fógra don Choiste sin dá ndéantar difear ar an iarraidh a fháil.

(3) Áireofar na nithe seo a leanas in iarraidh faoi mhír (1) chuig an gCoiste um Fhormhaoirsiú Sainchúram:

- (a) scóip agus críoch an bhreithnithe a bheidh beartaithe ag an gCoiste ar an ní (lena n-áirítear an ní beacht atá le breithniú, an ghníomhaíocht a bhfuiltear le gabháil di, an chumhacht atá le

The following new Standing Order is hereby adopted:

“94B. (1) Where a Select, Special or Standing Committee wishes to consider any matter which, in the opinion of the Chair, may not be within its remit, the Committee shall make a request to the Committee on Remit Oversight for a determination on the matter; and the request for a determination may also include a request for an extension of the orders of reference of the Committee, if required for the purpose of consideration of the matter.

(2) A Committee intending to make a request under paragraph (1) shall notify any affected Committee of its intention to make the request, and the affected Committee may make a submission to the Committee on Remit Oversight in respect of the matter. Where a requesting Committee fails to notify an affected Committee in accordance with this Standing Order, the Committee on Remit Oversight shall notify such affected Committee on receipt of the request.

(3) A request to the Committee on Remit Oversight under paragraph (1) shall include the following:

- (a) the scope and purpose of the Committee’s proposed consideration of the matter (including the precise matter to be considered, the activity to be engaged in, the power to be exercised, or the function

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| feidhmiú nó an fheidhm atá le hurscaoileadh); | to be discharged); |
| (b) an chúis ar cóir, le ceart, an ní a bheith ina ábhar do bhreithniú ag an gCoiste; | (b) the reason the matter ought properly to be the subject of Committee consideration; |
| (c) an tslí ar a mbaineann an ní le feidhm de chuid an tSeanaid; | (c) the manner in which the matter relates to a function of the Seanad; |
| (d) dearbhú gur thug an Coiste iarrthach fógra d'aon Choiste dá ndéantar difear gur beartaíodh an iarraidh a dhéanamh (lena n-áirítear aon fhreagra ón gCoiste dá ndéantar difear); | (d) confirmation that the requesting Committee has notified any affected Committee of the intention to make the request (including any response from the affected Committee); |
| (e) más indéanta, na finnétithe nó na hearnálacha finnétithe a mbeartaíonn an Coiste iarrthach dul i mbun plé leo. | (e) where practicable, the witnesses or categories of witnesses with whom the requesting Committee intends to engage. |

(4) Féadfaidh an Coiste um Fhormhaoirsiú Sainchúraim a chinneadh iarraidh faoin mBuan-Ordú seo a dheonú nó a dheonú i bpáirt, agus féadfaidh sé cibé coinníollacha is cuí leis a chur ag gabháil lena chinneadh. Ina thaobh sin, féadfaidh an Coiste cibé faisnéis bhreise is cuí leis a iarraidh ar an gCoiste iarrthach agus féadfaidh sé dul i gcomhairle le haon Choiste eile, nó le haon daoine nó comhlachtaí is cuí leis.

(4) The Committee on Remit Oversight may decide to grant, or partially grant, a request under this Standing Order, and may attach such conditions to its decision as it sees fit. In this regard, the Committee may seek such further information from the requesting Committee as it thinks fit, and may consult any other Committee, or any persons or bodies as it considers appropriate.

(5) Ar chinneadh faoi mhír (4) a dhéanamh chun orduithe tagartha Coiste a leathnú, déanfaidh an Coiste um Fhormhaoirsiú Sainchúraim tairiscint a chur síos chun treoir a thabhairt don Choiste de réir théarmaí a chinnte. Cinnfear tairiscint den sórt sin gan leasú.

(5) Upon making a decision under paragraph (4) to extend the orders of reference of a Committee, the Committee on Remit Oversight shall table a motion to instruct the Committee in accordance with the terms of its decision. Such motion shall be decided without amendment.

(6) Ní bhreithneoidh an Coiste iarrthach an ní mura mbeidh, agus go dtí go mbeidh, treoir tugtha ag an Seanad dó ar scór tairiscint arna cur síos ag an gCoiste um Fhormhaoirsiú Sainchúraim faoi mhír (5).”.

(6) The requesting Committee shall not consider the matter unless and until it has been instructed by the Seanad on foot of a motion tabled by the Committee on Remit Oversight under paragraph (5).”.

BUAN-ORDÚ 94C – TREOIR ÓN GCOISTE UM FHORMHAOIRSIÚ SAINCHÚRAIM CHUN SCOR DE NÍ

STANDING ORDER 94C – INSTRUCTION BY COMMITTEE ON REMIT OVERSIGHT TO DESIST

Date of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Determination by Committee on Remit that a Committee has acted, is acting, or intends to act in breach of its remit.

Glactar leis seo an Buan-Ordú nua seo a leanas:

“**94C.** (1) I gcás, i bhfeidhmiú a fheidhmeanna, go gcinneadh an Coiste um Fhormhaoirsiú Sainchúraim gur ghníomhaigh Coiste (“an Coiste iomchuí”) nó go bhfuil sé ag gníomhú nó go bhfuil sé beartaithe aige gníomhú, de shárú ar a shainchúram, féadfaidh an Coiste um Fhormhaoirsiú Sainchúraim tairiscint a chur síos le haghaidh Ordú ó Sheanad Éireann chun treoir a thabhairt don Choiste iomchuí de réir mhír (4).

(2) Le linn cinneadh a dhéanamh i dtaobh tairiscint a chur síos faoi mhír (4), breithneoidh an Coiste an ndearna gníomhaíochtaí an Choiste dochar, nó an dócha go ndéanfaidh siad dochar, d’aon duine, de réir bhrí Bhuan-Ordú 49A.

(3) I gcás go gcinneadh an Coiste tairiscint a chur síos faoi mhír (4), féadfaidh sé a chinneadh freisin gur mhí-úsáid an Coiste iomchuí pribhléid trí ghníomhú lasmuigh dá shainchúram agus féadfaidh sé an cinneadh sin a thuairisciú don Seanad.

(4) Maidir le tairiscint faoin mBuan-Ordú seo, tabharfar treoir léi don Choiste iomchuí scor den ní a bhreithniú nó a bhreithniú tuilleadh agus déanfaidh an Seanad an tairiscint sin an chéad uair is indéanta. Cinnfear tairiscint den sórt sin gan leasú. Ar an tairiscint a chomhaontú le hOrdú ón Seanad, scoirfidh an Coiste iomchuí den ní a bhreithniú de réir théarmaí an Ordaithe.

The following new Standing Order is hereby adopted:

“**94C.** (1) Where, in the exercise of its functions, the Committee on Remit Oversight determines that a Committee (“the relevant Committee”) has acted, is acting, or intends to act, in breach of its remit, the Committee on Remit Oversight may table a motion for an Order of Seanad Éireann to instruct the relevant Committee in accordance with paragraph (4).

(2) In deciding whether to table a motion under paragraph (4), the Committee shall consider whether the relevant Committee’s actions have adversely affected, or are likely to adversely affect, any person, within the meaning of Standing Order 49A.

(3) Where the Committee decides to table a motion under paragraph (4), it may also determine that the relevant Committee has abused privilege by acting outside its remit and may report such determination to the Seanad.

(4) A motion under this Standing Order shall instruct the relevant Committee to desist from considering or further considering the matter and shall be taken by the Seanad at the first practicable opportunity. Such motion shall be decided without amendment. Upon agreement of the motion by Order of the Seanad, the relevant Committee shall desist from considering the matter in accordance with the terms of the Order.

(5) Go dtí go ndéanfar tairiscint faoi mhír (4) agus faoi réir mhír (6), tabharfaidh an Coiste um Fhormhaoirsiú Sainchúrait treoir scríofa don Choiste iomchuí chun scor den ní a bhreithniú agus déanfaidh sé cóip den treoir sin a sholáthar d'aon fhinné lena mbaineann sna himeachtaí: Ar choinníoll go ndéanfar tairiscint sa Seanad a luaithe is indéanta chun an treoir scríofa sin a dhearbhu, agus ar choinníoll fairis sin go scoirfidh an Coiste iomchuí, de réir mar a treoraíodh dó, mura mbeidh, agus go dtí go mbeidh, an treoir freaschurtha le hOrdú ón Seanad.

(6) I gcás go dtabharfar treoir scríofa do Choiste iomchuí faoin mír seo agus sula ndéanfar tairiscint sa Seanad, féadfaidh an Coiste iomchuí gealltanais scríofa a thabhairt don Choiste um Fhormhaoirsiú Sainchúrait go seolfaidh sé a chuid imeachtaí ar shlí a chloífidh le téarmaí na treorach scríofa. I gcás go mbeidh sé sin inghlactha ag an gCoiste um Fhormhaoirsiú Sainchúrait, féadfaidh an Coiste iomchuí cromadh ar an modh a bheidh leagtha amach ina ghealltanais agus soláthróidh sé cóip den ghealltanais sin d'aon fhinné lena mbaineann sna himeachtaí. Ní dhéanfar aon tairiscint faoi mhír (5) fad a chloífidh an Coiste le téarmaí an ghealltanais scríofa.”.

(5) Pending the taking of a motion under paragraph (4) and subject to paragraph (6), the Committee on Remit Oversight shall give a written instruction to the relevant Committee to desist from considering the matter and shall provide a copy of such instruction to any witness concerned in the proceedings: Provided that a motion shall be taken in the Seanad for the purpose of confirming such written instruction as soon as is practicable, and provided further that the relevant Committee shall desist, as instructed, unless and until the instruction is reversed by Order of the Seanad.

(6) Where a written instruction is given to a relevant Committee under this paragraph and before a motion is taken in the Seanad, the relevant Committee may give a written undertaking to the Committee on Remit Oversight that it will conduct its proceedings in such a way as to abide by the terms of the written instruction. Where this is acceptable to the Committee on Remit Oversight, the relevant Committee may proceed in the manner set out in its undertaking and shall provide a copy of such undertaking to any witness concerned in the proceedings. No motion shall be taken under paragraph (5) for so long as the Committee abides by the terms of the written undertaking.”.

BUAN-ORDÚ 97 – AN COISTE ROGHNÓIREACHTA D’AINMNIÚ COMHALTAÍ CHUN FÓNAMH AR ROGHCHOISTÍ NÓ AR CHOISTÍ SPEISIALTA

STANDING ORDER 97 – NOMINATION OF MEMBERS BY COMMITTEE OF SELECTION TO SERVE ON SELECT OR SPECIAL COMMITTEES

Date of modification: 24th May, 2021.

Duration of modification: **Permanent**

Effect: Provides for restrictions on nomination of members to Select or Special Committees.

Leasaítear Buan-Ordú 97—

Standing Order 97 is amended by—

(a) trí “, nach comhalta den Rialtas ná Aire Stáit aon duine acu,” a chur isteach i ndiaidh “Choistí Speisialta”, agus

(a) the insertion of “, none of whom shall be a member of the Government or a Minister of State,” after “Special Committees”, and

(b) trí “: Ar choinníoll, d’ainneoin aon Ordú ón Seanad, go mbeidh comhalta a cheapfar mar chomhalta den Rialtas nó mar Aire Stáit arna urscaoileadh nó arna hurscaoileadh sa ghnáthchúrsa ó aon Choiste chun ar ainmníodh é nó í” a chur isteach i ndiaidh “a urscaoilfear”.

(b) the insertion of “: Provided that, notwithstanding any Order of the Seanad, a member who is appointed as a member of the Government or a Minister of State automatically stands discharged from any Committee to which he or she was nominated” after “discharged”.

BUAN-ORDÚ 98 – AN COISTE UM PRIBHLÉIDÍ PARLAIMINTEACHA AGUS FORMHAOIRSIÚ

STANDING ORDER 98 – COMMITTEE ON PARLIAMENTARY PRIVILEGES AND OVERSIGHT

Dates of modification: 16th December, 2020.

Duration of modification: **Permanent**

Effect: Provides for (i) the change in name of the Committee on Procedures and Privileges to the Committee on Parliamentary Privileges and Oversight; (ii) to allow for determinations on utterances under Standing Order 49B and to act as the Committee on Remit Oversight; and (iii) provides for single reserve substitution in the Committee.

An méid seo a leanas a chur in ionad Bhuan-Ordú 98:

“98. (1) Beidh arna bhunú, i ndiaidh a tionóil an tSeanaid tar éis Olltoghcháin, Buanchóiste ar a dtabharfar an Coiste um Pribhléidí Parlaiminteacha agus Formhaoirsiú (dá ngairtear ‘an Coiste’ anseo ina dhiadh seo sa Bhuan-Ordú seo).

(2) Is iad na feidhmeanna seo a leanas a bheidh ag an gCoiste—

(a) nithe a bhreithniú a bhaineann le pribhléidí parlaiminteacha a ghabhann le comhaltas de Sheanad Éireann agus a Choistí, lena n-áirítear tuairisciú don Seanad maidir le mí-úsáid phribhléide agus aighneachtaí nó tarchuir i ndáil le caint pharlaiminteach de bhun Bhuan-Ordú 49B,

(b) maoirseacht a dhéanamh ar an nós imeachta i gcoitinne, lena n-áirítear an nós imeachta i mBuanchóistí, i Roghchoistí, agus i gCoistí Speisialta agus go háirithe—

(i) aighneachtaí agus tarchuir a bhreithniú agus, más cuí, cinntí a dhéanamh ar aighneachtaí nó ar tharchuir i ndáil le caint

The substitution of the following for Standing Order 98:

“98. (1) There shall stand established, following the reassembly of the Seanad subsequent to a General Election, a Standing Committee, to be known as the Committee on Parliamentary Privileges and Oversight (hereinafter referred to in this Standing Order as ‘the Committee’).

(2) The functions of the Committee shall be to—

(a) consider matters relating to the parliamentary privileges attaching to membership of Seanad Éireann and its Committees, including reporting to the Seanad on abuse of privilege and considering submissions or referrals in relation to parliamentary utterances pursuant to Standing Order 49B,

(b) oversee procedure generally, including procedure in Standing, Select and Special Committees and in particular to—

(i) consider and where appropriate make determinations on submissions or referrals in relation to parliamentary utterances

- pharlaiminteach i gCoistí de bhun Bhuan-Ordú 49B,
- (ii) treoirlínte a ghlacadh agus a fhoilsiú maidir le cúinsí iomchuí agus cuí, lena n-áirítear nósanna imeachta cothroma agus riachtanais an cheartais aiceanta agus bunreacht, ar cúinsí iad a bheidh le breithniú le linn cinneadh a dhéanamh ar aighneacht nó ar tharchur faoi Bhuan-Ordú 49B,
- (iii) gníomhú mar an Coiste um Fhormhaoirsiú Sainchúraim de bhun Bhuan-Orduithe 94A go 94C go huile,
- (iv) prótacal a ghlacadh agus a fhoilsiú maidir le daoine do thabhairt fianaise do Choistí de chuid Thithe an Oireachtais,
- (v) tuarascáil ó Choiste maidir lena Chathaoirleach a cháineadh de bhun Bhuan-Ordú 79(4) a bhreithniú,
- (c) feidhmeanna a chomhlíonadh i ndáil le fiosrúcháin de chuid Chuid 2 de réir mar a leanas:
- (i) gníomhú mar an Coiste ainmnithe i ndáil le haon tograí le haghaidh fiosrúchán de chuid Chuid 2 de réir mar a leagtar amach i mBuan-Orduithe 119 go 124 go huile, agus
- (ii) nithe a bhreithniú a bhaineann le brath go bhfuil claontacht i gceist i leith fiosrúchán de chuid Chuid 2 a bhreithniú de réir mar a leagtar amach i mBuan-Orduithe 91 go 93 go huile,
- in Committees pursuant to Standing Order 49B,
- (ii) adopt and publish guidelines on relevant and appropriate considerations, including fair procedures and the requirements of natural and constitutional justice, to be considered in making a determination on a submission or referral under Standing Order 49B,
- (iii) act as the Committee on Remit Oversight pursuant to Standing Orders 94A to 94C inclusive,
- (iv) adopt and publish a protocol for persons giving evidence to Committees of the Houses of the Oireachtas,
- (v) consider a report from a Committee on censure of its Chair pursuant to Standing Order 79(4),
- (c) perform functions in relation to Part 2 inquiries as follows:
- (i) to act as the designated Committee in relation to any proposals for a Part 2 inquiry as set out in Standing Orders 119 to 124 inclusive, and
- (ii) to consider matters relating to perception of bias in respect of a Part 2 inquiry as set out in Standing Orders 91 to 93 inclusive,

(d) cibé treoirlínte is cuí leis a eisiúint i ndáil le—

(i) fiosrúcháin de chuid Chuid 2, agus

(ii) gnó Coiste eile i gcás go mbeidh cumhacht tugtha chun fios a chur ar dhaoine agus chun fios a chur i ndáil le páipéir agus taifid,

de réir ailt 19 agus 79 den Acht um Thithe an Oireachtais (Fiosrúcháin, Pribhléidí agus Nósanna Imeachta), 2013,

(e) feidhmeanna a chomhlíonadh i dtaobh doiciméid (scríbhinní) oifigiúla an tSeanaid agus páipéir phríobháideacha a chomhaltaí a chosaint (a dhídean) faoi Airteagal 15.10 den Bhunreacht, ar feidhmeanna iad a thugtar le Buan-Orduithe 134 agus 135,

(f) feidhmeanna a chomhlíonadh mar an coiste de chuid Chuid 10 agus an coiste de chuid Chuid 11 faoin Acht um Thithe an Oireachtais (Fiosrúcháin, Pribhléidí agus Nósanna Imeachta), 2013, ar feidhmeanna iad a thugtar le Buan-Orduithe 136 agus 137.

(3) Beidh na cumhachtaí seo a leanas ag an gCoiste:

(a) an chumhacht chun Fochoistí a cheapadh mar a mhínítear i mBuan-Ordú 72(2);

(b) an chumhacht chun sainchomhairleoirí a fhostú mar a mhínítear i mBuan-Ordú 72(10);

(c) an chumhacht chun taisteal mar a mhínítear i mBuan-Ordú 72(10);

(d) issue such guidelines as it considers appropriate in relation to—

(i) Part 2 inquiries, and

(ii) other Committee business where a power to send for persons, papers and records has been conferred,

in accordance with sections 19 and 79 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013,

(e) perform functions relating to the protection of the official documents of the Seanad and the private papers of its members under Article 15.10 of the Constitution, as conferred by Standing Orders 134 and 135,

(f) perform the functions as the Part 10 committee and the Part 11 committee under the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, as conferred by Standing Orders 136 and 137.

(3) The Committee shall have the following powers:

(a) power to appoint sub-Committees as defined in Standing Order 72(2);

(b) power to engage consultants as defined in Standing Order 72(10);

(c) power to travel as defined in Standing Order 72(10);

- (d) an chumhacht chun tuarascálacha a chlóbhualadh agus a fhoilsiú agus chun a údarú d'Fhochoistí tuairisciú díreach don Seanad mar a mhínítear i mBuan-Ordú 77(1);
- (e) an chumhacht chun gníomhú thar ceann Sheanad Éireann agus chomhaltaí Sheanad Éireann i ndáil le haon imeachtaí dlíthiúla nó éisteacht phoiblí nó fiosrúchán poiblí eile; agus
- (f) an chumhacht chun toiliú a thabhairt i scríbhinn maidir le hordachán nó ordacháin a thabhairt i ndáil le daoine, páipéir agus taifid le haghaidh gnó Coiste, seachas fiosrúcháin de chuid Chuid 2.

(4) Is iad a bheidh ar an gCoiste an Cathaoirleach, arb é nó í an Cathaoirleach é nó í, *ex officio*, agus gan aige nó aici ach vóta amháin, an Leas-Chathaoirleach, Treoraí an Tí agus naoi gcomhalta eile; agus cúigear is córam don Choiste. Mura féidir don Chathaoirleach a bheith i láthair, féadfaidh an Leas-Chathaoirleach gníomhú mar Chathaoirleach ina ionad nó ina hionad.

(5) D'ainneoin aon ní i mBuan-Ordú 82, i gcás comhalta a bheidh ainmnithe chun fónamh ar an gCoiste a bheith as láthair, féadfaidh ionadaí, ar comhalta é nó í den ghrúpa céanna leis an gcomhalta atá as láthair, páirt a ghlacadh sna himeachtaí agus beidh sé nó sí i dteideal vótáil in ionad an chomhalta atá as láthair; Ar choinníoll go mbeidh aon ionadaí den sórt sin ainmnithe i scríbhinn don Chathaoirleach agus aitheanta sa cháil sin ag an gCathaoirleach ar bhonn seasta agus go bhféadfaidh sé nó sí gníomhú mar ionadaí nuair a bheidh an comhalta a d'ainmnigh é nó í as láthair agus sa chás sin amháin; Ar choinníoll thairis sin nach láithreoidh sé nó sí ag cruinniú nó ag an gcuid sin de chruinniú ag a ndéanfar nithe a éireoidh faoi fhomhíreanna (2)(c), (d), (e) agus (f) den Bhuan-Ordú seo a bhreithniú nó ag a mbeidh an chumhacht a

- (d) power to print and publish reports and to authorise sub-Committees to report directly to the Seanad as defined in Standing Order 77(1);
- (e) power to act on behalf of Seanad Éireann and members of Seanad Éireann in relation to any legal proceedings or other public hearing or inquiry; and
- (f) power to give consent in writing to the giving of a direction or directions in relation to persons, papers and records for Committee business, other than Part 2 inquiries.

(4) The Committee shall consist of the Cathaoirleach, who *ex officio* shall be Chair, and who shall have only one vote, and the Leas-Chathaoirleach, the Leader of the House and nine other members; and five shall constitute a quorum. In the unavoidable absence of the Cathaoirleach, the Leas-Chathaoirleach may act as Chair in his or her stead.

(5) Notwithstanding anything in Standing Order 82, in the absence of a member nominated to serve on the Committee, a substitute, who is a member of the same group as the absent member, may take part in the proceedings and shall be entitled to vote in the absent member's stead; Provided that any such substitute shall have been nominated in writing to and recognised as such by the Cathaoirleach on a standing basis and may act as substitute in the absence only of the member by whom he or she was nominated; Provided further that a substitute shall not attend a meeting or that part of a meeting at which matters arising under sub-paragraphs (2)(c), (d), (e) and (f) of this Standing Order are considered or at which the power specified in sub-paragraph (3)(f) of this Standing Order is being exercised.

shonraítear i mír (3)(f) den Bhuan-Ordú seo á feidhmiú.

(6) Maidir leis an gCoiste, is é an Coiste arb é an Coiste um Nós Imeachta agus Pribhléidí a bhí mar theideal air, faoi Bhuan-Orduithe Sheanad Éireann i dTaobh Gnó Phoiblí, roimhe seo ag leanúint ar marthain dó é.”.

(6) The Committee is a continuation in being of the Committee which, under the Standing Orders of Seanad Éireann relative to Public Business, was previously titled the Committee on Procedure and Privileges.”.

BUAN-ORDÚ 99 – AN COISTE UM LEASANNA COMHALTAÍ

STANDING ORDER 99 – COMMITTEE ON MEMBERS’ INTERESTS

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: Makes amendment to substitution provisions.

Leasaítear Buan-Ordú 99 tríd an méid seo a leanas a chur in ionad mhír (4):

“(4) D’ainneoin aon ní dá mhalairt atá i mír (1), beidh feidhm ag na Buan-Orduithe seo maidir leis an gCoiste ar gach slí eile amhail is dá mba Bhuan-Choiste é. Ar choinníoll: Go mbeidh feidhm ag Buan-Ordú 82 chun críocha comhchomhairliúcháin dá bhforáiltear in alt 5(1) agus treoirlínte a eisiúint de bhun alt 12(1)(c) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.”.

Standing Order 99 is amended by the substitution of the following for paragraph (4):

“(4) Notwithstanding anything to the contrary in paragraph (1), these Standing Orders shall otherwise apply to the Committee in all respects as though it were a Standing Committee. Provided that: Standing Order 82 shall apply for the purposes of consultation provided in section 5(1) and issuance of guidelines pursuant to section 12(1)(c) of the Ethics in Public Office Acts 1995 and 2001.”.

BUAN-ORDÚ 104 – AN COMCHOISTE RIARACHÁIN

STANDING ORDER 104 – JOINT ADMINISTRATION COMMITTEE

Date of modification: 31st July, 2020.

Duration of modification: **Permanent**

Effect: The deletion of the Standing Order relating to the Joint Administration Committee.

Go ndéanfar Buan-Ordú 104 a scriosadh. That Standing Order 104 be deleted.

BUAN-ORDÚ 105 – COISTE NA GAELIGE, NA GAELTACHTA AGUS PHOBAL LABHARTHA NA GAELIGE

STANDING ORDER 105 – COMMITTEE ON THE IRISH LANGUAGE, GAELTACHT AND THE IRISH-SPEAKING COMMUNITY

Date of modification: 25th September, 2020.
24th May, 2021.

Duration of modification: **Permanent**

Effect: Provides for a Committee on the Irish Language, Gaeltacht and the Irish-speaking Community.

An méid seo a leanas a chur in ionad Bhuan-Ordú 105:

“Coiste na Gaeilge, na Gaeltachta agus Phobal Labhartha na Gaeilge.

105. (1) Beidh arna bhunú, i ndiaidh ationól an tSeanaid tar éis Olltoghcháin, Buanchoiste, a chomhcheanglófar le Coiste dá shamhail de chuid na Dála chun Comhchoiste na Gaeilge, na Gaeltachta agus Phobal Labhartha na Gaeilge a chomhdhéanamh, chun na feidhmeanna a leagtar amach sa Bhuan-Ordú seo a chomhlíonadh.

(2) Breithneoidh an Comhchoiste ábhair bheartais a bhaineann leis an nGaeilge, leis an nGaeltacht agus le Pobal Labhartha na Gaeilge agus atá go ginearálta faoi chúram Ranna Rialtais agus comhlachtaí poiblí gaolmhara agus breithneoidh sé, go háirithe—

- (a) straitéis i ndáil leis an nGaeilge, lena n-áirítear an Straitéis 20 Bliain don Ghaeilge, 2010-2030 agus aon straitéis a bheidh ann sa todhchaí, agus cur chun cinn na Gaeilge i gcoitinne,
- (b) litríocht, ceol agus cultúr na Gaeilge agus nithe gaolmhara,
- (c) úsáid is leithne na Gaeilge in imeachtaí dhá Theach an Oireachtais agus ina gCoistí

The substitution of the following for Standing Order 105:

“Committee on the Irish Language, Gaeltacht and the Irish-speaking Community.

105. (1) There shall stand established following the reassembly of the Seanad subsequent to a General Election, a Standing Committee which shall be joined with a similar Committee of the Dáil to constitute the Joint Committee on the Irish Language, Gaeltacht and the Irish-speaking Community, to perform the functions set out in this Standing Order.

(2) The Joint Committee shall consider policy matters relating to the Irish language, Gaeltacht and the Irish-speaking Community generally within the remit of Government Departments and associated public bodies and, in particular, shall consider—

- (a) strategy in relation to the Irish language, including the 20 Year Strategy on the Irish Language 2010-2030 and future strategies, and the promotion of the Irish language in general,
- (b) Irish language literature, music, culture and related matters,
- (c) the promotion of the wider use of Irish in the proceedings of both Houses of the Oireachtas, their

agus timpeall an dá Theach a chur chun cinn,

- (d) an Ghaeilge a chur chun cinn ar fud na státseirbhíse agus na seirbhíse poiblí, lena n-áirítear dul chun cinn maidir le cur i ngníomh Scéimeanna Gaeilge i gcomhlachtaí poiblí,
- (e) tuarascálacha ón gCoimisinéir Teanga agus nithe gaolmhara,
- (f) nithe a bhaineann leis an bhForas Teanga, i ndáil le Foras na Gaeilge agus le Gníomhaireacht na hUltaise araon,
- (g) teagasc na Gaeilge agus oideachas trí mheán na Gaeilge,
- (h) freagrachtaí reachtúla Raidió Teilifís Éireann agus Údarás Craolacháin na hÉireann i ndáil leis an nGaeilge,
- (i) nithe a bhaineann le craoltóirí Gaeilge, lena n-áirítear TG4, Raidió na Gaeltachta, Raidió na Life agus Raidió Rí-Rá, agus
- (j) aon nithe eile a bhaineann leis an nGaeilge, leis an nGaeltacht agus le Pobal Labhartha na Gaeilge.

(3) 5 chomhalta de Sheanad Éireann a bheidh ar Bhuanchoiste an tSeanaid. Ceathrar is córam don Chomhchoiste, ar comhalta de Dháil Éireann duine amháin acu ar a laghad agus ar comhalta de Sheanad Éireann duine amháin acu ar a laghad. Beidh Cathaoirleach Bhuanchoiste na Dála ina Chathaoirleach nó ina Cathaoirleach ar an gComhchoiste freisin.

Committees and in the environs of both Houses,

- (d) the promotion of the Irish language across the civil and public service, including progress in the implementation of Irish Language Schemes in public bodies,
- (e) reports of An Coimisinéir Teanga and related matters,
- (f) matters relating to An Foras Teanga, both in relation to Foras na Gaeilge and the Ulster Scots Agency,
- (g) the teaching of Irish and education in Irish,
- (h) the statutory responsibilities of Raidió Teilifís Éireann and the Broadcasting Authority of Ireland in relation to the Irish language,
- (i) matters relating to Irish language broadcasters, including TG4, Raidió na Gaeltachta, Raidió na Life and Raidió Rí-Rá, and
- (j) any other matters relating to the Irish language, Gaeltacht and the Irish-speaking Community.

(3) The Seanad Standing Committee shall consist of 5 members of Seanad Éireann. The quorum of the Joint Committee shall be four, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann. The Chairperson of the Dáil Standing Committee shall also be the Chairperson of the Joint Committee.

(4)¹¹ Déanfaidh Buanchoiste an tSeanaid na feidhmeanna a leagtar amach i mBuan-Ordú 71 a chomhlíonadh maidir le gach ní a bhaineann leis an nGaeltacht agus a thagann faoi fhreagracht na Roinne Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán agus beidh aige na cumhachtaí a mhínítear i mBuan-Ordú 72.

(5) Beidh ag an gComhchoiste, maidir lena chúram, na cumhachtaí a mhínítear i mBuan-Ordú 72, seachas mír (6).

(6) Féadfaidh an Comhchoiste breithniú a dhéanamh ar na nithe seo a leanas—

- (a) scéim ghinearálta nó dréacht-cheannteidil aon Bhille a bhaineann leis an nGaeilge, leis an nGaeltacht agus le Pobal Labhartha na Gaeilge de bhun Bhuan-Ordú 143;
- (b) aon tuarascáil iar-achtacháin a leagfaidh comhalta den Rialtas nó Aire Stáit faoi bhráid ceachtar Teach nó an dá Theach maidir le haon Bhille, arna achtú ag Tithe an Oireachtais de bhun Bhuan-Ordú 168, a bhaineann leis an nGaeilge, leis an nGaeltacht agus le Pobal Labhartha na Gaeilge; agus
- (c) ar choinníoll go mbeidh an coiste earnála iomchuí tar éis toiliú leis sin.

(7) Beidh feidhm ag forálacha Bhuan-Orduithe 74, 77 agus 82 maidir le Buanchoiste an tSeanaid agus leis an gComhchoiste, de réir mar is cuí.

(8) Míneofar an Comhchoiste mar an ‘Comhchoiste Oireachtais’ chun críocha an Achta Craolacháin, 2009, a mhéid a bhaineann sé le TG4.”.

(4)¹¹ The Seanad Standing Committee shall perform the functions set out in Standing Order 71 in respect of all matters relating to the Gaeltacht within the responsibility of the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media and shall have the powers defined in Standing Order 72.

(5) The Joint Committee shall, in respect of its remit, have the powers defined in Standing Order 72, other than paragraph (6).

(6) The Joint Committee may consider —

- (a) the general scheme or draft heads of any Bill relating to the Irish language, Gaeltacht, and the Irish-speaking Community pursuant to Standing Order 143;
- (b) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill relating to the Irish language, Gaeltacht and the Irish-speaking Community enacted by the Houses of the Oireachtas pursuant to Standing Order 168; and
- (c) provided the relevant sectoral Committee has consented thereto.

(7) The provisions of Standing Orders 74, 77 and 82 shall apply to the Seanad Standing and Joint Committee as appropriate.

(8) The Joint Committee shall be defined as the ‘Joint Oireachtas Committee’ for the purposes of the Broadcasting Act 2009 insofar as it relates to TG4.”.

¹¹ Mír ionaid (4) arna cur isteach le Rún ón Seanad an 24^ú Bealtaine 2021. Substituted paragraph (4) inserted by Resolution of the Seanad of 24th May, 2021.

BUAN-ORDÚ 141 – FOIRM NA NITHE A THABHARFAR OS COMHAIR AN TSEANAID

STANDING ORDER 141 – FORM OF MATTERS BROUGHT BEFORE SEANAD

Date of modification: 23rd April, 2021.

Duration of modification: **Permanent**

Effect: Makes provision for dealing with expressions of sympathy in the case of the death of a member or former member and in the case of other persons.

Go ndéanfar Buan-Ordú 141 a leasú, i mír (2), trí “Féadfaidh Treoraí an Tí, nó Seanadóir ag gníomhú dó nó di thar a cheann nó thar a ceann, vóta comhbhróin a thairiscint, gan fógra a thabhairt [*B.O. 142*].”, a scriosadh.

That Standing Order 141 is amended in paragraph (2), by the deletion of “A vote of condolence may be moved, without notice, by the Leader of the House or a Senator acting for him or her [*S.O. 142*].”

BUAN-ORDÚ 142 – RÁITIS CHOMHBHRÓIN

STANDING ORDER 142 – EXPRESSIONS OF SYMPATHY

Date of modification: 23rd April, 2021.

Duration of modification: **Permanent**

Effect: Makes provision for dealing with expressions of sympathy in the case of the death of a member or former member and in the case of other persons.

An méid seo a leanas a chur in ionad Bhuán-Ordú 142:

The substitution of the following for Standing Order 142:

“**142** (1) Ag suí den Seanad, a luaithe is féidir tar éis do chomhalta nó d’iarchomhalta d’fháil bháis –

“**142.** (1) At a sitting of the Seanad, as soon as may be, following the death of a member or a former member –

(a) féadfaidh an Cathaoirleach an bás sin a chur in iúl don Teach;

(a) the Cathaoirleach may inform the Seanad of such death;

(b) féadfaidh Treoraí an Tí, nó Seanadóir ag gníomhú dó nó di thar ceann Treoraí an Tí, tairiscint le haghaidh Rún lena gcuirfear comhbhrón an tSeanad in iúl a thairiscint, gan fógra a thabhairt;

(b) a motion for a Resolution expressing the sympathy of the Seanad may be moved, without notice, by the Leader of the House or a Senator acting for him or her;

(c) féadfar moladh a dhéanamh ón gCathaoir go mbeidh nóiméad ciúnais sa Seanad;

(c) a proposal that the Seanad observe a minute’s silence may be made from the Chair;

(d) déanfaidh an Cathaoirleach, a luaithe is féidir, tar éis an tsuí sin, an ráiteas comhbhróin ón Seanad a chur in iúl do theaghlach an chomhalta nó an iarchomhalta.

(d) as soon as may be, following such sitting, the Cathaoirleach shall communicate the expression of sympathy of the Seanad to the family of the member or former member.

(2) Ag suí eile den Seanad tar éis do chomhalta, d’iarchomhalta, do chomhalta den Dáil, do Cheann Stáit, do Phríomh-Aire nó do dhuine eile de stádas comhchosúil d’fháil bháis, féadfar éisteacht a thabhairt do ráitis chomhbhróin

(2) At another sitting of the Seanad following the death of a member, a former member, a member of the Dáil, a Head of State, Prime Minister or other person of similar status, expressions of sympathy may be heard in accordance with

de réir socruithe a chomhaontófar ar mholadh ó Threoraí an Tí.

(3) Féadfaidh Treoraí an Tí, nó Seanadóir ag gníomhú dó nó di thar ceann Treoraí an Tí, a mholadh go ndéanfar ráiteas comhbhróin nó go mbeidh nóiméad ciúnais sa Seanad: Ar choinníoll go bhféadfaidh aon chomhalta eile moladh den sórt sin a dhéanamh le cead roimh ré ón gCathaoirleach.”.

arrangements agreed to on the proposal of the Leader of the House.

(3) A proposal for an expression of sympathy or for the observance by the Seanad of a minute’s silence may be made by the Leader or a Senator acting in his or her stead: Provided that any other member may make such a proposal with the prior permission of the Cathaoirleach.”.

BUAN-ORDÚ 144 – BILLÍ A THIONSCNAMH TRÍNA DTABHAIRT ISTEACH

STANDING ORDER 144 – INITIATION OF BILLS BY INTRODUCTION

Date of modification: 23rd April, 2021.

Duration of modification: **Permanent**

Effect: Reduces the number of signatories from three to one for initiation of a Bill by introduction.

An méid seo a leanas a chur in ionad Bhuan-Ordú 144:

“144. (1) Féadfaidh aon chomhalta a thairiscint go dtabharfar cead Bille a thabhairt isteach faoi réir fhorálacha an Bhuan-Ordaithe seo. Déanfar téacs gach Bille a bheidh le tabhairt isteach, arna údarú le síniú nó sínithe thairgeoir nó thairgeoirí an Bhille, a sheachadadh don Chléireach agus déanfaidh an Cathaoirleach é a scrúdú maidir le comhlíonadh na mBuan-Orduithe agus déanfar teideal an Bhille, mar aon le gearrthuairisc ar an gcuspóir atá leis, a d’ullmhaigh an tairgeoir nó na tairgeoirí agus lenar ghlac an Cathaoirleach, a chur ar Riar na hOibre.

(2) Is é nó í an Seanadóir a mbeidh a ainm nó a hainm mar chéadsínitheoir ar an gcóip sin a mheasfar a bheith i mbun an Bhille, agus tairgfídh seisean nó sise go dtabharfar cead an Bille a thabhairt isteach: Ar choinníoll nach mbeidh feidhm ag Buan-Ordú 36 maidir le tairiscint a thairgfear faoin mBuan-Ordú seo. Má chuirtear i gcoinne na tairisceana sin, féadfaidh an Cathaoirleach, más oiriúnach leis nó léi é, an cheist uirthi a chur, tar éis dó nó di ráiteas mínitheach a cheadú ón Seanadóir a rinne an tairiscint agus ráiteas a cheadú ón Seanadóir a chuir i gcoinne na tairisceana. Má thugtar cead an Bille a thabhairt isteach, déanfar Ordú don Dara Céim lena aghaidh agus, faoi réir Bhuan-Ordú 146, déanfar an Bille a chlóbhualadh: Ar choinníoll, i gcás Bille Rialtais, go bhféadfaidh Treoraí an Tí (nó Seanadóir eile a bheidh údaraithe ag an Rialtas chun críche an Bhuan-Ordaithe seo) an Bille a thionscnamh agus measfar eisean nó ise a bheith i mbun an Bhille chun na críche sin.”.

The substitution of the following for Standing Order 144:

“144. (1) Any member may move for leave to introduce a Bill subject to the provisions of this Standing Order. The text of every Bill to be introduced, authorised by the signature or signatures of its proposer or proposers, shall be delivered to the Clerk and examined by the Cathaoirleach for compliance with Standing Orders and the title of the Bill and a short description of its purpose, prepared by the proposer or proposers and accepted by the Cathaoirleach, shall appear on the Order Paper.

(2) The Senator whose name shall appear as first signatory on the said copy shall be deemed to be the Senator having charge of the Bill and shall move for leave to introduce the Bill: Provided that Standing Order 36 shall not apply to a motion moved under this Standing Order. If such motion be opposed, the Cathaoirleach, after permitting an explanatory statement from the Senator who moves, and a statement from a Senator who opposes the motion may, if he or she thinks fit, put the question thereon. If leave to introduce the Bill be given, an Order shall be made for its Second Stage and subject to Standing Order 146 the Bill shall be printed: Provided that in the case of a Government Bill, such initiation shall be exercisable by the Leader of the House (or another Senator authorised by the Government for the purpose of this Standing Order) who shall be deemed to be in charge of the Bill for that purpose.”.

BUAN-ORDÚ 145 – MÍNIÚ AR “GRÚPA”

STANDING ORDER 145 – DEFINITION OF “GROUP”

Date of modification: 17th July, 2020.

Duration of modification: **Permanent**

Effect: Reduces the definition of a group composition from five to four members.

Leasaítear Buan-Ordú 145(4) trí Standing Order 145(4) is amended by the
“ceathrar” a chur in ionad “cúigear”. substitution of “four” for “five”.
