



# **DÁIL ÉIREANN**

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## **STANDING ORDERS**

**RELATIVE TO**

## **PUBLIC BUSINESS**

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**2016**

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This document is a consolidated version of all of the Standing Orders of Dáil Éireann currently in effect, as of 15<sup>th</sup> January 2019. It incorporates the Standing Orders of the 2016 edition, along with any modifications made in the 32<sup>nd</sup> Dáil (whether sessional or permanent). This consolidation has been produced for ease of reference, and is not an official edition of Standing Orders. Any subsequent modifications agreed may be added or incorporated into this document at the discretion of the Journal Office.



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<sup>2</sup> Standing Order 164 has been renumbered as 150A

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<sup>3</sup> Standing Order 183 has been deleted

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# STANDING ORDERS





# DÁIL ÉIREANN

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## STANDING ORDERS

RELATIVE TO

## PUBLIC BUSINESS

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MEETING OF DÁIL SUBSEQUENT TO GENERAL ELECTION

### **Roll of Members.**

1. (1) There shall be a Roll of Members of Dáil Éireann which shall be signed in the presence of the Clerk by each member before taking his or her seat.

(2) When returns to Writs issued for a General Election to the Dáil shall have come into his or her hands, the Clerk shall notify members returned that their attendance is required at a place appointed and on a day (or days) named by him or her, which day or days shall be prior to the date mentioned in the Proclamation convening Dáil Éireann, for the purpose of complying with the provisions of paragraph (1) of this Standing Order.

### **Opening of the proceedings.**

2. On the first day of the meeting of the Dáil subsequent to a General Election, and so soon as a quorum is present<sup>4</sup>, the proceedings shall be opened by the Clerk, who shall read the Proclamation convening Dáil Éireann.

### **Clerk's Election Report.**

3. The Clerk shall then make a report as to the issue of Writs for such Election. This report shall enumerate the Constituencies in respect of which, and the Returning Officers to whom, such Writs were issued. The Clerk shall also announce the names of all members returned to serve in the Dáil, giving the Constituency in each case.

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<sup>4</sup> S.O. 21.

### **Copies of Writs, etc., to be laid before the Dáil.**

4. A copy of the Writ of election for each Constituency, and of the return endorsed thereon, shall be laid before the Dáil by the Clerk.

### CEANN COMHAIRLE AND LEAS-CHEANN COMHAIRLE

#### **Definition of expressions Ceann Comhairle and Leas-Cheann Comhairle.**

5. For the purposes of these Standing Orders the expression “Ceann Comhairle” shall mean the member elected by Dáil Éireann to be Chairman of Dáil Éireann and the expression “Leas-Cheann Comhairle” shall mean the member elected by Dáil Éireann to be Deputy Chairman of Dáil Éireann.

#### **Election of Ceann Comhairle.**

6. (1) The Dáil shall then proceed to the election of a Ceann Comhairle. The Clerk shall act as Chairman until the Ceann Comhairle is elected and takes the Chair.

(2) The election of the Ceann Comhairle shall be conducted by means of a secret ballot, subject to the provisions of this Standing Order. Preparatory arrangements for the ballot shall be made under the supervision and direction of the Clerk.

(3) Any nomination of a candidate for Ceann Comhairle shall be in writing and shall be received by the Clerk not later than 6 p.m. on the day before the first day the Dáil meets subsequent to a General Election, not counting a Saturday, Sunday or a public holiday.

(4) A candidate for Ceann Comhairle is validly nominated where—

- (a) the candidate has already signed the Roll of Members in accordance with Standing Order 1 and has declared in writing to the Clerk his or her willingness to stand for election as Ceann Comhairle; and
- (b) the nomination form bears the supporting signatures of not fewer than seven other members, each of whom has also already signed the Roll of Members in accordance with Standing Order 1.

A member may add his or her supporting signature to one nomination form only. Where a member adds his or her supporting signature to more than one such form, it shall be invalid on all such forms.

(5) Where a candidate’s nomination does not comply with the provisions of paragraph (4), such candidate is not validly nominated, and the Clerk shall return the candidate’s nomination form as soon as is practicable.

(6) A candidate may, in writing, withdraw his or her nomination at any time up to the close of nominations.

(7) As soon as is practicable following the close of nominations, the Clerk shall publish, in alphabetical order, a list of the validly nominated candidates on the Houses of the Oireachtas website: Provided that if no candidate is validly nominated, the Clerk shall publish a notice to that effect in lieu of the list. Where no candidate is validly nominated, immediately after the



Clerk's Election Report under Standing Order 3, a motion proposing a member for Ceann Comhairle may be made by any member, and the provisions of Standing Order 8 shall apply.

(8) If only one candidate is validly nominated, there shall be no secret ballot for the election of the Ceann Comhairle. Immediately after the Clerk's Election Report under Standing Order 3, the Clerk shall announce the name of the candidate validly nominated. Following contributions, which shall not exceed five minutes each, the Clerk shall proceed to put the question under Standing Order 7(2).

(9) If more than one candidate is validly nominated, immediately after the Clerk's Election Report under Standing Order 3, the Clerk shall announce, in alphabetical order, the names of the candidates validly nominated. Following contributions from each candidate, or another member nominated instead of a candidate, which shall not exceed five minutes each, the Clerk shall announce that the House is proceeding to a secret ballot and direct that the bells be rung for six minutes.

(10) (a) The secret ballot shall take place in the division lobbies. Members shall enter and leave the division lobbies under the direction of the Clerk.

(b) Each member intending to vote shall be provided with a ballot paper bearing the names of the validly nominated candidates listed in alphabetical order.

(c) Each member may vote for as many or as few candidates on the ballot paper as he or she wishes, marking them in order of preference.

(d) The ballot shall be declared closed when, in the opinion of the Clerk, all members intending to vote have cast their votes, or, otherwise, after the expiration of 60 minutes, whichever is the earlier: Provided that the Clerk may, where he or she has determined that exceptional circumstances apply, extend the time for voting by up to 30 minutes. The Clerk may also determine that exceptional circumstances have arisen which require a further ballot, and such further ballot shall be held under the provisions of this Standing Order.

(e) Where a ballot has been declared closed, the sitting shall stand suspended, and counting shall take place under arrangements determined by the Clerk.

(f) The ballot shall be counted under the Proportional Representation Single Transferable Vote (PRSTV) system.

(g) The provisions of Schedule 2 to these Standing Orders shall apply in relation to the ballot, the counting of votes and matters relating thereto.

(h) The Clerk shall have the power to make a determination on any matter of doubt arising from the conduct of the ballot or the count.

(11) The procedure outlined in this Standing Order for the election of the Ceann Comhairle shall be used on any occasion when the office becomes vacant and it accordingly becomes necessary for members to elect a new Ceann Comhairle.

### **Putting the question on election of Ceann Comhairle.**

7. (1) A candidate for Ceann Comhairle shall only take the Chair where the House has agreed the question put thereon by the Clerk under this Standing Order. No amendment may be tabled in respect of such a question, and if a division is claimed thereon, and in the event of there being an equality of votes, the question shall be decided in the negative.

(2) Pursuant to Standing Order 6(8), where there is only one validly nominated candidate for Ceann Comhairle, the Clerk shall, following the contributions, then put the question, “That..... (*naming the candidate*), who is the sole validly nominated candidate, be elected and do now take the Chair of the Dáil as Ceann Comhairle”.

(3) Pursuant to Standing Order 6, where a secret ballot has taken place for Ceann Comhairle, as soon as is practicable after the votes have been counted and the name of the successful candidate has been announced in the count centre, the sitting shall resume, and the Clerk shall announce to the House the name of the successful candidate selected by secret ballot. The Clerk shall then put the question, “That..... (*naming the successful candidate*), who is the successful candidate duly selected by secret ballot by the members of Dáil Éireann, be elected and do now take the Chair of the Dáil as Ceann Comhairle”.

(4) If a division is claimed on a question put under paragraphs (2) or (3), the Clerk shall call on the members claiming the division to rise in their places, and if fewer than 30 members so rise, the Clerk shall forthwith declare the determination of the Dáil in favour of the successful candidate, and the names of the members who have risen shall be recorded as dissenting in the Journal of the Proceedings of the Dáil.

(5) If, when the question is put under paragraphs (2) or (3), a division is claimed thereon, and more than 30 members rise in their places, and, in the resulting division, the question is decided in the negative, the provisions of Standing Order 8 shall apply.

### **Alternative procedure for election of Ceann Comhairle.**

8. (1) Where, under Standing Order 6(7), no candidate is validly nominated for Ceann Comhairle, or where, under Standing Order 7(5), the question that a candidate be elected and take the Chair as Ceann Comhairle is decided in the negative, the provisions of this Standing Order shall apply.

(2) Where this Standing Order applies, a motion proposing a member as Ceann Comhairle may be made by any member who has taken his or her seat according to law. Following contributions, which shall not exceed five minutes each, the Clerk shall put the question that the member proposed be elected and take the Chair as Ceann Comhairle: Provided that if there is more than one member proposed as Ceann Comhairle, the Clerk shall put each question thereon in the order in which the members were proposed.

### **Ceann Comhairle takes the Chair.**

9. The Ceann Comhairle shall immediately upon his or her election take the Chair, but in the case of absence of the Ceann Comhairle elect, the Dáil may, on motion made without notice, appoint any member to act as Ceann Comhairle for the time being. Until such member is appointed the Clerk shall continue to act as Chairman.

### **Declaration by Ceann Comhairle.**

**10.** Upon first taking the Chair after his or her election, the Ceann Comhairle shall make the following declaration:—

*I do solemnly declare that I will duly and faithfully and to the best of my knowledge and ability, execute the office of Ceann Comhairle of Dáil 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 Dáil Éireann.*

### **Election of, and declaration by, Leas-Cheann Comhairle.**

**11.** (1) Whenever there is a vacancy in the office of Leas-Cheann Comhairle, an election shall be held according to the procedures outlined in these Standing Orders for the election by secret ballot of a Ceann Comhairle, save that:

- (a) the time and date of the secret ballot for Leas-Cheann Comhairle shall, where practicable, be agreed by the Business Committee;
- (b) nominations for candidates shall be received by the Clerk not later than 6 p.m. the day before the secret ballot, not counting a Saturday, Sunday, or a public holiday;
- (c) where reference is made in the procedures to the Clerk's Election Report, such reference shall be interpreted to refer to the time and date of the secret ballot for Leas-Cheann Comhairle, save that where no candidate is validly nominated, or where the successful candidate selected by secret ballot is not elected, it may be decided—
  - (i) to schedule a secret ballot for another occasion; or
  - (ii) to set a date on which motions may be made without notice for the election of a Leas-Cheann Comhairle in accordance with Standing Order 8; and
- (d) following the secret ballot, the votes shall be counted as soon as the Clerk considers it practicable to do so, and the Clerk shall announce to the House the name of the successful candidate selected by secret ballot as soon as he or she considers it practicable to do so thereafter.

(2) The Leas-Cheann Comhairle shall make the following declaration upon taking the Chair for the first time after his or her election:—

*I do solemnly declare that I will duly and faithfully and to the best of my knowledge and ability, execute the office of Leas-Cheann Comhairle of Dáil 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 Dáil Éireann.*

### **Vacancy in office of Ceann Comhairle.**

**12.** When a vacancy has occurred in the office of Ceann Comhairle, the Leas-Cheann Comhairle shall perform the duties devolved upon, and exercise the authority conferred upon the Ceann Comhairle by these Standing Orders. The Clerk shall report such vacancy to the Dáil at the opening of its next meeting and an Order shall be made fixing a date for the

election of a Ceann Comhairle, which election shall take place in the manner hereinbefore provided.<sup>5</sup>

**Absence of Ceann Comhairle.**

13. In the unavoidable absence of the Ceann Comhairle, the Leas-Cheann Comhairle shall perform the duties devolved upon, and exercise the authority conferred upon the Ceann Comhairle by these Standing Orders until the Dáil shall otherwise order.

**Absence of Ceann Comhairle and Leas-Cheann Comhairle.**

14. Whenever the Dáil shall be informed by the Clerk that both the Ceann Comhairle and the Leas-Cheann Comhairle are unavoidably absent, then for the period of absence of both the Dáil shall, if a quorum be present, and subject to the provisions of Standing Order 6, at once proceed to elect one of its members to perform the duties devolved upon, and exercise the authority conferred upon the Ceann Comhairle by these Standing Orders; if there be not a quorum present, the Dáil shall stand adjourned until the next sitting day.

**Continued absence of Ceann Comhairle.**

15. If there is a likelihood of the continued absence of the Ceann Comhairle, and if no other nomination shall have been made of a Ceann Comhairle, the Dáil may appoint another member to act as Leas-Cheann Comhairle during such continued absence.

**Term of office of Ceann Comhairle and Leas-Cheann Comhairle.**

16. The term of office of the Ceann Comhairle and of the Leas-Cheann Comhairle shall be the term of the Dáil existing at the time of their appointment, but the Ceann Comhairle shall continue in office until his or her successor has been appointed for the purpose of these Standing Orders: Provided that the Dáil may, at any time, by special Resolution, remove from office either the Ceann Comhairle or the Leas-Cheann Comhairle.

**Members who may not act as Ceann Comhairle or Leas-Cheann Comhairle.**

17. No member of the Government or Minister of State may act as Ceann Comhairle or Leas-Cheann Comhairle.

**Nomination of Panel of Chairmen.**

18. The Ceann Comhairle shall nominate, as soon as may be following the reassembly of the Dáil subsequent to a General Election, a panel of not less than five members, any one of whom may act as temporary Chairman in the Dáil or in Committee of the whole Dáil, when requested so to act by the Ceann Comhairle.

**Duties and authority of Leas-Cheann Comhairle.**

19. While the Leas-Cheann Comhairle (or a temporary Chairman) is in the Chair he or she shall perform the duties devolved upon, and exercise the authority conferred upon the Ceann Comhairle by these Standing Orders save as may be otherwise provided therein.

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<sup>5</sup> S.O.s 6, 7 and 8.

## LANGUAGE

### **Proceedings, Order Paper, Journal of Proceedings and Documents — Language.**

**20.** (1) All proceedings of the Dáil shall be conducted through the medium of the Irish or the English language.

(2) The Order Paper, the Journal of Proceedings of the Dáil and all other appropriate documents shall be issued in the Irish and English languages.

## QUORUM

### **Quorum.**

**21.** (1) The quorum necessary to constitute a meeting of the Dáil shall be twenty members, save where the sitting commences earlier than 12 noon, when it shall be ten members.<sup>6</sup>

(2) The applicable quorum for the purposes of Standing Order 22 shall be:

(a) where the sitting commences earlier than 12 noon, ten members until 12 noon; and

(b) twenty members at 12 noon and thereafter until the adjournment of the Dáil.

(3) Further to the provisions of Standing Order 22, where a sitting commences earlier than 12 noon, if a quorum is not present at 12 noon, or as soon as possible thereafter, the provisions of Standing Order 22 shall apply in relation to the ringing of the division bells and the suspension of the sitting or adjournment of the Dáil.

### **Adjournment if no quorum (including on the report of a division).**

**22.** If at any stage in a sitting of the Dáil, other than while a private member's Bill or motion or a Committee report under Standing Order 91 is under consideration or while a matter brought forward in accordance with Standing Order 29A is being discussed, any member calls the attention of the Chair to the fact that a quorum is not present, or if on the report of a division, such fact shall appear, the division bells shall be rung for a period of not less than three minutes, and if after an interval of not less than three minutes, a quorum is still not present, the Ceann Comhairle shall suspend the sitting to a later hour to be named by him or her, or shall adjourn the Dáil without question put until the next sitting day; and no decision shall be considered to have been arrived at by such division; and the hour of such adjournment, as also the names of the members present, shall be entered in the Journal of the Proceedings of the Dáil.<sup>7</sup>

## SITTINGS OF THE DÁIL

### **Times and days of sitting: interruption of business, etc.**

**23.** (1) Unless it shall otherwise resolve the Dáil shall meet every Tuesday at 2 p.m. and every Wednesday and Thursday at 10.30 a.m., and the proceedings on any business under

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<sup>6</sup> See also S.O. 79.

<sup>7</sup> See also S.O.s 80 and 100 re divisions and quorums.

consideration shall be interrupted (or if the Dáil be in Committee, progress shall be reported and leave asked to sit again) and the Dáil shall adjourn—

- (a) every Tuesday, not later than 10 p.m., or alternatively, not later than the time calculated by adding any time taken on a division on the Order of Business to the 10 p.m. adjournment time,
- (b) every Wednesday, not later than 10.15 p.m., and
- (c) every Thursday, not later than 7.48 p.m.:

Provided that if an Order shall have been made under Standing Order 24, that the hour at which business is to be interrupted be other than that specified in this paragraph, the provisions of this Standing Order with such substitution shall otherwise apply.

(2) If, at the time appointed for the interruption of business as provided in paragraph (1) of this Standing Order, the closure is moved or proceedings under the closure are in progress, the Ceann Comhairle will not effect such interruption until the proceedings under the closure, and on any such further motion as is specified in the Standing Order as to closure<sup>8</sup> have been completed.

(3) If, at the time appointed for the interruption of business as aforesaid,

- (a) a division is in progress or has been ordered to be taken, or
- (b) the debate on an item of business has concluded,

the interruption shall not take place until after the decision has been declared from the Chair. If the decision is on an amendment, or on an amendment to the amendment, after such declaration the Ceann Comhairle shall proceed to put in proper sequence the questions necessary to bring proceedings to a conclusion.

### **Late sittings.**

**24.** A motion that the hour at which business is to be interrupted on a particular day be other than that provided for in Standing Order 23 may be made by a member of the Government or Minister of State without notice not later than 6.30 p.m. on a Tuesday or Wednesday, or 3 p.m. on a Thursday: Provided that a member of the Government or Minister of State may move after notice that, for a specified period, the hour at which business shall be interrupted be other than that provided for in Standing Order 23. If such motion be agreed to, the provisions of Standing Order 23 with such substitution shall otherwise apply.

### **Suspension of sitting.**

**25.** (1) The sitting shall be suspended—

- (a) on Wednesdays, for an hour on the conclusion of oral Questions to the Taoiseach under Standing Order 39(1) (save on Wednesdays where the Dáil meets at 2 p.m.), and

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<sup>8</sup> S.O. 68.

- (b) on Thursdays, for forty minutes on the conclusion of the weekly division time under Standing Order 70(2).

(2) A motion that a sitting be suspended for a period may at any time be made, by permission of the Ceann Comhairle, and without notice. Such motion shall fix the period of suspension: Provided that if an Order shall have been made under Standing Order 24, the Ceann Comhairle may, if so requested, suspend business for a period not exceeding two hours.

#### SPECIAL SUMMONS TO AND POSTPONEMENT OF THE DÁIL

##### **Special Summons for earlier date; postponement of sitting.**

**26.** (1) On the request of the Taoiseach, the Ceann Comhairle may summon the Dáil for an earlier date than that fixed on an adjournment. Such summons shall state the reason for the earlier reassembly and the business to be taken shall be confined to the reason stated in the summons unless the Dáil shall otherwise order on motion made under Standing Order 28.

(2) Where the Dáil stands adjourned to a stated day and the Leaders of the groups<sup>9</sup>, or another member on their behalf, respectively, request that the meeting on such stated day be postponed to a later day and a time specified in the request, the Ceann Comhairle shall—

- (a) notify all members of the Dáil that such meeting has been so postponed; and
- (b) summon a meeting of the Dáil for the later day specified in the request.

#### PRAYER AND SILENT REFLECTION

##### **Prayer and silent reflection.**

**27.** (1) Upon taking the Chair each day, and before any business is entered upon, the Ceann Comhairle shall read the following prayer in the Irish and English languages:—

*Direct, we beseech Thee, O Lord, our actions by Thy holy inspirations and carry them on by Thy gracious assistance; that every word and work of ours may always begin from Thee, and by Thee be happily ended; through Christ Our Lord. Amen.*

(2) All members present shall stand while the prayer is being read, and when it is concluded, members shall remain standing for 30 seconds of silent reflection.

#### BUSINESS COMMITTEE

##### **Constitution of the Business Committee.**

**27A.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee, to be known as the Business Committee.

(2) The Business Committee shall consist of:

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<sup>9</sup> S.O. 143.

- (a) the Ceann Comhairle who *ex officio* shall be Chair;
- (b) two members nominated by the Government;
- (c) as many other members as corresponds to the number of groups in the Dáil, with each group having the right to nominate a single member to the Committee; and
- (d) the Chairman of the Working Group of Committee Chairs.

Provided that the quorum of the Committee shall be five, members may be substituted as provided for under Standing Order 95(2), and the Ceann Comhairle may, in his or her absence, appoint another member of the Business Committee to act as Chair.

(3) The Business Committee shall also act as the Committee of Selection.

**Meetings of the Business Committee and determination of business.**

**27B.** (1) Unless it decides otherwise, the Business Committee shall meet on a weekly basis to consider the arrangements for the House and for the taking of its business in the following week.

(2) The Government shall have the prerogative to determine the business to be taken in Government time. The Opposition shall have the prerogative to determine the business to be taken in private members' time, in accordance with the rota provided for in Standing Order 143F(3), but subject to the provisions of Standing Order 91. Both the Government and the Opposition shall provide, in good time for the meeting of the Business Committee, details of the business to be taken in the following week.

**Request for waiver of requirements of Standing Orders relating to scrutiny of legislation.**

**27AC.** (1) At any of its meetings, the Business Committee may consider requests for waivers under—

- (a) Standing Order 146A ['Pre-legislative consideration of Bill by Committee'], or
- (b) Standing Order 148B ['Scrutiny by Committees of private members' Bills which have passed their second reading'],

in accordance with any guidelines agreed thereon by the sub-Committee on Dáil Reform.

(2) Having considered a request for a waiver, the Business Committee shall notify its decision in writing to—

- (a) the relevant member of Government or Minister of State,
- (b) the relevant Select Committee, and
- (c) in the case of a private member's Bill, the member in charge of the Bill.

(3) If the Business Committee decides to grant the waiver, it shall send a Message to this effect to the Dáil. Such a Message shall be in writing, signed by the Clerk to the Committee,



and shall be addressed to the Clerk of the Dáil. The Ceann Comhairle shall, at the first convenient opportunity, communicate any such Message to the Dáil.

**Business Committee consideration and reporting.**

**27C.** (1) At its weekly meeting, the Business Committee shall consider the arrangements for the House and for the taking of its business in the following week.

(2) As part of its deliberations, the Business Committee may consider proposals in relation to—

- (a) arrangements for the taking of business, including speaking times;
- (b) the taking of legislation both in the House and in Select Committees;
- (c) the extension of the House's sitting hours;
- (d) the taking of items of business for different time periods to those provided for in Standing Orders;
- (e) the deferral or omission of certain items of business;
- (f) the selection of—
  - (i) a motion for a Committee report pursuant to Standing Order 91,
  - (ii) a private member's Bill at Second Stage pursuant to Standing Order 140A, or
  - (iii) a motion relating to the Order for Committee Stage of a private member's Bill pursuant to Standing Order 148D,for consideration on Thursdays pursuant to Standing Order 140(2);
- (g) the adjournment of the House;
- (h) any other matter that it considers necessary or expedient for the conduct of business in the House.

(3) The day following its meeting, the Business Committee shall make a report to the House containing its recommendations for the following week, each of which shall be numbered, and an indication of the business for the second following week.

(4) The report shall be laid before the Dáil the day it is made, and each member of the House shall be informed that it has been so laid.

**Business Committee shall aim for consensus.**

**27D.** (1) The Business Committee shall aim for consensus in reaching its recommendations on proposed arrangements.

(2) The Government may propose arrangements to the Committee in relation to the taking of Government business, which the Committee may, by consensus, amend.

(3) The Ceann Comhairle shall be the judge of whether or not there is consensus in relation to any proposal before the Committee (whether it be amended or not).

(4) Where the Ceann Comhairle is of the opinion that consensus will not be reached in relation to a proposal, he or she shall request the members of the Committee opposing the proposal to register their dissent.

(5) The names of the members dissenting shall be recorded against the proposal in the Committee's report.

### **Rapporteur and Order of Business.**

**27E.** (1) The Business Committee shall, each week, appoint from amongst its members a rapporteur.

(2) At the Order of Business on the first day of a sitting week, the Ceann Comhairle shall call on the Business Committee rapporteur to announce the business to be taken that week.

(3) Following the announcement, the Business Committee rapporteur shall move the Business Committee's proposed arrangements for that week. The House shall decide on the proposed arrangements for each day *en bloc*.

(4) Any member, including a member of the Business Committee, may propose an amendment to a proposed arrangement in the Business Committee report after the arrangements for any day have been moved: Provided that when moving the proposed amendment, the member shall identify the proposal he or she wishes to amend by its number in the report, and give a short description of it.

(5) Where a proposed arrangement is opposed, or where an amendment has been proposed to it, that arrangement shall be decided separately, after the other arrangements for that day have been disposed of, and the Ceann Comhairle shall permit a short statement from the Taoiseach and the Leaders or a representative of each group or party in opposition in relation to the arrangement, before putting the question on it.

(6) Provided that where a second or subsequent division is demanded on any arrangements on the Order of Business, the period for which the division bells shall ring and the interval between the ringing of the bells and the locking of the doors shall be not less than two minutes and not less than one minute respectively.

(7) Where, for whatever reason, the Business Committee has not made a report to the House on the arrangements for any sitting day, the Taoiseach may propose to the House arrangements for the day, and for the taking of business on that day.

(8) The Government Chief Whip, having consulted, where practicable, with the Business Committee, may propose to the House on any given sitting day the taking of an item or items of business where an urgent necessity to do so has arisen suddenly.

### **Business Committee acting as Committee of Selection.**

**27F.** When acting as the Committee of Selection, the Business Committee shall nominate members to serve on Select, Special or Standing Committees and shall have the power to discharge members of such Committees from time to time and to appoint others to serve in

substitution for those discharged. The Business Committee, when acting as the Committee of Selection, shall also administer the allocation of Committee Chair posts according to the d'Hondt system under Standing Order 93(2).

#### ORDER PAPER AND BUSINESS OF THE DÁIL

#### **Order Paper and matters permitted to be raised on Order of Business.**

28. (1) Every sitting of the Dáil shall be governed by a printed Order Paper which shall be prepared under the direction of the Ceann Comhairle.

(2) (a) Subject to Standing Order 27B, the Business Committee shall have the right to determine the order in which Government and private members' business shall appear on the Order Paper and, by announcement, the order in which it shall be taken each week.

(b) Any announcement or proposals made by a member of the Business Committee under Standing Order 27E shall be made on Tuesdays (or on a Wednesday where the Dáil does not sit on the Tuesday of that week), immediately following Leaders' Questions.

(c) Subject to paragraph (d), following the proceedings comprehended by paragraph (b), the Ceann Comhairle may permit, at his or her discretion, questions to the Taoiseach about the taking of business which has been promised, including legislation promised either within or outside the Dáil; about the making of secondary legislation; and as to when Bills or other documents on the Order Paper needed in the House will be circulated: Provided that the Taoiseach may request a Minister or Minister of State to respond to the issue raised.

(d) The proceedings on the matters comprehended by paragraphs (b) and (c) and Standing Order 27E shall not exceed 30 minutes, save that any time taken on a division on the Order of Business shall not be reckoned in the calculation of that 30 minutes.

(3) On Wednesdays and Thursdays immediately following Leaders' Questions, the Ceann Comhairle may permit, at his or her discretion, but for a period not exceeding 30 minutes on a Wednesday and 15 minutes on a Thursday, questions to the Taoiseach about the taking of business which has been promised, including legislation promised either within or outside the Dáil; about the making of secondary legislation; and as to when Bills or other documents on the Order Paper needed in the House will be circulated: Provided that the Taoiseach may request a Minister or Minister of State to respond to the issue raised.

(4) For the purposes of paragraphs (2)(c) and (3), the time allowed for questions shall not exceed one minute each, and members shall be allowed to put only one question, addressing a single topic, whereupon the Taoiseach shall make a brief reply, not exceeding one minute: Provided that the Taoiseach may defer replying to a question relating to the making of secondary legislation to another day.

(5) For the purposes of paragraphs (2)(c) and (3), a member of the Government or the Government Chief Whip may on Tuesdays and Wednesdays and shall on Thursdays respond to questions in the Taoiseach's stead.

## **Leaders' Questions.**

29. (a) Unless the Dáil shall otherwise order, the Ceann Comhairle may permit, at his or her discretion, a brief question, about a matter of topical public importance, to the Taoiseach from Leaders in Opposition, which shall be taken—
- (i) at 2 p.m. on Tuesdays, and
  - (ii) at 12 noon on Wednesdays and Thursdays, or at 2 p.m. on a Wednesday where the Dáil sits at 2 p.m.
- (b) The total time allowed for Leaders' Questions on any given day under this Standing Order shall not exceed 32 minutes and the number of Leaders' Questions on any day shall not exceed four.
- (c) Each Question shall not exceed three minutes, and the following arrangements shall apply:
- (i) the Taoiseach shall be called upon to reply for a period not exceeding three minutes,
  - (ii) the Leader in Opposition who asked the original question may then ask a brief supplementary question not exceeding one minute,
  - (iii) the Taoiseach shall then be called upon to reply in conclusion for a period not exceeding one minute.
- (d) The sequence in which Leaders shall be called upon to put questions shall be in accordance with the rota over nine weeks/27 sitting days, approved by the sub-Committee on Dáil Reform, determined on the basis of the number of members in each group, and with questions for each group distributed across each Tuesday, Wednesday and Thursday that the Dáil sits: Provided that no group shall have more than one question each day. The rota as applied to particular dates shall be circulated periodically to members by the Journal Office.
- (e) The Taoiseach may nominate another member of the Government to take Leaders' Questions in his or her absence. On Thursdays the provisions of this Standing Order shall apply with the substitution of "Tánaiste" for "Taoiseach".
- (f) In this Standing Order, "Leader in Opposition" means the Leader of a group as defined in Standing Order 143.

## **Topical issues.**

29A. (1) Any member may give notice in writing of a matter which he or she wishes to bring forward for consideration as a topical issue, and this may include matters of a national or international nature. Such matters shall be considered on a Tuesday, Wednesday or Thursday on which the Dáil meets.

Provided that topical issues shall reach the Clerk not later than 10 a.m. on a Tuesday, Wednesday or Thursday to be considered for selection on that day.

(2) The Ceann Comhairle shall select a maximum of four such matters for consideration on each Tuesday, Wednesday and Thursday and may also select one additional such matter as an alternative to be considered in the event one of the other four matters is deferred: Provided that—

- (a) the matters considered on any day shall be limited to a maximum of four;
- (b) all such matters must relate to public affairs connected with a Department of State or to matters of administration for which a member of the Government or Minister of State is officially responsible (including bodies under the aegis of a Department of State in respect of Government policy);
- (c) while the Ceann Comhairle has the ultimate discretion in selecting issues for consideration, s/he will be guided in his/her selection by, *inter alia*, the following principles:
  - (i) the balance of local, national and international issues raised,
  - (ii) the content of the Dáil schedule for that sitting week,
  - (iii) the number of groups (within the meaning of Standing Order 143) represented,
  - (iv) the number of topical issues previously raised by the members concerned,and s/he shall have regard to any requests made pursuant to Standing Order 44A(7);
- (d) where, in exceptional circumstances, the member of the Government or Minister of State officially responsible for the matter is not available on the day, he or she shall, no later than 12 noon, so inform the Ceann Comhairle, who shall advise the member who has given notice and that member shall then be given the option to—
  - (i) defer consideration of the matter to the next day, or
  - (ii) proceed with the matter on the day with the participation of the available member of the Government or Minister of State;
- (e) the first matters to be taken on any day shall be, first, any matter deferred from the previous day and then, if not used on the previous day, the alternative matter chosen by the Ceann Comhairle on the previous day, and the number of other matters to be selected on that day shall be reduced accordingly.

(3) Topical issues selected by the Ceann Comhairle shall be considered—

- (a) on Tuesdays (and on Wednesdays where the Dáil meets at 2 p.m.), immediately following Questions to a member of the Government under Standing Order 38(1)(b);
- (b) on all other Wednesdays, immediately following the suspension of sitting under Standing Order 25(1); and
- (c) on Thursdays, on the conclusion of Government business, but not later than 5 p.m.

(4) Consideration of each topical issue shall consist of—

- (a) a statement by the member who has given notice which shall not exceed four minutes,
- (b) a statement in reply by a member of the Government or Minister of State, pursuant to paragraph (2), which shall not exceed four minutes,
- (c) a further statement by the member who has given notice which shall not exceed two minutes, and
- (d) a concluding statement by the member of the Government or Minister of State concerned which shall not exceed two minutes:

Provided that—

- (i) where the Ceann Comhairle has selected a matter of which valid notice has been given by more than one member and s/he is of the opinion that the number of members sharing time would result in insufficient time for each member to make an adequate contribution, s/he may, subject to paragraph (2), select fewer than four matters and aggregate the time that would ordinarily be assigned to two or more topical issues;
- (ii) the total time allowed for consideration of topical issues on any day shall not exceed 48 minutes;
- (iii) where topical issues on the same matter have been aggregated, and where the member of Government or Minister of State who is officially responsible for the matter is not available on the day, if any of the members who have been selected on the matter wish it to be deferred, then the matter shall be deferred.

(5) The Dáil shall not divide on any matter arising out of consideration of topical issues.

(6) A list of the matters in respect of which notice has been given under this Standing Order and the name of the member concerned in each case shall be printed in the Official Report of the Debates.

### **Routine of Business.**

**30.** Subject to Standing Order 28, the ordinary routine of business in the Dáil shall be as follows:—

1. Leaders' Questions, Questions<sup>10</sup>, and topical issues.
2. Private Business.
3. Public Business—
  - (i) At the commencement of Public Business—

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<sup>10</sup> S.O. 38.

- (a) Motions in relation to Reports from Committees given priority under Standing Orders 114, 115 or 116.
  - (b) Motions in relation to Reports from Committees relating to EU Affairs and other related matters given priority by the Parliamentary Steering Group under Standing Order 111.
  - (c) Other Reports from Committees.
  - (d) Messages from the Seanad.
  - (e) Bills from the Seanad.
  - (f) Initiation of Bills.
  - (g) Notices of Motions.
- (ii) Orders of the Day.

The ordinary routine of business in private members' time<sup>11</sup> shall be as follows:—

- (i) Adjourned Business given priority under Standing Orders.
- (ii) Other Business ordered.
- (iii) Other Notices of Motions.

### **Order of Private Business.**

**31.** At a sitting of the Dáil, before the commencement of Public Business, the Dáil shall proceed to the consideration of unopposed Private Business. Opposed Private Business shall be subject to the provisions of Standing Order 142 of the Standing Orders relative to Private Business.

### **Notice of motions and amendments: shorter notice.**

**32.** All motions to be put on the Order Paper for any day, shall be in writing, signed by a member, and shall reach the Clerk not later than 11 a.m. on the fourth preceding day. Any amendments to such motions shall be in writing, signed by a member, and shall reach the Clerk not later than 11 a.m. on the second preceding day: Provided that, by permission of the Ceann Comhairle, motions and amendments may be made on shorter notice.

### **Contents of Order Paper.**

**33.** The Order Paper shall contain the text of all Questions to be asked of members of the Government (other than private notice Questions permitted under Standing Order 35) and of all motions, and amendments thereto, to be proposed (save such as are allowed by these Standing Orders to be proposed without notice). In addition, on Tuesdays and Wednesdays, the Order Paper shall contain the text of Questions, other than Questions nominated for priority<sup>12</sup>, for oral answer on the following day.

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<sup>11</sup> S.O. 140.

<sup>12</sup> S.O. 41.

**Adjournment on specific and important matter of public interest requiring urgent consideration.**

34. (1) Leave to move a motion for the adjournment of the Dáil on a specific and important matter of public interest requiring urgent consideration may be sought on a Tuesday, Wednesday or Thursday on which the Dáil sits if a member gives notice in writing to the Ceann Comhairle not less than 45 minutes before the opening of the sitting. Such notice shall state the matter which the member seeks to raise and may refer to the merits of or reasons for raising the matter in a manner which the Ceann Comhairle considers to be brief and concise.

(2) Where the Ceann Comhairle is satisfied that the notice complies with the requirements of this Standing Order, the member shall be called upon by the Ceann Comhairle immediately before the Order of Business, whereupon the member shall rise in his or her place and state that he or she requests leave to move the adjournment of the Dáil for the purpose of discussing a specific and important matter of public interest requiring urgent consideration and shall state the notice given but may not elaborate thereon.

(3) If the Ceann Comhairle considers the motion to be one contemplated by this Standing Order, he or she shall thereupon desire the members who support the request to rise in their places. If not less than twelve members rise accordingly, he or she shall give leave to make the motion, which shall be moved at 7 p.m. on a Tuesday or Wednesday, or 3.30 p.m. on a Thursday, or at such hour on the day on which the request is made as the Dáil may appoint.

(4) A matter submitted in pursuance of this Standing Order which fails to obtain the requisite support cannot during the following six months be again brought forward under this Standing Order.

QUESTIONS

**Notice of Questions and private notice Questions.**

35. Questions to a member of the Government—

(a) nominated for priority<sup>13</sup> or

(b) to which an answer is to be provided in the Official Report of the Debates<sup>14</sup>

must be in writing and must reach the Clerk not later than 11 a.m. on the third day preceding that on which they are to be asked, not reckoning a Saturday, Sunday, or public holiday.

Other Questions to a member of the Government must be in writing and must reach the Clerk not later than 11 a.m. on the fourth day preceding that on which they are to be asked, not reckoning a Saturday, Sunday, or public holiday:

Provided that Questions relating to matters of urgent public importance may, by permission of the Ceann Comhairle, be asked on private notice. Such Questions must be in writing and must reach the Clerk not later than 2.30 p.m. on the day on which they are to be asked.

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<sup>13</sup> S.O. 41.

<sup>14</sup> S.O. 42(2).



### **Relevancy of Questions.**

36. Questions addressed to a member of the Government must relate to public affairs connected with his or her Department, or to matters of administration for which he or she is officially responsible (including bodies under the aegis of his or her Department in respect of Government policy). Provided that, at his or her absolute discretion, the Ceann Comhairle may permit a Question or topical issue in relation to such a body where a member has made a reasonable request for information to that body, relating to the member's functions as a public representative, and an adequate response is not forthcoming.

### **Powers of Ceann Comhairle as to Questions: matters of order relating to Questions.**

37. (1) (a) The Ceann Comhairle shall examine every Question in order to ensure that it conforms with the provisions of this Standing Order. The Ceann Comhairle shall rule out of order any Question which does not comply with Standing Orders: Provided that the Ceann Comhairle, or the Clerk under his or her authority, may amend any Question, after consultation with the member responsible for the Question, to secure its compliance with Standing Orders.

(b) Where the Ceann Comhairle has ruled a Question out of order, the member in whose name the Question was put down may, subject to the requirement to accept that ruling, request further information from the Ceann Comhairle regarding the reasons for his or her ruling.

(2) The purpose of each Question shall be to elicit information upon or to elucidate matters of fact or of policy and Questions shall be as brief as possible.

(3) Questions put down for oral answer may not seek information provided orally in the Dáil within the previous two months in response to an oral Question or in response to a matter raised under Standing Order 29A: Provided that, where an oral Question is not reached and a written answer thereto is provided in the Official Report of Debates, the provisions of paragraph (4) of this Standing Order shall apply.

(4) Questions for written answer may not seek information provided within the previous two weeks in response to a Question (whether answered orally or in writing) or in response to a matter raised under Standing Order 29A.

(5) Questions shall not contain argument or personal imputation.

### **Time for Questions.**

38. (1) Unless the Dáil shall otherwise order on motion made by a member of the Government or Minister of State—

(a) Questions for oral answer to the Taoiseach shall be taken for a period not exceeding 45 minutes, immediately following—

(i) the Order of Business on Tuesday, and

(ii) Questions on Promised Legislation on Wednesday,

(b) Questions for oral answer to other members of the Government shall be taken—

- (i) on Tuesdays (and on Wednesdays where the Dáil meets at 2 p.m.), immediately following oral Questions to the Taoiseach under Standing Order 39(1); and
- (ii) on all other Wednesdays and on Thursdays, at 10.30 a.m.:

Provided that Questions asked on private notice may be taken by permission of the Ceann Comhairle and shall be asked immediately following topical issues on any day.

(2) The time allowed for Questions, other than Questions to the Taoiseach<sup>15</sup> but including Questions nominated for priority<sup>16</sup>, shall not exceed 90 minutes.

**Questions to Taoiseach; and Questions to other members of the Government: rota.**

- 39.** (1) (a) Questions addressed to the Taoiseach may be asked only on Tuesdays and Wednesdays and shall be placed on the Order Paper before Questions to other members of the Government to be asked on the same day.
- (b) No member may put down more than three Questions to the Taoiseach for oral answer on any one day: Provided that a member may nominate up to three written Questions in substitution for oral Questions to the Taoiseach which may be transferred or disallowed.
- (c) The time allowed for Taoiseach's Questions shall not exceed 45 minutes each day: Provided that the time allowed for each Question or group of Questions shall not exceed 15 minutes, of which—
- (i) the time allowed for the initial reply from the Taoiseach shall not exceed three minutes, and
  - (ii) the time allowed for each supplementary Question or the reply thereto shall not exceed one-and-a-half minutes.

Further provided that the Ceann Comhairle may, at the request of the members present at the time, but at his or her discretion, allow more than 15 minutes (without exceeding the overall allocation of 45 minutes) for a group of Questions where the number of Questions grouped together would prevent all members in whose names the Questions had been tabled from putting a supplementary Question.

- (d) Any Question to the Taoiseach which appears on the Order Paper and which is not disposed of on the day it first appears shall be placed on the Order Paper for the next two sitting days on which the Taoiseach is due to answer Questions before Questions to the Taoiseach to be asked on that day, save that a Question to be taken by the Taoiseach may be placed before Questions to be taken by a Minister of State at his or her Department.
- (e) Where any Question to the Taoiseach is not disposed of on the third sitting day on which it appears on the Order Paper, as provided in subparagraph (d), the Taoiseach shall cause an answer to be provided in the Official Report of the Debates: Provided

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<sup>15</sup> S.O. 39.

<sup>16</sup> S.O. 41.

that such written answer shall not prejudice the right of the member in whose name the Question appears on the Order Paper to request, within 30 minutes of the conclusion of Taoiseach's Question Time on that day, that the Question be addressed again to the Taoiseach on the next day on which he or she is to answer Questions for oral answer.

- (f) On any day when the Taoiseach is not available to answer Questions, only the Questions relating to matters for which the Minister of State at the Department of the Taoiseach is responsible will appear on the Order Paper and that day will not be counted as one of the three sitting days in respect of any Questions to the Taoiseach not appearing on the Order Paper.

(2) Questions for oral answer addressed to other members of the Government shall be asked on the basis of a daily rota in such order as the Dáil may from time to time decide and shall be in two categories:—

- (a) Questions, the sequence of which shall be decided by lottery<sup>17</sup>, and  
(b) Questions which have been nominated for priority<sup>18</sup>.

#### **Questions: Lottery.**

**40.** (1) In relation to Questions, the sequence of which shall be decided by lottery, the following provisions shall apply:—

- (i) The lottery, at which members may attend, shall be held on the fourth day preceding that on which the Questions are to be asked, not reckoning a Saturday, Sunday or public holiday.
- (ii) No member may put down Questions in the name of another member. No member may put down more than two Questions to each member of the Government for answer on any one day: Provided that a single relevant spokesperson of a group may put down a maximum of five Questions.
- (iii) Where Questions to two members of the Government (other than the Taoiseach) are to be asked on the same day, Questions to the member to whom the lesser number is addressed shall be placed first on the Order Paper and shall be allocated not more than one half of the time available to both.
- (iv) A member nominated by a group in Opposition may, on request, be provided with the text of Questions put down by members of that group.
- (v) Where similar Questions (other than Questions to the Taoiseach) are to be asked on the same day, the text of only that Question which is placed highest in the lottery shall appear on the Order Paper.
- (vi) "Similar Question" means a Question put down by a member of a group which is, or would but for merely textual variations in its form of wording be, identical with one

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<sup>17</sup> S.O. 40.

<sup>18</sup> S.O. 41.

or more other Questions put down by the same member or by one or more other members of that group.

(1A) A Question shall be put by the member in whose name the Question appears on the Order Paper rising in his or her place, indicating the number of the Question on the Order Paper and giving a brief introduction of no more than 30 seconds to the Question, otherwise the Question will not be answered orally: Provided that any member may, on giving 24 hours' notice, in writing, to the Ceann Comhairle, nominate a substitute to ask the Question on his or her behalf. Where Questions put down for oral answer are grouped for reply, the introduction to the group of Questions shall be given by one member only, that being the member with the first Question in the group, or if that member is not available, by the second member, and so on.

(2) In the case of Questions (other than Questions to the Taoiseach) the sequence of which shall have been decided by lottery—

- (a) the time allowed for each Question shall not exceed six and a half minutes, of which—
  - (i) following the 30 second introduction, the time allowed for the initial Ministerial reply shall not exceed two minutes: Provided that, where a Minister or Minister of State so requests, the Ceann Comhairle shall direct that a statement containing additional information which is directly relevant to the Ministerial reply be furnished in the Official Report of the Debates, such statement being referred to in the course of the reply, and
  - (ii) the time allowed for each supplementary Question or the reply thereto shall not exceed one minute,
- (b) where such Questions are grouped for reply, the total times allowed for the group and for the initial Ministerial reply shall be the aggregates of the times which would be allowed for the individual Questions: Provided that the total time allowed for any such group of Questions shall not exceed eighteen and a half minutes, and
- (c) the time allowed for any such Question or group of Questions shall not be affected by the grouping therewith of a Question or Questions put down for written answer.

#### **Questions nominated for priority.**

**41.** (1) In relation to Questions which have been nominated for priority, the following provisions shall apply:—

- (i) Each Question shall be in the name of a member nominated by a group (as defined in Standing Order 143) in Opposition.
- (ii) The number of such Questions for answer on any one day shall not exceed five.
- (iii) Questions nominated for priority shall be placed on the Order Paper before other Questions to members of the Government, other than the Taoiseach, to be asked on the same day.

(iv) The sequence in which Questions for answer on any one day shall be placed on the Order Paper shall be so as to rotate between groups, with preference being given to the larger group (preference being decided by lot in any case of equality between groups), provided that a group which consists only of a single party shall have precedence over a technical group, and in accordance with the following rota (over two weeks/six sitting days):

<b>Day</b>	<b>Group</b>	<b>Question No.</b>
<b>Day 1</b>	Fianna Fáil	1.
	Sinn Féin	2.
	Fianna Fáil	3.
	Labour Party	4.
	Fianna Fáil	5.
<b>Day 2</b>	Fianna Fáil	1.
	Sinn Féin	2.
	Fianna Fáil	3.
	Solidarity-PBP	4.
	Independents 4 Change	5.
<b>Day 3</b>	Fianna Fáil	1.
	Sinn Féin	2.
	Fianna Fáil	3.
	Rural Independent Group	4.
	Social Democrats - Green Party group	5.
<b>Day 4</b>	Fianna Fáil	1.
	Sinn Féin	2.
	Fianna Fáil	3.
	Sinn Féin	4.
	Labour Party	5.
<b>Day 5</b>	Fianna Fáil	1.
	Sinn Féin	2.
	Fianna Fáil	3.
	Solidarity-PBP	4.
	Independents 4 Change	5.
<b>Day 6</b>	Fianna Fáil	1.
	Sinn Féin	2.

Fianna Fáil	3.
Rural Independent Group	4.
Social Democrats - Green Party group	5.

Provided that the above rota shall revert to Day 1 following a Christmas, Easter or summer recess, in order that each party or group (as defined in Standing Order 143) may put down Questions nominated for priority to all members of the Government: where the rota ends on Day 6 immediately before a recess, the Business Committee shall consider whether the rota, following the recess, should commence on a day other than Day 1.

- (v) A member nominated by a group may nominate Questions and Questions put down by other members of that group in substitution for Questions which may be transferred or disallowed. Such nomination shall be made in writing and must reach the Clerk not later than 11 a.m. on the third day preceding that on which the Questions are to be asked, not reckoning a Saturday, Sunday or public holiday.
- (2)(a) The time allowed for each Question nominated for priority shall not exceed six and a half minutes, of which—
  - (i) following the 30 second introduction, the time allowed for the initial Ministerial reply shall not exceed two minutes: Provided that, where a Minister or Minister of State so requests, the Ceann Comhairle shall direct that a statement containing additional information which is directly relevant to the Ministerial reply be furnished in the Official Report of the Debates, such statement being referred to in the course of the reply, and
  - (ii) the time allowed for each supplementary Question or the reply thereto shall not exceed one minute.
- (b) Where Questions nominated for priority are grouped for reply, the total times allowed for the group and for the initial Ministerial reply shall be the aggregates of the times which would be allowed for the individual Questions.

**Grouping of Questions: Questions not answered orally or not reached.**

42. (1) A member of the Government may, where appropriate, group Questions put down for oral answer and Questions put down for written answer for the purposes of reply: Provided that Questions which have been nominated for priority may not be grouped with other Questions for oral answer: and provided further that the provisions of Standing Order 37(3) may not prejudice the answering of an oral Question which is not reached and which is put down for answer again in accordance with paragraph (3) of this Standing Order.

(2) If a member distinguishes his or her Question by an asterisk, the member of the Government to whom it is addressed shall cause an answer to be provided in the Official Report of the Debates.

(3) Where a Question put down for oral answer is not reached, the member of the Government to whom it is addressed shall cause an answer to be provided in the Official

Report of the Debates: Provided that such written answer shall not prejudice the right of the member in whose name the Question appears on the Order Paper to request, within 30 minutes of the conclusion of Question Time on that day, that the Question be addressed again to the member of the Government concerned on the next day on which that member is to answer Questions for oral answer.

(4) Where a Question put down for oral answer is of such a nature as to require a lengthy reply or a reply in the form of a tabular statement, the Ceann Comhairle shall, at the request of the member of the Government to whom the Question is addressed, direct that the answer be furnished in the Official Report of the Debates.

**Referred and deferred replies to appear in Official Report of the Debates.**

**42A.** (1) Where a member of the Government (including the Taoiseach), in replying to a Question asked on notice, either—

- (a) states that he or she has referred or will refer the Question to a body under the aegis of his or her Department for reply (a “referred reply”), or
- (b) confirms that more detailed information can and will be supplied to the member in whose name the Question appears on the Order Paper at a later date (a “deferred reply”),

that member of the Government shall cause such referred or deferred replies to be provided within ten days after the Question has been answered, not reckoning a Saturday, Sunday or public holiday.

(2) Each and every reply received pursuant to paragraph (1) shall be included in or otherwise associated with the Official Report of the Debates (alongside the Question and the original reply) to which it relates and shall be laid before the Dáil.

**Questions during the summer recess.**

**42B.** (1) Members may put down Questions distinguished by an asterisk under Standing Order 42(2) to a member of the Government twice during the summer recess.

(2) Such Questions must be in writing and must reach the Clerk—

- (a) for the first occasion, not later than 11 a.m. on the fifth day following the adjournment of the Dáil, and
- (b) for the second occasion, not later than 11 a.m. on the tenth day preceding the date set for the resumption of the Dáil after the recess,

not reckoning a Saturday, Sunday or public holiday.

(3) Notwithstanding that the Dáil will not be sitting on those days, an Order Paper containing the text of the Questions submitted shall be prepared for both occasions, and members of the Government shall cause the answers to such Questions to be provided in the Official Report of the Debates.

(4) Questions to be answered in the summer recess shall have the same status as is accorded generally to Questions under these Standing Orders.

[*Note: Standing Order 43 has been deleted*]

### **Supplementary Questions.**

**44.** Supplementary Questions may be put only for the further elucidation of the information requested, and shall be subject to the ruling of the Ceann Comhairle, both as to relevance and as to number: Provided that, in the time allocated to Questions nominated for priority, supplementary Questions may be put only by the member in whose name the Question appears on the Order Paper: Provided further that supplementary Questions shall not be grouped for the purposes of reply.

### **Adequacy of replies to Questions and topical issues.**

**44A.** (1) A member of the Government shall, in replying to a Question asked on notice (whether for written or oral reply) or to a topical issue, address each and every request for information contained therein.

(2) A member who is of the opinion that, in relation to either a Question for oral reply or a topical issue put down by him or her, the member of the Government concerned has failed to comply with paragraph (1), may, during the course of proceedings, appeal to the Chair (provided either the Ceann Comhairle or Leas-Ceann Comhairle is in the Chair at the time) to instruct the member of the Government to impart the information sought and, to the extent that he or she agrees with the opinion of the member concerned, the Ceann Comhairle or Leas-Ceann Comhairle shall so instruct the member of the Government.

(3) A member, who has not availed of the provisions of paragraph (2), and who is of the opinion that, in relation to either a Question (whether for written or oral reply) or a topical issue put down by him or her, the member of the Government concerned has failed to comply with paragraph (1), may communicate such opinion in writing to the Ceann Comhairle not later than four days after the Question (whether for written or oral reply) or the topical issue has been answered, not reckoning a Saturday, Sunday or public holiday, identifying the specific request or requests for information not addressed in the reply and requesting that the provisions of this Standing Order be applied in order to remedy such failure.

(4) If and to the extent that he or she agrees with the opinion of the member concerned, the Ceann Comhairle shall communicate his or her opinion that there has been a failure to comply with the provisions of paragraph (1) in writing to the member of the Government concerned.

(5) A member of the Government who has been advised in writing that the Ceann Comhairle is of opinion that there has been a failure to comply with the provisions of paragraph (1) shall, not later than 12.30 p.m. on the day following the communication of such opinion, furnish to the Ceann Comhairle a response in writing to each of the requests for information in relation to which there has been, in the opinion of the Ceann Comhairle, a failure to comply with paragraph (1).

(6) (a) Each and every response received pursuant to paragraph (5) shall be included in or otherwise be associated with the Official Report of the Debates to which it relates and shall be laid before the Dáil.



- (b) If the member of the Government does not respond under paragraph (5) or the Ceann Comhairle considers the response received still does not comply with the provisions of paragraph (1), the Ceann Comhairle shall, at the end of each Dáil session, prepare and lay before the Dáil a statistical report regarding the occasions of such non-compliance.

(7) A Question or a topical issue in relation to which the Ceann Comhairle has formed the opinion that the member of the Government concerned has failed to comply with paragraph (1) shall not be taken into account for the purposes of paragraphs (3) or (4) of Standing Order 37.

(8) A member who is of the opinion that a response furnished by a member of the Government in accordance with paragraph (5) has failed to comply with paragraph (1) may communicate such opinion in writing to the Ceann Comhairle not later than four days after the response has been furnished to the Ceann Comhairle, not reckoning a Saturday, Sunday or public holiday, identifying the specific request or requests for information not addressed in the response and requesting that the matter be selected for consideration as a topical issue<sup>19</sup>.

## STATEMENTS

### **Statements in the House.**

**45.** A member of the Government who has given prior notice to the Ceann Comhairle may make a statement in the House on any matter. No debate shall be permitted on any such statement but further statements may be allowed at the discretion of the Ceann Comhairle from a spokesperson nominated by a Party in Opposition.

## PERSONAL EXPLANATIONS

### **Personal explanations.**

**46.** (1) The Ceann Comhairle shall have discretion to permit any member to make a personal explanation in the Dáil, following notice given in writing by the member concerned to the Ceann Comhairle of his or her desire to make such an explanation and of the content of such proposed explanation.

(2) An explanation made under this Standing Order shall be brief, non-argumentative and strictly personal and shall not be such as would cause debate or give rise to further explanations.

(3) No member shall be permitted to ask questions at the conclusion of a personal explanation nor shall any debate arise thereon.

## RULES OF DEBATE

### **Calling of members to speak; addressing Chair.**

**47.** A member desiring to speak shall rise in his or her place. Should more than one member rise at the same time, the Ceann Comhairle shall call upon one of them. Members shall address the Chair.

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<sup>19</sup> See S.O. 29A.

**Precedence of Chair.**

48. Whenever the Ceann Comhairle rises during a debate, any member then speaking, or offering to speak, shall resume his or her seat.

**Speaking twice.**

49. No member shall be entitled to speak twice upon the same motion, except to close the debate upon a motion of which he or she was the proposer.

**Interventions in debate.**

50. (1) Unless the Dáil shall otherwise order, a member in possession in the course of debate may give way to another member who wishes to query or comment on points made in the course of the first member's speech: Provided that such intervention shall not exceed 30 seconds: and provided further that the Ceann Comhairle shall, as a general rule, only allow such interventions in the latter stages of a speech.

(2) Any member who has given prior notice to the Ceann Comhairle may, by permission of the Ceann Comhairle, intervene to make a 30 second statement to clarify remarks made earlier in the course of his or her speech.

(3) In either of the aforementioned cases, the Ceann Comhairle shall have discretion to add the time lost as a result of the interventions to the time available to the member in possession: Provided that, in his or her opinion, such addition shall not unduly affect business and subject to the addition of an overall maximum of ten minutes in a debate to which an allocation of time motion applies.

**Debating of motions and amendments.**

51. A motion or amendment shall not be debated until the appropriate question has been proposed from the Chair.

**When motions and amendments lapse.**

52. If a member does not move the motion or amendment which stands in his or her name, such motion or amendment shall lapse unless moved by some other member authorised by him or her.

**Lapse of private member's motion.**

53. A private member's motion which is not moved within twelve 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 of members to put down such motion again.

**Motions and amendments may be withdrawn.**

54. A member who has made a motion or proposed an amendment may withdraw the same by leave of the Dáil.

**Relevancy and form of amendments.**

55. Every amendment must be relevant to the motion to which it is proposed, and must be directed to omitting, adding, or substituting words. No amendment, which is equivalent to a direct negative, shall be accepted.

### **Debate not allowed after question put.**

**56.** When the question on a motion or an amendment has been put from the Chair, no further debate thereon shall be allowed.

### **Amending or rescinding Resolution.**

**57.** A motion to rescind or amend a Resolution, other than a Resolution relating to an adjournment of the Dáil or to Standing Orders, can only be made on notice that shall specify the Resolution to be rescinded or amended, and furnish the terms of the motion to be made; but no motion shall be allowed to appear on the Order Paper to rescind or amend any such Resolution, within six months from the date of its adoption, except with the written assent of not less than 25 members or one-sixth of the membership of a Standing, Select or Special Committee in the case of a Resolution of the Committee.

### **Restrictions on debate: repetition and anticipation.**

**58.** (1) No member shall re-open a discussion on a question already discussed during the preceding six months.

(2) Notwithstanding paragraph (1), the Ceann Comhairle shall have discretion to apply a shorter period than six months to the business specified below in accordance with established practice:

- (a) a personal explanation made by a member, following notice given to the Ceann Comhairle and by permission of the Ceann Comhairle<sup>20</sup>;
- (b) a motion of confidence in the Taoiseach and/or the Government or a member of the Government; and
- (c) a motion directing the Ceann Comhairle to direct the Clerk of the Dáil to issue his or her Writ for the election of a member to fill any vacancy that may occur from time to time<sup>21</sup>.

(3) No member shall anticipate the discussion of any subject of which notice has been given: Provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Ceann Comhairle to the probability of the matter anticipated being brought before the Dáil within a reasonable time.

(4) This Standing Order shall not apply to Standing, Select or Special Committees.

### **Debate: matters *sub judice*.**

**59.** Subject always to the right of Dáil Éireann to legislate on any matter (and any guidelines which may be drawn up by the Committee on Procedure from time to time), and unless otherwise precluded under Standing Orders, a member shall not be prevented from raising in the Dáil any matter of general public importance, even where court proceedings have been initiated: Provided that—

- (1) the matter raised shall be clearly related to public policy;

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<sup>20</sup> S.O. 46.

<sup>21</sup> S.O. 198(1).

(2) a matter may not be raised where it relates to a case where notice has been served and which is to be heard before a jury or is then being heard before a jury;

(3) a matter shall not be raised in such an overt manner so that it appears to be an attempt by the Dáil to encroach on the functions of the Courts or a Judicial Tribunal;

(4) members may only raise matters in a substantive manner (i.e. by way of Parliamentary Question, matter raised under Standing Order 29A, motion, etc.) where due notice is required; and

(5) when permission to raise a matter has been granted, there will continue to be an onus on members to avoid, if at all possible, comment which might in effect prejudice the outcome of proceedings.

### **Irrelevance or repetition.**

**60.** A member who persists in irrelevance or repetition in debate, or who, in the opinion of the Ceann Comhairle, is speaking for the purpose of obstructing business, may be directed by the Ceann Comhairle to discontinue his or her speech after the attention of the Dáil or of the Committee has been called to his or her conduct.

### **Privilege: utterances in the nature of being defamatory.**

**61.** (1) A member shall not make an utterance in the nature of being defamatory and where a member makes such an utterance it may be *prima facie* an abuse of privilege, subject to the provisions of this Standing Order.

(2) (a) If the defamatory nature of the utterance is apparent at the time it was made during the course of proceedings, the Ceann Comhairle shall direct that the utterance be withdrawn without qualification.

(b) If the member refuses to withdraw the utterance without qualification the Ceann Comhairle shall treat the matter as one of disorder: Provided that the member may claim that the matter be referred to the Committee on Procedure in which case no further action shall be taken thereon by the Ceann Comhairle at that point.

(3) If the defamatory nature of the utterance is not apparent at the time during the course of proceedings, and at the earliest opportunity, but not later than six weeks after the making of the utterance, or by the time of the dissolution of the Dáil, whichever is the sooner—

(a) the alleged abuse of privilege is raised by a member with a request that it be considered by the Ceann Comhairle or referral to the Committee on Procedure directly is sought by a member by way of motion, or

(b) where a person who has been referred to by name, or in such a way as to be readily identifiable, in the Dáil, makes a submission in writing to the Ceann Comhairle—

(i) claiming that the person has been adversely affected by the making of an utterance in the nature of being defamatory within the meaning of this Standing Order,

- (ii) setting out the reasons why the person claims the said utterance was in the nature of being defamatory and why the said utterance *prima facie* constitutes an abuse of privilege,
- (iii) requesting that the person be able to incorporate an appropriate response in the parliamentary record,

if the Ceann Comhairle is satisfied that—

- (c) the member's request or the subject of the submission is so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that further action be taken or that it be considered by the Committee, or
- (d) it is not practicable for the Committee to consider the member's request or the submission under this Standing Order, or
- (e) taking into account the totality of the parliamentary record (including any rebuttal of the utterance concerned by other members), *prima facie* no abuse of privilege has occurred,

the Ceann Comhairle may decide that no action shall be taken in respect of the member's request or the submission.

In any other case the Ceann Comhairle may—

- (i) require the member who made the utterance to make a personal explanation to the House in effect to withdraw without qualification the utterance made or to clarify otherwise the circumstances that gave rise to the utterance as may be deemed appropriate, provided that the member may claim that the matter be referred to the Committee on Procedure in which case no further action shall be taken thereon by the Ceann Comhairle at that point, or
- (ii) refer the member's request or the submission to the Committee.

(4) Where the request or submission is referred to the Committee—

- (a) the Committee may decide not to consider the request or submission referred to it under this Standing Order if the Committee considers that the subject of the request or submission is not sufficiently serious or is frivolous, vexatious or offensive in character, and such a decision shall be reported to the Dáil;
- (b) if the Committee decides to consider a request or submission under this Standing Order—
  - (i) the Committee may invite the member who made the utterance and such other members as the Committee may deem appropriate to appear before the Committee to put his or her case,

(ii) in considering a request or submission and reporting to the Dáil the Committee shall not consider or judge the truth of any statements made in the Dáil or of the submission;

(c) the Committee shall have discretion to publish a submission referred to it under this Standing Order or its proceedings in relation to such a submission, and may lay minutes of its proceedings and all or part of such submission before the Dáil.

(5) In any report which it may make to the Dáil on a request, submission or referral under this Standing Order, the Committee may include a response by a person who has been referred to in the utterance by name, or in such a way as to be readily identifiable, and may make any of the following findings:

(a) that *prima facie* no abuse of privilege has occurred, in which case the Committee may recommend that no further action be taken by the Dáil or by the Committee in relation to the request, submission or referral; or

(b) that a member has made an utterance in the nature of being defamatory and that *prima facie* an abuse of privilege has occurred.

(5A) Where the Committee finds under paragraph (5)(b) that an abuse of privilege has occurred, the member who made the utterance is required to withdraw it during a meeting of the Dáil, by reading out the withdrawal in a form of words to be included in the report of the Committee, at any time before the end of a sitting day nominated by the Committee: Provided that the member shall arrange by agreement with the Ceann Comhairle the time on, or before, the nominated sitting day when the member shall make the withdrawal, and the Ceann Comhairle shall read out the Committee's finding on the utterance immediately prior to the withdrawal.

(5B) If the member does not withdraw his or her utterance in the manner outlined in paragraph (5A), the Ceann Comhairle shall, on the next sitting day after the nominated day, read out the Committee's finding on the utterance, and name the member in accordance with Standing Order 64(1).

(6) Any decision taken by the Committee under paragraph (5)(b) of this Standing Order shall require the support of three-quarters of the members present and voting.

(7) Notwithstanding the provisions of this Standing Order (save the provisions of paragraph (6), which shall continue to apply), the Committee, following consideration of a request or submission under this Standing Order, may make such recommendations as appear to it to be required in the interests of all concerned.

(8) A document laid before the Dáil under this Standing Order—

(a) in the case of a response under paragraph (5), shall be succinct and strictly relevant to the questions at issue and shall not contain anything offensive in character; and

(b) shall not contain any matter the publication of which would have the effect of—

- (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (11) of this Standing Order,
- (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.

(9) In considering a matter under this Standing Order the Ceann Comhairle or the Committee, as the case may be, shall take into account the following:

- (a) whether the member who made the utterance did so in a responsible manner, acted in good faith, and ensured, as far as is practicable, that the utterance reflecting adversely on a person was soundly based,
- (b) the totality of the parliamentary record, including any rebuttal of the utterance concerned by other members,
- (c) that the said member made a personal explanation in effect to withdraw the defamatory nature of the utterance, and
- (d) the extent to which—
  - (i) the substance of the utterance was already in the public domain by way of reports in the media; or
  - (ii) the member had reasonable excuse or otherwise for making the utterance.

(10) Notwithstanding the provisions of this Standing Order—

- (a) any member who considers that it is in the public interest for him or her to make an utterance which could be construed as being in the nature of defamatory, may give prior private notice to the Ceann Comhairle 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 this Standing Order,
- (b) the Ceann Comhairle may at any time on his or her own volition refer an utterance in the nature of being defamatory to the Committee.

(11) For the purposes of this Standing Order—

An “utterance in the nature of being defamatory” shall mean an utterance which, in the opinion of the Ceann Comhairle or of the Committee, could be construed as being defamatory if made other than in the course of parliamentary proceedings whereby a person who has been referred to by name or in such a way as to be readily identifiable has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person;

“Committee” shall mean either the Dáil Committee on Procedure or a sub-Committee thereof;

“Proceedings” shall mean parliamentary proceedings of the Dáil, a Standing, Select or Special Committee or a sub-Committee thereof.

### **Maintenance of order in Dáil and Committees.**

**62.** (1) The Ceann Comhairle is the judge of order in the Dáil and in Committee of the whole Dáil and has authority to suppress disorder and to enforce prompt obedience to his or her ruling. In Standing, Select or Special Committees order shall be maintained by the Chairman, but disorder or obstruction in Committees can be censured only in the Dáil on receiving a report in accordance with Standing Order 101(2).

(2) Nothing in this Standing Order, or in these Standing Orders generally, shall prevent the House from suspending a member from the service of the Dáil and its Committees in accordance with the provisions of Standing Order 64(1).

### **Disorderly conduct: member to withdraw from Dáil.**

**63.** (1) The Ceann Comhairle shall order a member whose conduct is grossly disorderly to withdraw immediately from the Dáil for the remainder of that day’s sitting. If, however, on any occasion the Ceann Comhairle deems that the powers conferred under this Standing Order are inadequate to deal with the offence, he or she may, in accordance with the next succeeding Standing Order, name such member for misconduct, or he or she may call on the Dáil to adjudge upon his or her conduct. Members ordered to withdraw in pursuance of this Standing Order, or who are suspended in pursuance of the next succeeding Standing Order, shall forthwith withdraw from the precincts of the Dáil.

(2) A member may be named or the Dáil called on to adjudge upon his or her conduct only when the Ceann Comhairle is in the Chair.

### **Suspension of member.**

**64.** (1)(a) A member may be named by the Ceann Comhairle—

(i) where the member has disregarded the authority of the Chair, in the Dáil, or in Committee of the whole Dáil, (whereupon he or she shall be named immediately after the commission of such offence), or

(ii) where the member has not withdrawn an utterance found to be an abuse of privilege, pursuant to Standing Order 61(5A).

(b) Where the member has been named in accordance with paragraph (a), the Ceann Comhairle shall move and forthwith put the question on a motion — no amendment, adjournment or debate being allowed — “That..... (naming the member) be suspended from the service of the Dáil and its Committees”; and on the declaration of the result the member may stand suspended and, if so, shall withdraw from the Dáil forthwith: Provided, on an exceptional basis, a division may be claimed on the question and, subject to paragraph (3), shall take place immediately, and the member shall be entitled to vote in any such division.

(2) If any member hereafter be suspended under this Standing Order, his or her suspension—

(a) if it is pursuant to his or her having been named under paragraph (1)(a)(i), 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, (with any suspension pursuant to the member having been named under paragraph (1)(a)(ii) not to be reckoned for the purposes of calculating the number of occasions); or

- (b) if it is pursuant to his or her having been named under paragraph (1)(a)(ii), shall last for four sitting days;

Provided that—

- (i) in any suspension under paragraph (a) or (b), the day on which the member is suspended shall be counted in calculating the number of days of suspension (subject to paragraph (ii) of this proviso);
- (ii) where a member is suspended pursuant to having been named under paragraph (1)(a)(ii), while at the same time having been on suspension pursuant to having been named under paragraph (1)(a)(i), the member's two periods of suspension shall run consecutively, and paragraph (1) of this proviso shall apply only to the first period of suspension; and
- (iii) where a member is suspended, this shall not prevent him or her entering the chamber solely for the purposes of withdrawing, in the manner outlined in Standing Order 61(5A), an utterance which has been found to be an abuse of privilege (subject to the provisions of paragraph (3) where he or she has been suspended pursuant to having been named under paragraph (1)(a)(ii)).

(3) The Ceann Comhairle, on the withdrawal by a member of his or her utterance in the manner outlined in Standing Order 61(5A) (where the member has been suspended pursuant to having been named under paragraph (1)(a)(ii)), or on receiving from a member a written and approved expression of regret, to be entered in the Journal of the Proceedings of the Dáil (where the member has been suspended pursuant to having been named under paragraph (1)(a)(i)), shall—

- (a) in the case of the expression of regret, lay the same before the Dáil, and
- (b) move the motion without notice, amendment, adjournment or debate at the commencement of Public Business the next sitting day, 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.

(4) The suspension from the service of the Dáil shall include suspension from service with any Standing, Select or Special Committee of the Dáil to which the member may have been appointed previous to, or during, his or her suspension.

#### **Adjournment of Dáil or suspension of sitting in case of great disorder.**

**65.** In the case of great disorder, the Ceann Comhairle may adjourn the Dáil without question put, or suspend any sitting for a time to be named by him or her.

## References to members.

66. In making references to members of the Dáil, the following rules shall apply—

(a) A member of the Government shall (as the case may require) be referred to as the Taoiseach, the Tánaiste, or the Minister for ..... and a Minister of State shall be referred to as the Minister of State at .....

(b) A private member of the Dáil shall be referred to as Deputy.....

## Procedure relating to removal of Judge.

67. (1) Any motion (hereafter described as “an Article 35.4.1° motion”) put on the Order Paper for any day calling for the removal of a Judge for stated misbehaviour or incapacity within the meaning of Article 35.4.1° of the Constitution (or, as the case may be, pursuant to section 39 of the Courts of Justice Act 1924 or section 20 of the Courts of Justice (District Court) Act 1946), shall state the matters upon which it is contended by the proposer of the said motion that the Judge who is the subject matter of the motion should be removed for stated misbehaviour or that he or she is incapacitated.

(2) Where such an Article 35.4.1° motion is put on the Order Paper for any day, the Dáil may either reject the said motion, or on a motion made to adjourn the debate may by motion appoint a Select Committee to take evidence in respect of the aforesaid Article 35.4.1° motion, provided that the Select Committee shall make no findings of fact nor make any recommendations in respect of same or express any opinions in respect of same.

(3) Where the Dáil does not appoint a Select Committee in the manner provided for in paragraph (2) of this Standing Order within five sitting days of any Article 35.4.1° motion being placed on the Order Paper, the said Article 35.4.1° motion shall lapse.

(4) The motion appointing the Select Committee shall state the terms of reference of the Committee, define the powers devolved upon it and fix the number of members to serve on it.

(5) The Select Committee shall at all times have due regard to the Constitutional principles of basic fairness of procedures and the requirements of natural and Constitutional justice.

(6) The Select Committee shall take all steps to ensure that an appropriate record is taken of its proceedings.

(7) The proceedings of the Select Committee shall be heard in private save insofar as otherwise directed by the Committee following a request in that behalf by a Judge who is the subject of an Article 35.4.1° motion.

(8) Following the completion of its proceedings, the Select Committee shall furnish a report of those proceedings to the Dáil, together with appropriate transcripts and associated audio-visual material. Provided that the Committee shall first send its report to the Clerk of the Dáil, who shall arrange in the first instance for the report to be circulated to the members of the Dáil and to the Judge who is the subject matter of an Article 35.4.1° motion. Provided further that the Dáil may subsequently order that the report be published and laid before the Dáil.

(9) Following receipt of the said report, the Dáil may by Order make provision for the debate on the said Article 35.4.1° motion which shall include:

- due notice of the taking of the debate to be resumed on such part of the Article 35.4.1° motion calling for the removal of the Judge in question;
- due observance by each member of the Constitutional principles of fair procedures;
- the right of the Judge and his or her legal representatives to be heard prior to any vote on the said Article 35.4.1° motion;
- such special rules of procedure as may be deemed appropriate.

(10) Standing Order 61 shall not apply in respect of an Article 35.4.1° motion and the subject matter of an Article 35.4.1° motion shall not be raised in the Dáil save as otherwise provided by this Standing Order.

(11) Save as otherwise provided for in this Standing Order, Standing Orders 84, 85, 87, 88, 89, 91, 93, 95, 96, 100, 126 and 199(1) shall not apply to a Select Committee appointed under this Standing Order. Provided, however, that if the Committee decides following a request in that behalf by the Judge, who is the subject matter of an Article 35.4.1° motion, to have its proceedings in public in accordance with paragraph (7) of this Standing Order, Standing Order 126 shall apply.

(12) A Select Committee appointed under this Standing Order shall, with the concurrence of Seanad Éireann, be joined by Order of the Dáil with a similar Select Committee of that House appointed to perform its functions in respect of a corresponding Article 35.4.1° motion moved in that House in respect of the same Judge. Provided that the Chairman of the Select Committees so joined shall be a member of Dáil Éireann.

#### CLOSURE OF DEBATE

##### **Closure.**

**68.** (1) After a question (except a question already barred from debate under the Standing Orders) has been proposed from the Chair either in the Dáil, in a Committee of the whole Dáil, or in a Standing, Select or Special Committee, a member may claim to move, “That the question be now put”, and unless it shall appear to the Ceann Comhairle, the Leas-Cheann Comhairle or, in the case of a Standing, Select or Special Committee, the Chairman that such a motion is an infringement of the rights of a minority, or that the question has not been adequately discussed, or that the motion is otherwise an abuse of these Standing Orders, the question, “That the question be now put”, shall be put forthwith, and decided without amendment or debate.

(2) When a motion “That the question be now put”, has been carried, and the question consequent thereon has been decided, any further motion may be made (the assent of the Ceann Comhairle, the Leas-Cheann Comhairle or, in the case of a Standing, Select or Special Committee, the Chairman, as aforesaid, not having been withheld), which may be requisite to bring to a decision any question already proposed from the Chair, and such motion shall be put forthwith, and decided without amendment or debate.

(3) Provided always that no member may claim to move “That the question be now put” unless the Ceann Comhairle, the Leas-Cheann Comhairle or, in the case of a Standing, Select or Special Committee, the Chairman is in the Chair.

#### ATTENDANCE OF MEMBERS OF SEANAD

#### **Members of Government or Ministers of State who are members of the Seanad.**

**69.** A member of the Government or a Minister of State who is a member of the Seanad may attend and be heard in the Dáil.<sup>22</sup>

#### DIVISIONS

#### **Divisions may be demanded.**

**70.** (1) When any question is to be put to the Dáil or to a Committee of the whole Dáil, the Ceann Comhairle shall rise and announce that “The question is that”, thereupon reading or stating the question, requiring that as many as are of that opinion shall say “Tá”, and as many as are of contrary opinion shall say “Níl”. He or she shall judge from the answers to his or her questions, and declare the result, in his or her opinion, of the putting of the question.

(2) After the Ceann Comhairle shall have declared the result, in his or her opinion, of the putting of any question, any member who dissents may demand a division upon that question, whereupon the division shall, subject to paragraph (3), be deferred until the weekly division time on the next Thursday following, at 12.47 p.m. Provided that any division demanded on a Thursday before the weekly division time shall be taken at the weekly division time on the same day.

(3) Unless the Dáil shall otherwise order, divisions demanded on the following matters shall be taken forthwith:

- (a) election of Ceann Comhairle,
- (b) nomination of Taoiseach and members of the Government,
- (c) motion of confidence in the Government or a member of the Government,
- (d) proposals on the Order of Business,
- (e) motion to suspend a member,
- (f) questions arising on the Committee, Report and Final Stages of Bills.

#### **Division bells rung and time for locking doors.**

**71.** (1) When a division is demanded on any of the matters listed in Standing Order 70(3), the Ceann Comhairle shall (subject to paragraphs (2) and (3))—

- (a) cause the division bells to be rung once for a period of not less than six minutes, and

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<sup>22</sup> See Article 28.8 of the Constitution.

(b) the doors to be locked so soon after the lapse of not less than four minutes as he or she shall direct.

(2) Where the question on which the division has been demanded is put immediately after the result of an earlier division has been declared—

(a) the period for which the division bells are rung shall be not less than three minutes, and

(b) the interval between the ringing of the bells and the locking of the doors shall be not less than two minutes.

(3) Where the division has been demanded by a member who is not a member of a group as defined in Standing Order 143(1), the interval between the ringing of the bells and the locking of the doors shall be not less than two minutes.

(4) At the weekly division time on Thursday, when the time has come to deal with any deferred divisions under Standing Order 70(2), the Ceann Comhairle shall (subject to paragraph (5))—

(a) cause the division bells to be rung once for a period of not less than six minutes, and

(b) the doors to be locked so soon after the lapse of not less than four minutes as he or she shall direct.

(5) Where there is more than one division at the weekly division time on Thursday, in respect of the second and any subsequent divisions—

(a) the period for which the division bells are rung shall be not less than one minute, and

(b) the interval between the ringing of the bells and the locking of the doors shall be not less than one minute.

### **Divisions.**

**72.** When the doors have been locked, and the division lobbies have been cleared, the Ceann Comhairle shall order the Dáil or Committee of the whole Dáil to divide, and shall appoint two duly nominated tellers for each side: Provided that after the lapse of not less than four or two minutes or one minute, as the case may be, as provided in Standing Order 71, the Ceann Comhairle may again put the question and declare afresh the result, in his or her opinion, of the putting of the question, and a division shall take place only if such fresh declaration is challenged: Provided further that, where tellers are not nominated by one side, the Ceann Comhairle shall declare the determination of the Dáil or Committee in favour of the other side: Provided always that the Ceann Comhairle may, after the lapse of not less than the said four or two minutes or one minute, as the case may be, if in his or her opinion a division is unnecessary, call upon the members who claim the division to rise in their places. If fewer than ten members so rise, he or she shall forthwith declare the determination of the Dáil or Committee, and the names of the members who so rise shall be recorded as dissenting in the Journal of the Proceedings of the Dáil.

### **Divisions: conduct of by electronic means.**

**73.** (1) Unless the Dáil shall otherwise order, divisions in the Dáil may be conducted by electronic means save in the case of divisions on any of the following matters:

- (a) election of Ceann Comhairle,
- (b) nomination of the Taoiseach and members of the Government,
- (c) motion of confidence in the Government.

(2) Where the Ceann Comhairle informs the Dáil at any time that it is not possible to conduct divisions by electronic means or that the result may be unreliable or where, for any other reason, he or she considers that divisions should not be so conducted, the Ceann Comhairle may order the Dáil to divide or to divide again, as the case may be, on the question, whether by electronic means or otherwise, as he or she considers appropriate in the circumstances, or may postpone the taking of the division to such later time as he or she shall direct.

(3) On the announcement by the Ceann Comhairle of the result of a division which has been taken by electronic means where, in the result of that division, the difference between the “Tá” and “Níl” votes is 10 or less, any member may demand—

- (a) that the division be taken again by electronic means, or
- (b) that the division be taken again otherwise than by electronic means,

and the Ceann Comhairle shall, unless the member who so demands is a teller nominated for the purposes of that division, call upon the members who support the demand to rise in their places, and

- (i) if fewer than twenty members so rise, the Ceann Comhairle shall forthwith declare the determination of the Dáil or Committee of the whole Dáil, and the names of the members who so rise shall be recorded as dissenting in the Journal of the Proceedings of the Dáil,
- (ii) if twenty or more members so rise or if the member who so demands is a teller nominated for the purposes of that division, the Ceann Comhairle shall order the Dáil to divide again on the question in the manner so demanded.

(4) In respect of divisions by electronic means, where the question on which a division has been demanded is put immediately after the result of an earlier division has been declared, the period for which the division bells are rung and the interval between the ringing of the bells and the locking of the doors shall be not less than two minutes and not less than one minute respectively.

### **Postponement of taking of division in case of special security measures.**

**74.** If, in the course of proceedings under Standing Orders 71, 72 and 73, in the case of any division, the Ceann Comhairle is satisfied that normal access by members to the Chamber has been impeded by the implementation of special security measures at Leinster House, he or she shall interrupt such proceedings and shall postpone the taking of such division to such later time or date as he or she shall direct.

### **Declaration of result of division.**

**75.** On the completion of the count, the tellers shall sign a division paper which shall be handed to the Ceann Comhairle who shall announce the numbers and declare the decision.<sup>23</sup> The doors shall then be re-opened.

### **Irregularities in, or obstruction of, divisions.**

**76.** If, in the course of proceedings under Standing Orders 71, 72, 73 and 75, the Ceann Comhairle is satisfied that—

- (i) an irregularity has occurred which has not been resolved by the tellers, he or she may order that the division be taken afresh (unless he or she is satisfied that the irregularity does not materially affect the numbers recorded in the division whereupon he or she shall declare the determination of the Dáil or the Committee); or he or she may postpone the declaration or the taking of the division to such later time or date as he or she shall direct;
- (ii) the taking of the division has been obstructed and the tellers of one side refuse to comply with Standing Order 75 without good reason, he or she may declare the determination of the Dáil or the Committee in favour of the other side or postpone the declaration to such later time or date as he or she may direct.

### **Casting vote and abstentions.**

**77.** (1) Questions in the Dáil or in a Committee of the whole Dáil, shall, save as otherwise provided by the Constitution, be determined by a majority of the votes of the members present and voting, other than the Ceann Comhairle, or presiding member, who shall have and exercise a casting vote in the case of an equality of votes.<sup>24</sup>

(2) The phrase “members present and voting” means “members present and casting an affirmative or negative vote” and the phrase “to abstain” means “to refrain from voting either for or against the question”.

(3) Members may formally register their abstention but members who abstain from voting, whether they choose to formally register their abstention or not, shall be considered as not voting: Provided that the names of members who formally register abstention shall be recorded as abstaining in the Journal of the Proceedings of the Dáil.

## COMMITTEES

### **Going into Committee.**

**78.** The Dáil shall go into Committee whenever it reaches business on the Order Paper which is to be considered in Committee.

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<sup>23</sup> See also S.O.s 22 and 80 re divisions and quorums in the Dáil.

<sup>24</sup> See Article 15.11 of the Constitution.

### **Quorum in Committee of the whole Dáil.**

**79.** The quorum in Committee of the whole Dáil shall consist of the same number of members as shall be requisite to form a quorum of the Dáil.<sup>25</sup>

### **Absence of a quorum in Committee of the whole Dáil (including on the report of a division).**

**80.** If during a sitting of a Committee of the whole Dáil, other than while a private member's Bill is under consideration, a member calls the attention of the Chair to the fact that a quorum is not present, or if on the report of a division such fact shall appear, the division bells shall be rung for a period of not less than three minutes, and if after an interval of not less than three minutes a quorum is still not present, the Dáil shall resume and a report shall be made that a quorum was not present. The Ceann Comhairle shall, at the expiration of not less than three minutes (the bells having been rung) count the Dáil, and if a quorum is still not present he or she shall suspend the sitting to a later hour to be named by him or her, or shall adjourn the Dáil without question put until the next sitting day; and no decision shall be considered to have been arrived at by such division; and the hour of such adjournment, as also the names of the members present, shall be entered in the Journal of the Proceedings of the Dáil; but if a quorum is present the Dáil shall again go into Committee.<sup>26</sup>

### **Procedure in Committees.**

**81.** (1) The rules as to procedure in the Dáil shall apply to procedure in Committee of the whole Dáil, and in Standing, Select or Special Committees, except that a member may speak more than once on the same question.

(2) The rules as to procedure in Select and Standing Committees shall apply, as appropriate, to procedure in Joint Committees.

(2A) The rules as to procedure in Select Committees shall apply, as appropriate, to procedure in sub-Committees of such Committees.

### **First meeting of Standing, Select or Special Committee: postponement or bringing forward of meetings.**

**82.** (1) The first meeting of a Standing, Select or Special Committee shall be summoned by the Clerk to the Committee unless the Dáil has otherwise ordered.

(2) The Chairman of a Standing, Select or Special Committee may, with the agreement of not less than two-thirds of the members of the Committee—

- (a) summon a meeting of the Committee for a date earlier than that fixed on the adjournment,
- (b) postpone a meeting of the Committee to a date not later than three weeks from that fixed on the adjournment.

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<sup>25</sup> See S.O. 21.

<sup>26</sup> See also S.O.s 22 and 100 re divisions and quorums.



### **Suspension of Committee Meetings.**

**83.** A motion that a meeting of a Standing, Select or Special Committee be suspended until a later time on the same day may be made, by permission of the Chairman of the Committee, and without notice. Such motion shall fix the time of the resumption of the meeting. Any such motion which is deemed by the Chairman of the Committee to be dilatory or obstructive shall not be accepted.

### **Scope and Context of Activities of Select Committees.**

**84.** (1) The Dáil may appoint a Select Committee to consider and, if so permitted, to take evidence upon any Bill, Estimate or matter, and to report its opinion for the information and assistance of the Dáil. 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, and may appoint a date upon which the Committee shall report back to the Dáil.

(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 Dáil;
- (c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993;
- (ad) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 111A(1); 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 office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:

Provided that the Chairman may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

(3) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee,

waives this instruction on motion made by the Taoiseach pursuant to Standing Order 28. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.

### **Functions of Departmental Select Committees.**

**84A.** (1) The Dáil may appoint a Select Committee to consider and report to the Dáil on—

- (a) such aspects of the expenditure, administration and policy of a Government Department or Departments and associated public bodies as the Committee may select, and
- (b) European Union matters within the remit of the relevant Department or Departments.

(2) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann for the purposes of the functions set out in this Standing Order, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.

(3) Without prejudice to the generality of paragraph (1), a Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments, such—

- (a) Bills,
- (b) proposals contained in any motion, including any motion within the meaning of Standing Order 187,
- (c) Estimates for Public Services, and
- (d) other matters

as shall be referred to the Select Committee by the Dáil, and

- (e) Annual Output Statements including performance, efficiency and effectiveness in the use of public moneys, and
- (f) such Value for Money and Policy Reviews as the Select Committee may select.

(4) Without prejudice to the generality of paragraph (1), a Select Committee appointed pursuant to this Standing Order may consider the following matters in respect of the relevant Department or Departments and associated public bodies:

- (a) matters of policy and governance for which the Minister is officially responsible,
- (b) public affairs administered by the Department,
- (c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,
- (d) Government policy and governance in respect of bodies under the aegis of the Department,

- (e) policy and governance issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,
- (f) the general scheme or draft heads of any Bill,
- (ag) scrutiny of private members' Bills in accordance with Standing Order 148B, or detailed scrutiny of private members' Bills in accordance with Standing Order 141,
- (g) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,
- (h) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,
- (i) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,
- (j) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (d) and (e) and the overall performance and operational results, statements of strategy and corporate plans of such bodies, and
- (k) such other matters as may be referred to it by the Dáil from time to time.

(5) Without prejudice to the generality of paragraph (1), a Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments—

- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,
- (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) non-legislative documents published by any EU institution in relation to EU policy matters, and
- (d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.

(6) Where a Select Committee appointed pursuant to this Standing Order has been joined with a Select Committee appointed by Seanad Éireann, the Chairman of the Dáil Select Committee shall also be the Chairman of the Joint Committee.

(7) The following may attend meetings of a Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:

- (a) members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,
- (b) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
- (c) at the invitation of the Committee, other members of the European Parliament.

(8) 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 or Departments, 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 111F 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 Oireachtas.

#### **Powers of Select Committees.**

**85.** Without prejudice to the generality of Standing Order 84, the Dáil may confer any or all of the following powers on a Select Committee:

(1) power to take oral and written evidence and to print and publish from time to time minutes of such evidence taken in public before the Select Committee together with such related documents as the Select Committee thinks fit;

(2) power to invite and accept oral presentations and written submissions from interested persons or bodies;

(2A) power to send for persons, papers and records<sup>27</sup>;

(3) 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 Dáil;

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

(4A) power to examine any statutory instrument, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009, and to recommend, where it considers that such action is warranted, whether the instrument should be annulled or amended;

(4B) for the purposes of paragraph (4A), power to require any Government Department or instrument-making authority concerned to submit a Memorandum to the Select Committee explaining any statutory instrument under consideration or to attend a meeting of the Select

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<sup>27</sup> See also S.O. 88.

Committee for the purpose of explaining any such statutory instrument: Provided that such Department or authority may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil;

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

(6) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss 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 Dáil: 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 proposed legislation;

(6A) 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 member of the Government or Minister of State, oral briefings in advance of meetings of the relevant EU Council of Ministers to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;

(6B) 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;

(6C) 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 164A;

(7) subject to any constraints otherwise prescribed by law, power to require that principal office-holders in bodies in the State which are partly or wholly funded by the State or which are established or appointed by members of the Government or by the Oireachtas 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 Dáil;

(8) power to engage, subject to the consent of the Houses of the Oireachtas Commission, the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and

(9) power to undertake travel, subject to—

(a) such recommendations as may be made by the Working Group of Committee Chairmen under Standing Order 108(4)(a); and

- (b) the consent of the Houses of the Oireachtas Commission, and normal accounting procedures.

**Compellability direction (ordinary Committee business).**

**86.** (1) The provisions of this Standing Order shall apply to a Committee conducting ordinary Committee business (i.e. any business, other than a Part 2 inquiry<sup>28</sup>) which is giving or has given a direction (referred to in this Standing Order as a “compellability direction”) as defined in section 76 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

(2) The Committee giving a compellability direction will provide the person who is given that direction with:

- (a) reasonable notice of his or her required attendance date; and/or,
- (b) a reasonable period for providing evidence or a document, or otherwise complying with the direction.

(3) The Committee giving a compellability direction will inform the person who is given that direction of the broad areas of business that the Committee is or will be conducting to which the direction relates, and the direction shall at all times be relevant to the proceedings of the Committee.

(4) Any person attending before a Committee pursuant to a compellability direction may, having given reasonable notice to the Committee, be accompanied by one other person who may be a legal practitioner.

(5) A Committee which is giving or has given a compellability direction, and following the compliance by a person with a direction, will act with due regard to:

- (a) fair procedures;
- (b) the rights of the person given the direction; and
- (c) the rights of any other person affected by the direction.

**Joint Meetings of Select Committees.**

**87.** Each Select Committee shall have power to request of another Select Committee that a joint meeting of both Committees be held to consider a specific matter or matters of common activity and, in the case of any such joint meeting—

- (a) the Chairman of the requesting Committee shall act as Chairman and, in the unavoidable absence of the Chairman, the provisions of Standing Order 93(3) and (4) shall apply;
- (b) the quorum provisions of both Committees shall apply with the modification that each such quorum shall be halved and then rounded up to the next nearest whole number; and

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<sup>28</sup> See definition in S.O. 118.

- (c) the orders of reference of the two Committees shall apply only insofar as they are common to both.

**Power of a Select Committee to report opinion and make special report.**

**88.** A Select Committee, empowered to send for persons, papers, and records, may report its opinions and observations, together with the minutes of evidence taken before it, to the Dáil, and also make a special report of any matters which it may think fit to bring to the notice of the Dáil.

**Printing and Publication of Select Committee Reports, Work Programmes and Annual Reports of Select Committees.**

**89.** (1) Subject to paragraph (2), every report which a Select Committee proposes to make shall, on adoption by the Select Committee, be laid before Dáil Éireann forthwith, together with any document relating thereto which the Select Committee proposes to publish, whereupon the Select Committee shall be empowered to print and publish such report and the said document or documents, as the case may be: Provided that a Select Committee may expressly delegate powers under this paragraph to any of its sub-Committees, in respect of reports generally or in respect of an individual report.

(2) Notwithstanding the generality of paragraph (1), the receipt by the Clerk of the Dáil of a Message, in accordance with Standing Order 90, shall be deemed to be the report of the Select Committee on the Bill or Estimate as the case may be.

(3) Subject to Standing Order 107, each Select Committee shall review its procedures, and its role generally, on an ongoing basis, and shall report at least once in each year to the Committee on Procedure on these matters.

(4) As soon as may be following its appointment and thereafter at annual intervals, each Select Committee shall prepare a work programme and shall lay such programme before Dáil Éireann.

(5) Each Select Committee shall, from time to time as the Select Committee sees fit, lay minutes of its proceedings before Dáil Éireann.

(6) Where—

(a) Dáil Éireann has appointed a date upon which a Select Committee shall report back to the Dáil and the interval between the appointment of such date and the date for reporting back exceeds one year, or

(b) no date for reporting back has been appointed by Dáil Éireann,

such Select Committee shall, on the anniversary of its appointment in each year following the year of such appointment, make an annual report to Dáil Éireann which shall detail—

(i) the work carried out by the Select Committee, and

(ii) the work in progress by the Select Committee,

and may include, if the Select Committee deems appropriate, the report on its procedures and its role (in which case, a copy of the annual report shall be forwarded to the Committee on Procedure), the work programme and minutes of proceedings referred to in paragraphs (3), (4) and (5) respectively of this Standing Order.

### **Messages from Select Committees in relation to Bills or Estimates.**

**90.** Where a Select Committee shall have completed its consideration of a Bill or Estimate referred to it by the Dáil, the Committee shall send a Message to this effect to the Dáil. Such Messages shall be in writing, signed by the Clerk to the Committee, and shall be addressed to the Clerk of the Dáil. Messages from Select Committees shall be received by the Clerk of the Dáil. The Ceann Comhairle shall, at the first convenient opportunity, communicate any such Message to the Dáil.<sup>29</sup>

### **Debating of reports from Committees.**

**91.** (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 Dáil, 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 twelve 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) The Committee Chairman may give notice that he or she wishes to bring forward for consideration on an alternate Thursday, a Committee report that has been laid before the Dáil and in respect of which a motion to take note of the report is listed on the Order Paper: Provided that such notice shall be received by the Business Committee not later than 11 a.m. on the fourth day preceding the weekly meeting of the Business Committee.

(3) The Committee report to be considered on an alternate Thursday shall be determined by the Business Committee.

(4) The time allowed for the debate on the motion to take note of the report shall not exceed a period of two hours in the aggregate.

Provided that the following time limits and sequence of speakers shall apply to the debate:

(a) the speeches of—

- (i) the member proposing the motion who shall be the Chairman of the Committee or another member of the Committee nominated in his or her stead, and
- (ii) a member of the Government or Minister of State, who shall outline the Government's response to the report, including the Government's response to any recommendations contained therein,

shall not exceed 15 minutes in each case;

(b) the speech of each other member called upon shall not exceed ten minutes;

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<sup>29</sup> See also S.O.s 89(2), 115(2) and 155.



- (c) a member of the Government or Minister of State, who may speak twice, shall be entitled to make a speech immediately before the reply by the proposer, which shall not exceed ten minutes;
- (d) the proposer shall be entitled to not more than ten minutes for a speech in reply; and
- (e) all members shall be entitled to share their time.

**Date may be fixed for reporting back by Special Committee.**

92. The Order of the Dáil setting up a Special Committee to consider a Bill<sup>30</sup> shall if necessary fix a date upon which the Committee shall report back to the Dáil.

**Chairman, vice-Chairman and temporary Chairmen.**

93. (1) In every Committee, the Chairman shall have only one vote.

(2) A proportion of Chairman posts shall be allocated to the party or parties in Government and each group in the Dáil (as defined in Standing Order 143). Such proportion shall be calculated according to the d'Hondt system, and under such system, the party or parties in Government and each group shall choose a particular Chairman post as the posts are allocated, excluding posts already allocated by Standing Orders or by Order of the Dáil: Provided that a Government party may not choose the Chairmanship of the Committee of Public Accounts. The House shall appoint all Chairmen, in accordance with the provisions of this Standing Order and of Standing Orders generally.

(3) Every Committee may elect one of its members to be vice-Chairman. In the unavoidable absence of the Chairman, the vice-Chairman shall perform the duties devolved upon, and exercise the authority conferred upon, the Chairman by Standing Orders.

(4) Where the Chairman of a Committee (and the vice-Chairman, if appointed) is unavoidably absent, the Committee shall at once proceed to elect one of its members present to perform the duties devolved upon, and exercise the authority conferred upon, the Chairman by Standing Orders for the duration of such absence.

(5) Where the Chairman of a Committee which is conducting a Part 2 inquiry<sup>31</sup> ceases to be a member of that Committee, the Dáil shall, by Resolution, appoint a Chairman from amongst the remaining Committee members.<sup>32</sup>

**Responsibility of Chairmen for compliance with rules.**

94. The Chairman of every Standing, Select or Special Committee shall have responsibility for ensuring compliance by his or her Committee with such rules governing proposed expenditure as may be determined from time to time by the Houses of the Oireachtas Commission.

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<sup>30</sup> S.O. 149.

<sup>31</sup> See definition in S.O. 118.

<sup>32</sup> See Part 3 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 in relation to Part 2 inquiries and fair procedures.

***Ex Officio* Membership of, Substitution in, and Attendance at Select Committees.**

**95.** (1) The member of the Government in charge of the relevant Department shall be an *ex officio* member of a Select Committee appointed pursuant to Standing Order 84A for the purpose of consideration of the matters referred to in paragraphs (3)(a), (b) and (c) and (4)(ag) of that Standing Order, and shall be entitled to vote in Select Committee proceedings: Provided that such member of the Government may nominate another member of the Government or a Minister of State to act in his or her stead for that purpose.

(2) (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.

(b) For the purposes of this Standing Order, a member proposing to act as a substitute for an absent member (or for a substitute not in attendance), shall only be recognised as such where he or she informs the Committee clerk, either prior to, or during the course of the meeting, of his or her intention to substitute, subject to the provisions of subparagraph (c).

Provided that where the substitute intends to move motions in his or her own name, he or she must inform the Committee clerk, in writing, of the substitution before the expiry of the relevant deadline for submission.

(c) A substitution as provided for in subparagraph (b) shall only be valid—

(i) if the absent member or substitute is a member of a party or a body of members represented in Government, where the member giving notice is a member of any such party or body of members; and

(ii) if the absent member or substitute is not a member of a party or a body of members represented in Government, where the member giving notice is in the same party or group (as defined in Standing Order 143) as the absent member or substitute.

(d) A member of a Committee, including a substitute, may—

(i) where he or she is a member of a party or a body of members represented in Government, move motions and amendments in the name of any member of the Committee who is a member of any such party or body of members;

(ii) where he or she is not a member of a party or a body of members represented in Government, move motions and amendments in the name of any member of the Committee who is in the same party or group (as defined in Standing Order 143).

(3) Members of Dáil Éireann, not being members of a Select Committee, may attend and take part in proceedings of any Select Committee or sub-Committee without having a right to vote or to move motions, save in accordance with paragraph (2), and further to the provisions of Standing Order 150 in relation to the tabling of amendments to Bills.

### **Private Meetings of Committees.**

**96.** (1) Subject to paragraph (2) of this Standing Order, visitors and authorised representatives of the Press may be introduced by members of Dáil Éireann to meetings of Standing, Select or Special Committees.<sup>33</sup>

(2) A Standing, Select or Special Committee may at any time, by Order, meet in private and all visitors and authorised representatives of the Press shall be excluded for the duration of such Order.

### **Taking of divisions in Committees: equality of votes and where Dáil division takes precedence.**

**97.** (1) Divisions in Standing, Select or Special Committees shall be taken by the Clerk attending the Committee calling the names of the members and, in the event of there being an equality of votes, the question shall be decided in the negative.

(2) When a division is demanded in a Select or Special Committee, the doors shall be locked and the division taken after the lapse of eight minutes or as soon as all members of the Committee (or duly nominated substitutes, as the case may be) are present, whichever is the earlier: Provided that, where a division has been demanded in Select or Special Committee and a division is subsequently demanded in the Dáil before the Clerk attending the Committee has commenced taking the division by calling the names of the members of the Committee, such division in Select or Special Committee shall be postponed until after the conclusion of the division in the Dáil and the conclusion of any other divisions in the Dáil demanded immediately thereafter, unless the Committee shall decide otherwise at the commencement of the meeting.

### **Quorum of Select Committees.**

**97A.** (1) Unless otherwise provided by these Standing Orders or by Order of the Dáil, the quorum of a Select Committee or of a sub-Committee thereof, shall be three.<sup>34</sup>

(2) A member of Dáil Éireann attending pursuant to Standing Order 95(3) shall not be counted for the purposes of determining a quorum.

(3) A member of the Government or Minister of State attending pursuant to Standing Order 95(1) shall be counted for the purposes of determining a quorum.

(4) The quorum of a Joint Committee shall be the combined quorum of the two Select Committees of which it is comprised, minus one: Provided that for the purposes of determining a quorum, at least one of the members present shall be a member of Dáil Éireann and one a member of Seanad Éireann.

### **Absence for witness evidence.**

**98.** (1) Subject to Standing Order 99, in the event of any member of a Committee which is conducting a Part 2 inquiry<sup>35</sup> (where the inquiry has the power to make findings of fact) being absent for any witness evidence at a meeting of the Committee, the Chairman shall table a motion for a Resolution of Dáil Éireann to remove the member from the Committee in

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<sup>33</sup> See also S.O. 126.

<sup>34</sup> See also S.O. 100 re divisions and quorums in Committees.

<sup>35</sup> See definition in S.O. 118.

accordance with section 20(4) of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

(2) For the purpose of this Standing Order and Standing Order 99, a witness is any person giving oral evidence to the Committee save for employees of, and any person with technical knowledge or expertise engaged by, the Houses of the Oireachtas Commission.

**Absence for witness evidence due to exceptional circumstances.**

**99.** Where a member of a Committee which is conducting a Part 2 inquiry<sup>36</sup> (where the inquiry has the power to make findings of fact) is or will be absent for any witness evidence at a meeting of the Committee, and the Committee agrees that the absence is due to exceptional circumstances:

- (1) it may decide not to proceed with the witness evidence or to postpone the commencement of the witness evidence; or
- (2) where the Committee is of the view that it is necessary to proceed with the witness evidence, it may, following the consideration of legal advice, proceed with the meeting where:
  - (a) the witness consents to having their evidence heard without the member; and
  - (b) the witness agrees to any other measures that, according to the legal advice given to the Committee, is necessary and/or appropriate,

and the Chairman will not table the motion (under Standing Order 98) for a Resolution to remove the member from the Committee.

**Absence of quorum in Standing, Select or Special Committee (including on the report of a division).**

**100.** (1) If, within the lapse of a quarter of an hour after the time appointed for the meeting of a Standing, Select or Special Committee, a quorum is not present, the Committee shall stand adjourned and the Clerk attending the Committee, after entering the names of the members who attended in the minutes of proceedings of the Committee or recording the names in such manner as the Clerk to the Committee concerned may direct, shall convene a meeting for a subsequent day or for a later time on the same day.

(2) If at any stage during a meeting of a Standing, Select or Special Committee, any member calls the attention of the Chairman to the fact that a quorum is not present, or if on the report of a division, such fact shall appear, and if after a lapse of time of not less than eight minutes, a quorum is still not present, the Chairman shall suspend the meeting to a later hour to be named by him or her, or shall adjourn the meeting without question put to a subsequent day; and no decision shall be considered to have been arrived at by such division; and the hour of such adjournment, as also the names of the members present, shall be entered in the minutes of proceedings of the Committee or recorded in such manner as the Clerk to the Committee concerned may direct.<sup>37</sup>

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<sup>36</sup> See definition in S.O. 118.

<sup>37</sup> See also S.O.s 22 and 80 re divisions and quorums in the Dáil.

### **Disorderly conduct in Committees.**

**101.** (1) The Chairman of a Standing, Select or Special Committee shall order—

- (a) a member of the Committee,
- (b) a member of Dáil Éireann attending pursuant to Standing Order 95, or
- (c) a person whose attendance is otherwise authorised by these Standing Orders or by the Committee's orders of reference,

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) If, on any occasion, the Chairman of a Standing, Select or Special Committee deems that the powers conferred under paragraph (1) of this Standing Order are inadequate to deal with the offence, he or she may propose that a report of the Committee be made to the Dáil in relation to the matter.

### **Adjournment or suspension of meeting of Standing, Select or Special Committee in case of great disorder.**

**102.** In the case of great disorder, the Chairman of a Standing, Select or Special Committee may adjourn the meeting without question put or may suspend the meeting for a time to be named by him or her.

### **Perception of bias – responsibility of member.**

**103.** (1) If a member is a member of a Committee which is conducting or which is to conduct a Part 2 inquiry<sup>38</sup>, or is appointed to a Committee which is conducting or which is to conduct a Part 2 inquiry, and that member is aware of anything in his or her own behalf which might lead to a perception of bias arising in a reasonable person in relation to that member's participation in that inquiry, then that member shall recuse himself or herself from participating in that inquiry.

(2) A member may apply to the Committee on Procedure for an opinion as to whether a perception of bias might arise in a reasonable person in relation to that member's participation in a Part 2 inquiry. The opinion sought shall result in a motion in relation to whether that member shall be a member of the inquiry Committee, in accordance with Standing Order 105(4).

(3) In these Standing Orders, where reference is made to a perception of bias which might arise in a reasonable person, this means a perception of bias which might arise in relation to—

- (a) a member's connection or dealings with any matter the subject of a Part 2 inquiry, where that connection or those dealings might lead to a perception of bias in a reasonable person;
- (b) a member's utterances on the matter or matters the subject of the inquiry; or

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<sup>38</sup> See definition in S.O. 118.

- (c) any other relevant circumstances.

### **Removal from inquiry Committee in relation to perception of bias.**

**104.** Where a member has recused himself or herself from a Part 2 inquiry, on the grounds that a perception of bias might arise in a reasonable person in relation to that member's participation in the inquiry, the Dáil shall resolve, as soon as is practicable, that the member be removed from the inquiry Committee.

### **Procedures re perception of bias.**

**105.** (1)(a) Any person may make a submission to the Committee on Procedure claiming that a perception of bias might arise in a reasonable person in relation to a member appointed to take part in a Part 2 inquiry. Such submission shall be in writing and shall include evidence in support of the claim.

Provided that where the submission does not fulfil these conditions, the Committee on Procedure shall inform the person of such, and afford them the opportunity to make the submission in the correct manner.

- (b) The Committee on Procedure shall, as soon as is practicable, consider the submission under paragraph (a), and give the member in question the opportunity to make a submission to the Committee in defence of his or her position, in such form as the Committee sees fit.

(2) (a) A member who seeks an opinion under Standing Order 103(2) on whether a perception of bias might arise in a reasonable person in relation to that member's participation in a Part 2 inquiry, shall make the request to the Committee on Procedure in writing, with a reason or reasons why the opinion is being sought.

- (b) The Committee on Procedure shall, as soon as is practicable, consider the opinion sought under paragraph (a).

(3) Where the Committee on Procedure has considered either a submission under paragraph (1), or an opinion sought under paragraph (2), it shall, as soon as is practicable, and if the member in question has not recused himself or herself from the Part 2 inquiry, make a report in relation to the participation of the member in the Part 2 inquiry, with a recommendation that, on balance—

- (a) a perception of bias might arise in a reasonable person in relation to the member, or

- (b) a perception of bias might not arise in a reasonable person in relation to the member.

(4) As soon as is practicable after its adoption of a report under paragraph (3), the Committee on Procedure shall lay such report before the Dáil, and shall nominate one of its members to table a motion, as soon as is practicable, which—

- (a) takes note of the recommendation in the report, and

- (b) proposes that either—

- (i) the member in question be confirmed as a member of the inquiry Committee, or

- (ii) the member in question be removed from the inquiry Committee.

(5) The Dáil shall consider the motion under paragraph (4) as soon as is practicable.

### **Circulation of Documents by Clerk to Committee.**

**106.** No document received by the Clerk to a Standing or Select Committee or a sub-Committee thereof shall be withheld, withdrawn or altered without the knowledge and approval of the Committee or sub-Committee, as may be appropriate. For the purposes of this Standing Order, the receipt of such documents may, with the consent of the Committee or sub-Committee concerned, be brought to the attention of members by the circulation, from time to time as the Committee or sub-Committee may decide, of a list of such documents.

### **Committee on Procedure.**

**107.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee, to be known as the Committee on Procedure, which is a continuation in being of the Committee under its former title, namely, the Committee on Procedure and Privileges, to—

- (a) consider matters of procedure generally and to recommend any additions or amendments to Standing Orders that may be deemed necessary,
- (b) without prejudice to the generality of paragraph (a), oversee the procedure in Standing, Select and Special Committees (as the case may be), whether by request from the relevant Committee or otherwise, and to examine, where appropriate, the role of Committees as they evolve,
- (c) consider and report, as and when requested to do so, as to the privileges attaching to members,
- (d) receive a relevant proposal from a Committee which proposes to conduct a Part 2 inquiry<sup>39</sup>,
- (e) from time to time consider and 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,

- (f) as part of its responsibility for overseeing procedure in Committees, consider matters relating to perception of bias in respect of a Part 2 inquiry, for the purpose of preserving the integrity of the Part 2 inquiry as it is being conducted by the inquiry Committee,

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<sup>39</sup> See definition in S.O. 118.

- (g) consider and report on matters standing referred to the Committee pursuant to the Protocol on the Provision of Procedural and Legal Advice to Committees of the Houses Established Pursuant to Standing Orders, as adopted by the Committee and the Houses of the Oireachtas Commission,
- (h) perform the functions conferred on it by Standing Orders 134 and 135 in relation to giving effect to Article 15.10 of the Constitution in so far as that Article provides for the protection of the official documents of the Dáil and the private papers of its members, and
- (i) perform the functions conferred on the Part 10 committee and the Part 11 committee by the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, pursuant to Standing Orders 136 and 137.

(2) The Committee shall have the following powers:

- (a) power to appoint sub-Committees as defined in Standing Order 85(3);
- (b) power to engage consultants as defined in Standing Order 85(8);
- (c) power to travel as defined in Standing Order 85(9) (other than subparagraph (a) thereof);
- (d) power to print and publish reports and to authorise sub-Committees to report directly to the Dáil as defined in Standing Order 89(1);
- (e) power to act on behalf of Dáil Éireann and members of Dáil 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.

(3) (a) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a sub-Committee, which shall be called the sub-Committee on Dáil Reform, and shall consist of the Party Whips who are members of the Committee (or if they number less than five, the Party Whips and such other members of the Committee as the Committee may decide, up to a maximum of five members) and three shall constitute a quorum. The sub-Committee shall perform the functions set out at paragraphs (1)(a), (1)(b) and (1)(c) of this Standing Order and may report directly to the Dáil.

(b) In the absence of a Party Whip or member nominated to serve on the sub-Committee, a substitute may be nominated to take part in the proceedings and shall be entitled to vote in the absent member's stead and to move motions and amendments in his or her own name.

(4) The Committee shall consist of the Ceann Comhairle, who *ex officio* shall be Chairman and who shall have only one vote, and seventeen other members; and eight shall constitute a quorum. In the unavoidable absence of the Ceann Comhairle, the Leas-Ceann Comhairle may



act as Chairman in his or her stead. The Committee shall be constituted so as to be impartially representative of the Dáil.

### **Working Group of Committee Chairmen.**

**108.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee, to be known as the Working Group of Committee Chairmen, which shall consider the operation of Committees generally.

(2) The membership of the Committee shall be the Chairman of each Standing, Select, Special and Joint Committee, with the exception of the Committee on Procedure and the Business Committee, and the quorum of the Committee shall be six.

(3) Without prejudice to the generality of paragraph (1), the Committee may consider—

- (a) the effectiveness of the Committee system,
- (b) reform and policy proposals relating to, or impacting on, the Committee system,
- (c) matters of common interest to Committee Chairmen and the issuing of guidance for Committees generally,
- (d) scheduling of legislation in Committees,
- (e) proposals which affect the delivery of services to Committees, and
- (f) any other matter on which it may be consulted under paragraph (7).

(4) The Committee shall, in particular, consider and decide on—

- (a) apportionment of moneys available to Committees for consultancy and travel, subject to the consent of the Houses of the Oireachtas Commission; and
- (b) allocation of accommodation available for Committee meetings:

Provided that this paragraph shall not apply to the Committee on Procedure or the Business Committee.

(5) The Taoiseach shall appear before the Committee in both the Spring and the Autumn Dáil sessions to discuss matters of public policy, and the Committee shall agree an agenda for those meetings with the Taoiseach in advance.

(6) The Committee may, subject to the provisions of legislation governing the Houses of the Oireachtas Service, and the consent of the Houses of the Oireachtas Commission where appropriate, make recommendations on any matter relevant to the provision of services to Committees falling within its remit.

(7) The Committee may consult with, and be consulted by, the Committee on Procedure, the sub-Committee on Dáil Reform, and the Business Committee in relation to matters affecting Committees. The Committee may make such recommendations to those bodies in relation to matters affecting Committees as it considers appropriate.

(8) The party in Government or the group (as defined in Standing Order 143) which has been allocated the most Chairman posts under the d'Hondt system, pursuant to Standing Order 93(2), shall nominate one of its Chairmen for appointment by the House as Chairman of the Committee.

(9) The Committee shall have the powers defined in Standing Order 85(1), (2), (3), (5), (8) and (9).

(10) Until further notice in the 32nd Dáil, the Working Group of Committee Chairmen shall, with effect from the date of adoption of this substitute Standing Order, stand appointed as the Committee under this Standing Order, and the membership, Chairman, papers and any work programme of the Working Group shall be those of the Committee.

### **Committee on Members' Interests of Dáil Éireann.**

**109.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Select Committee, which shall be called the Committee on Members' Interests of Dáil Éireann, to perform the functions conferred on it by the Ethics in Public Office Acts 1995 and 2001.

(2) The Committee shall consist of five members of whom three shall constitute a quorum.

(3) Every report which the Committee proposes to make shall, on adoption by the Committee, be laid before Dáil Éireann forthwith.

(4) The Committee shall have the following powers:

(a) power to engage consultants as defined in Standing Order 85(8); and

(b) power to travel as defined in Standing Order 85(9).

(5) 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.

### **Joint Administration Committee.**

**110.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee which shall be joined with a similar Committee of the Seanad to constitute the Joint Administration Committee.

(2) The Committee shall represent the views of members on the provision of services for and by the Houses generally, and may make recommendations thereon to the Houses of the Oireachtas Commission ("the Commission").

(3) Recommendations of the Committee shall be subject to—

(a) the sanction of the Commission in relation to the financial implications of such recommendations;

(b) the regulatory authority of the Commission or the Minister for Finance, as provided by law; and

(c) the requirement for efficiency and economy in the use of Commission resources and value for money considerations generally.

(4) Without prejudice to the generality of paragraph (2), the Committee may advise, and make recommendations by way of report to, the Commission, on—

(a) Members' Services, including:

- (i) secretarial and other facilities;
- (ii) library and research services; and
- (iii) legal advice services (within the meaning of section 4(2)(e) of the Houses of the Oireachtas Commission Acts 2003 to 2009);

(b) accommodation and facilities, including:

- (i) the bars, shop and restaurants;
- (ii) the conditions or premises in which members carry out their duties; and
- (iii) security and access;

(c) Communications Services, including:

- (i) education, media relations and public information services; and
- (ii) broadcasting (in all its forms) of the proceedings of Dáil Éireann and its Committees, including rules of coverage and archive access,

Provided, that in relation to broadcasting, the Committee shall:

- (I) discharge the necessary monitoring arrangements for in-House televising and for sound and televised broadcasting of Dáil Éireann and its Committees;
- (II) review and modify the rules of coverage for the televising of proceedings of Dáil Éireann and its Committees;
- (III) determine rules of access in respect of the archive of proceedings of Dáil Éireann and its Committees; and
- (IV) determine, subject to the consent of the Houses of the Oireachtas Commission, from time to time the fees to be payable in respect of broadcasting of proceedings of Dáil Éireann and its Committees;

(d) such other matters as may be referred to the Committee by the Commission from time to time.

(5) Every report which the Joint Committee may make shall be referred to the Commission and its Management Advisory Committee, which may prepare a formal response to the recommendations therein.

(6) The Standing Committee shall consist of fifteen members of Dáil Éireann and shall include the Party/Group Whips. The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann. The Joint Committee shall include at least one member of the Commission (whether Deputy or Senator). The Chairman of the Joint Committee shall be a member of Dáil Éireann.

(7) The Joint Committee shall have the following powers:

- (a) power to appoint sub-Committees as defined in Standing Order 85(3);
- (b) power to engage consultants as defined in Standing Order 85(8); and
- (c) power to travel as defined in Standing Order 85(9).

(8) The Joint Committee shall have power to nominate persons to assist it in its deliberations; and such persons shall attend such meetings as the Joint Committee may determine.

(9) The Joint Committee shall report to the Commission on its activities on an annual basis, by 31 December each year.

### **Committee on the Irish Language, Gaeltacht, the Islands and the Irish-speaking Community.**

**110A.** (1) There shall stand established following the reassembly of the Dáil subsequent to a General Election, a Standing Committee which shall be joined with a similar Committee of the Seanad to constitute the Joint Committee on the Irish Language, Gaeltacht, the Islands and the Irish-speaking Community, to perform the functions set out in this Standing Order, other than those set out at paragraph (3) which shall be performed by the Dáil Standing Committee.

(2) The Joint Committee shall consider policy matters relating to the Irish language, Gaeltacht, the Islands 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 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 Radio Teilifís Éireann and the Broadcasting Authority of Ireland in relation to the Irish language,
- (i) matters relating to Irish language broadcasters, including TG4, Raidio na Gaeltachta, Raidio na Life and Raidio RíRá, and
- (j) any other matters relating to the Irish language, Gaeltacht, the Islands and the Irish-speaking Community.

(3) The Dáil Standing Committee shall consider such—

- (a) Bills relating to the Irish language, Gaeltacht, the Islands and the Irish-speaking Community,
- (b) aspects of Estimates for Public Services as relate to the Irish language, Gaeltacht, the Islands and the Irish-speaking Community, and
- (c) other related matters,

as shall be referred to it by the Dáil,

and

- (d) such Value for Money and Policy Reviews and annual output statements, including performance, efficiency and effectiveness in the use of public moneys on the Irish language, Gaeltacht, the Islands and the Irish-speaking Community as the Committee may select.

(4) The Dáil Standing Committee shall consist of seven members of Dáil Éireann, of whom three shall constitute a quorum. 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 Chairman of the Dáil Standing Committee shall also be the Chairman of the Joint Committee.

(5) The Dáil Standing Committee shall have the powers defined in Standing Order 85(1), (2) and (3).

(6) The Joint Committee shall, in respect of its remit, have the powers defined in Standing Order 85, other than paragraphs (2A) and (6A) thereof.

(7) The Joint Committee shall be empowered under Standing Order 84A to consider—

- (a) the general scheme or draft heads of any Bill relating to the Irish language, Gaeltacht, the Islands and the Irish-speaking Community, and

- (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, the Islands and the Irish-speaking Community enacted by the Houses of the Oireachtas.

(8) The provisions of Standing Orders 87, 89 and 95 shall apply to the Dáil Standing and Joint Committee as appropriate.

(9) 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.

### **Consideration of European Affairs.**

**111.** (1)(a) Dáil Éireann, cognisant of the role of national parliaments in contributing actively to the good functioning of the European Union under the Treaty on European Union and the Treaty on the Functioning of the European Union, and of the need to promote and engage in European Union affairs, shall establish a Parliamentary Steering Group on EU Affairs whose function shall be to give parliamentary and cohesive direction in European Affairs matters to enhance the role of the Dáil in EU affairs through engagement with the Government and through Dáil Éireann and its Select Committees.

- (b) The Parliamentary Steering Group shall prioritise for debate in the Dáil motions in regard to reports from the Select Committees on EU Affairs or on other related EU matters and such business shall take precedence over other business in the Dáil subject to Standing Order 28: Provided that the Member of Government announcing business shall give an explanation to the Dáil if the priority business is not taken within two weeks of being prioritised and such explanation shall fix another date for the taking of such business.

- (c) The Parliamentary Steering Group shall be chaired by the Ceann Comhairle (*ex officio*) and will also comprise the Chairman of the Working Group of Committee Chairmen, the Chairman of the Select Committee on European Union Affairs and the Chairmen and Deputy Chairmen of other Select Committees established by Dáil Éireann under Standing Order 84A.

(2) Notwithstanding the generality of paragraph (1):—

- (a) A motion shall be tabled in advance of each EU Presidency by a Member of the Government for adoption by the Dáil setting out the Government’s priorities for the EU Presidency for the time being.
- (b) The Taoiseach will make statements to the Dáil in advance of and/or following each European Council meeting.
- (c) Notwithstanding the generality of Standing Orders 84A and 85 and having regard to the EC Annual Work Programme and the Government priorities for the EU Presidency for the time being as adopted, it shall be a function of the Select Committee on European Union Affairs to present an annual EU work programme for adoption by Dáil Éireann by way of motion which shall set out its own priorities and those of other Committees established under Standing Order 84A.

(3) Dáil Éireann and its Select Committees will promote engagement in European Union affairs, including through measures such as Europe Week and the consideration of EU proposals and initiatives, to foster greater public awareness of the role of the European Union.

(4) In accordance with the European Union (Scrutiny) Act 2002, the Select Committee on European Affairs shall make an annual report to Dáil Éireann on the operation in the preceding year of this Act and include in such report measures and oversight initiatives/activities, such as pre-EU Council engagement with Ministers, taken by Dáil Éireann and its Select Committees to promote the role of the EU.

#### JOINT COMMITTEE ON PUBLIC PETITIONS

##### **Joint Committee on Public Petitions.**

**111A.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee, which shall be joined with a similar Committee of Seanad Éireann, to form the Joint Committee on Public Petitions, to consider—

- (a) public petitions addressed to the Houses of the Oireachtas which shall stand referred to the Committee in accordance with Standing Orders 111B to 111E, inclusive;
- (b) such other matters as may be referred to the Committee by the Houses of the Oireachtas; and
- (c) any other related matters.

(1A) The Committee may also consider a matter of general public concern or interest in relation to the legislative powers of the Houses of the Oireachtas or an issue of public policy: Provided that prior to the commencement of such consideration, the Chairman of the Joint Committee shall consult with the relevant Committee established pursuant to Standing Order 84A.

(2) The Standing Committee shall consist of seven members of Dáil 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 Chairman of the Joint Committee shall be a member of Dáil Éireann.

(3) The Joint Committee shall have the following powers:

- (a) the powers defined in Standing Order 85, other than paragraphs (2A), (4A), (4B), (6A) and (6B) thereof; and
- (b) power to refer any matter which has been considered by it (and which has been concluded to be of sufficient importance to require additional consideration) to the relevant Joint Committee appointed under Standing Order 84A for further consideration and report back to the Committee.

(4) The provisions of Standing Order 95, other than paragraph (1) thereof, shall apply to the Joint Committee.

(5) The Joint Committee may engage with the Committee on Petitions of the European Parliament including in relation to the European Citizens' Initiative.

(6) It shall be an instruction to the Joint Committee that it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts in the exercise of its functions under Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993.

(7) The Joint Committee shall prepare an annual work programme and an annual report as outlined in Standing Order 89, which shall be laid before both Houses of the Oireachtas.

### **Lodging of petitions.**

**111B.** (1) A petition may be addressed to the Houses of the Oireachtas on a matter of general public concern or interest in relation to their legislative powers or an issue of public policy.

(2) A petition may be lodged by an individual person, a body corporate or an unincorporated association of persons.

(3) A petition shall clearly indicate—

- (a) the name of the petitioner;
- (b) an address of the petitioner to which all communications concerning the petition should be sent; and
- (c) the name and address of any person supporting the petition.

(4) All petitions addressed to the Houses of the Oireachtas shall stand referred to the Joint Committee on Public Petitions (referred to in this Standing Order and Standing Orders 111C, D and E as "the Committee").

(5) The Committee shall, from time to time, determine—

- (a) the proper form of petitions;
- (b) the manner in which petitions are to be lodged with the Houses; and
- (c) such other matters in relation to the consideration of petitions as the Committee considers appropriate and which are not otherwise provided for in these Standing Orders.

### **Admissibility of petitions.**

**111C.** (1) A petition is admissible unless it—

- (a) requests the Dáil to do anything other than the Dáil has power to do;
- (b) does not comply with Standing Orders or is otherwise not in proper form;
- (c) is *sub judice* within the meaning of Standing Order 59;



- (d) contains the name or names of individuals;
- (e) contains language which is offensive or in the nature of being defamatory;
- (f) is the same as, or in substantially similar terms to, a petition brought by or on behalf of the same person, body corporate or unincorporated association during the lifetime of that Dáil and which was closed by agreement of the Committee;
- (g) is frivolous, vexatious or otherwise constitutes an abuse of the petitions system; and
- (h) requires the Committee to consider an individual complaint which has been the subject of a decision by an Ombudsman, or by a regulatory public body or a body established for the purpose of redress.

(2) In relation to admissible petitions, where a petition deals with—

- (a) local or regional matters; or
- (b) matters which are more appropriate to a regulatory public body or a body established for the purpose of redress;

the Committee shall establish that all available avenues of appeal or redress have been utilised by the petitioner prior to the Committee considering the matter.

(3) The Committee shall consider and decide in a case of dispute whether a petition is admissible and shall notify the petitioner of its decision and of the reasons for that decision.

#### **Actions in relation to petitions.**

**111D.** (1) If a petition is admissible, the Committee shall take such action as it considers appropriate in relation to that petition.

(2) Without prejudice to the generality of paragraph (1), the Committee may—

- (a) refer the petition to an Ombudsman or a regulatory public body or a body established for the purpose of redress;
- (b) refer the petition to any other Committee as it considers appropriate, with a request for further consideration and report back to the Committee; and
- (c) report to the Dáil with recommendations, including a request that the report be debated by the Dáil.

(3) The Committee shall notify the petitioner of any action taken under paragraph (2).

#### **Closing of petitions.**

**111E.** (1) The Committee may close a petition at any time.

(2) Where the Committee closes a petition it shall notify the petitioner that the petition is closed and of the reasons for closing it.

### **Consideration of Ombudsman report.**

**111F.** Where a Select Committee does not under Standing Order 84A(8)(b) consider an 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 Oireachtas, the Committee shall proceed to consider the Ombudsman report, or any portions thereof not considered by the Select Committee.

ROLE OF DÁIL ÉIREANN UNDER ARTICLE 29.4 OF THE CONSTITUTION (TREATY ON EUROPEAN UNION AND TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION: THE LISBON TREATY)

### **Transitional arrangements.**

**112.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Select Committee which shall stand conferred with the powers set out in Standing Orders 114, 115 and 116.

(2) The Dáil shall, not later than the third sitting day following such reassembly, appoint thirteen members to the Select Committee established under paragraph (1) of this Standing Order, of whom five shall constitute a quorum, and in so doing, shall—

- (a) define the functions to be performed by the Select Committee, and
- (b) define the powers, if any, to be devolved upon the Select Committee under Standing Order 85.

### **Instructions to certain Select Committees.**

**113.** (1) A Select Committee on which powers have been conferred under Standing Orders 114, 115 or 116 and which has been joined with a Select Committee appointed by Seanad Éireann to form a Joint Committee may nevertheless decide to act as a Select Committee of the Dáil in respect of a specified matter or matters or for a specified time period for the purpose of exercising the said powers.

(2) It shall be an instruction to a Select Committee on which powers have been conferred under Standing Orders 114, 115 or 116 that it shall not enter into consideration of any matter comprehended by the aforementioned Standing Orders where such matter is already under consideration by another Select Committee.

(3) Each Select Committee on which powers have been conferred under Standing Orders 114, 115 or 116 shall have power to request of another Select Committee of either House on which such powers have been similarly conferred that a joint meeting of both Committees be held to consider a specific matter or matters of common activity and, in the case of any such joint meeting—

- (a) the Chairman of the requesting Committee shall act as Chairman and, in the unavoidable absence of the Chairman, the provisions of Standing Order 93(3) and (4) shall apply;
- (b) the quorum provisions of both Committees shall apply with the modification that each such quorum shall be halved and then rounded up to the next nearest whole number; and

- (c) the orders of reference of the two Committees shall apply only insofar as they are common to both.

**Draft legislative acts: eight week limit to express opinion on infringement of subsidiarity (“yellow and orange card”).**

**114.** (1) In accordance with Article 6 of Protocol No. 2 to the Treaty on European Union and the Treaty on the Functioning of the European Union (*Protocol on the Application of the Principles of Subsidiarity and Proportionality*) as applied by section 7(3) of the European Union Act 2009, the Dáil may empower a Select Committee to form a reasoned opinion that a draft legislative act (within the meaning of Article 3 of the said Protocol) does not comply with the principle of subsidiarity.

(2) All draft legislative acts forwarded to the Dáil under Article 4 of the said Protocol shall stand referred to a Select Committee empowered under this Standing Order.

(3) It shall be an instruction to a Select Committee empowered under this Standing Order that—

- (a) in forming a reasoned opinion on whether a draft legislative act complies with the principle of subsidiarity, the Committee shall consult with such other Committees and such stakeholders as it considers appropriate;
- (b) where the Committee is of the opinion that a draft legislative act does not comply with the principle of subsidiarity, it shall submit a reasoned opinion to this effect by way of a report which shall be laid before the Dáil; and
- (c) where a report has been laid by the Committee under paragraph (3)(b) of this Standing Order, the Chairman shall forthwith table a motion thereon under section 7(3) of the European Union Act 2009, and such motion shall be given priority on the Order Paper in accordance with Standing Order 30;

Provided that the Dáil may substitute, add to or otherwise vary, the reasoned opinion set out in the Committee’s report by way of amendment to the motion tabled by the Chairman under this paragraph.

(4) Where the Dáil agrees a motion tabled pursuant to paragraph (3)(c) of this Standing Order, either with or without amendment, the Ceann Comhairle shall cause a copy of—

- (a) the Resolution agreed by the Dáil,
- (b) the reasoned opinion agreed by the Dáil, and
- (c) the report of the Committee referred to in paragraph (3)(c),

to be sent to the Presidents of the European Parliament, the Council and the Commission.

**Changes in EU decision-making: six month limit to oppose (“red card”).**

**115.** (1) The Dáil may empower a Select Committee to consider such notifications under—

- (a) the third subparagraph of Article 48.7 of the Treaty on European Union (*general passerelle*: change from unanimity to qualified majority or from special legislative procedure to ordinary legislative procedure) as applied by section 7(1) of the European Union Act 2009, and
- (b) the third subparagraph of Article 81.3 of the Treaty on the Functioning of the European Union (*family law passerelle*: change to ordinary legislative procedure for measures concerning family law with cross-border implications) as applied by section 7(2) of the European Union Act 2009,

as may be referred to the Committee from time to time by the Dáil.

(2) It shall be an instruction to a Select Committee empowered under this Standing Order that—

- (a) in considering such notifications, the Committee shall consult with such other Committees and such stakeholders as it considers appropriate;
- (b) where the Committee is opposed to the decision to which the notification refers, it shall lay a report to this effect before the Dáil;
- (c) where a report has been laid by the Committee under paragraph (2)(b) of this Standing Order, the Chairman shall forthwith table a motion thereon under section 7(1) or 7(2) of the European Union Act 2009, as appropriate, which shall be given priority on the Order Paper in accordance with Standing Order 30; and
- (d) where the Committee is not opposed to the decision to which the notification refers, it shall send a Message to this effect to the Dáil in accordance with the procedure set out in Standing Order 90.

(3) The Ceann Comhairle shall cause a copy of all Resolutions made by the Dáil under paragraph (2)(c) of this Standing Order to be sent to the President of the European Council or the Council as appropriate, together with a copy of the Report to which the Resolution refers.

**Legislative acts: infringement of subsidiarity: request for review by EU Court of Justice.**

**116.** (1) In accordance with Article 8 of Protocol No. 2 to the Treaty on European Union and the Treaty on the Functioning of the European Union (*Protocol on the Application of the Principles of Subsidiarity and Proportionality*) as applied by section 7(4) of the European Union Act 2009, the Dáil may empower a Select Committee to consider whether any act of an institution of the European Union infringes the principle of subsidiarity.

(2) It shall be an instruction to a Select Committee empowered under this Standing Order that—

- (a) in considering whether an act of an institution of the European Union infringes the principle of subsidiarity, the Committee shall consult with such other Committees and such stakeholders as it considers appropriate;
- (b) where the Committee is—

- (i) of the opinion that an act of an institution of the European Union infringes the principle of subsidiarity; and
- (ii) wishes that proceedings seeking a review of the act concerned be brought to the Court of Justice of the European Union,

it shall lay a report to this effect before the Dáil; and

- (c) where a report has been laid by the Committee under paragraph (2)(b) of this Standing Order, the Chairman shall forthwith table a motion thereon under section 7(4) of the European Union Act 2009, which shall be given priority on the Order Paper in accordance with Standing Order 30.

(3) The Ceann Comhairle shall cause a copy of all Resolutions made by the Dáil in accordance with paragraph (2)(c) of this Standing Order to be sent to the relevant Minister.

## PART 2 INQUIRIES

### **Part 2 inquiries.**

**117.** (1) The Dáil shall approve the conducting of Part 2 inquiries<sup>40</sup> in accordance with these Standing Orders.

(2) A Committee which proposes to conduct a Part 2 inquiry shall make a relevant proposal in that regard, under Standing Order 118, to a Committee designated by the Dáil under these Standing Orders to receive such proposals.

(3) The Committee designated to receive relevant proposals shall cause those proposals to be evaluated and shall make a relevant report on those relevant proposals.

(4) The terms of reference for a Part 2 inquiry must be approved by the Dáil, in accordance with Standing Order 121, and no Terms of Reference Resolution shall be passed, or be declined to be passed, by the Dáil, prior to the consideration of the report prepared under paragraph (3).

(5) The publication of final or interim reports<sup>41</sup> of a Committee conducting a Part 2 inquiry shall be approved by the Dáil in accordance with Standing Order 123.

### **Committee on Procedure to receive notice of relevant proposal.**

**118.** (1) The Committee on Procedure shall be the designated Committee under Standing Order 117(2) to receive notice of a relevant proposal from any Committee which proposes to conduct a Part 2 inquiry.

(2) The Committee on Procedure shall from time to time devise and lay before the Dáil rules and procedures relating to evaluation of relevant proposals, including rules and procedures relating to any consultation on and method of assessment of relevant proposals.

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<sup>40</sup> See definition in S.O. 118.

<sup>41</sup> See Part 4 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 in relation to reports of Committees conducting Part 2 inquiries.

(3) For the purposes of these Standing Orders, except where otherwise indicated, “Part 2 inquiry” means an inquiry under Chapter 1 of Part 2 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

(4) For the purposes of these Standing Orders, except where otherwise indicated, interim and final reports in relation to Part 2 inquiries shall mean interim and final reports under sections 33(1) and 34(1) of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

**Relevant proposal.**

**119.** A relevant proposal under Standing Order 117(2) shall address or contain, in so far as is practicable—

- (a) the type of Part 2 inquiry proposed pursuant to sections 7 to 11, inclusive, of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013;
- (b) the matter or matters the subject of the proposed inquiry, to specify, as far as is practicable, the conduct, events, activities, circumstances, systems, practices or procedures to be inquired into, including—
  - (i) the dates on which, or the periods during which, the conduct or events occurred, the activities were undertaken, the circumstances arose, or the systems, practices or procedures were in operation,
  - (ii) the location or area where the conduct or events occurred, the activities were undertaken, the circumstances arose, or the systems, practices or procedures were in operation, and
  - (iii) the persons to whom that conduct or those events, activities or circumstances relate, or whose activities, systems, practices or procedures are to be inquired into;
- (c) whether the matter or matters relate to a function of the Dáil;
- (d) the reason the matter or matters ought to be the subject of a Part 2 inquiry, rather than being examined through other forms of parliamentary investigation;
- (e) in relation to the Committee proposing to conduct the inquiry—
  - (i) the reason that it, further to its existing orders of reference, considers that it ought to conduct the inquiry, or
  - (ii) the changes, if any, to its existing orders of reference, which are, in its opinion, necessary for it to conduct the inquiry;
- (f) the anticipated time schedule for the proposed inquiry, including whether it is proposed to conduct the proposed inquiry in a single period or in phases;
- (g) the changes, if any, to statute law, which are, in the opinion of the Committee proposing to conduct the inquiry, necessary to conduct the inquiry;

- (h) a draft Terms of Reference Resolution, which shall state, *inter alia*, whether the Committee proposing to conduct the inquiry, in conducting it—
    - (i) proposes to make findings of fact, including findings of fact that may impugn the good name of a person (depending on the type of inquiry proposed), or in relation to relevant misbehaviour,
    - (ii) proposes to make recommendations arising from—
      - (I) its findings of fact, or
      - (II) the findings of fact made by another Committee in conducting another Part 2 inquiry if the terms of reference for that other Part 2 inquiry expressly state that its findings of fact may be used in other Part 2 inquiries,
    - (iii) proposes that its findings of fact, if any, may be used by another Committee in conducting another Part 2 inquiry,
    - (iv) has or is to have the power to send for persons, papers or records;
- and
- (i) such other matters in relation to the proposed inquiry as the Committee on Procedure considers appropriate.

**Committee on Procedure consideration of relevant proposal.**

**120.** When considering a relevant proposal made pursuant to Standing Orders 117(2) and 119, the Committee on Procedure shall consider—

- (a) whether a proposed Part 2 inquiry should be conducted;
  - (b) if it should not be conducted, whether an alternative course of action should be considered;
  - (c) if the inquiry should be conducted—
    - (i) the Committee by which it should be conducted;
    - (ii) the manner, under sections 7 to 11, inclusive, of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, in which it should be conducted; and
    - (iii) the draft Terms of Reference Resolution for the proposed inquiry;
- and
- (d) such other matters in relation to the proposed inquiry as the Committee on Procedure considers appropriate.

### **Relevant report and Terms of Reference Resolution.**

**121.** (1) The Committee on Procedure shall cause to be prepared a relevant report under Standing Order 117(3) on any relevant proposals it receives for a Part 2 inquiry and shall, as soon as is practicable after its adoption of the relevant report, lay the relevant report before the Dáil, and a member nominated by the Committee on Procedure shall table a motion to consider the relevant report and the recommendations contained therein.

(2) The relevant report shall make recommendations in relation to the matters contained in Standing Order 120, and may include the draft Terms of Reference Resolution in relation to the relevant proposal, with any amendments thereto which are considered appropriate by the Committee on Procedure, for consideration by the Dáil.

(3) The Dáil shall consider the relevant report and the recommendations therein and shall neither pass nor decline to pass a Terms of Reference Resolution under Standing Order 117(4) in relation to the relevant proposal until such consideration has been given.

### **Subsequent inquiry.**

**122.** If a Committee conducting a Part 2 inquiry wishes to conduct a consequential inquiry not covered by the Terms of Reference Resolution passed by the Dáil, it shall give further notice in writing of an additional relevant proposal to the Committee on Procedure, to which additional relevant proposal the provisions of Standing Orders 117 to 121, inclusive, shall apply.

### **Part 2 inquiry reports.**

**123.** Notwithstanding the generality of Standing Orders 88 and 89<sup>42</sup>, where a Committee conducting a Part 2 inquiry makes an interim or final report, the report shall first be sent to the Clerk of the Dáil, who shall as soon as is practicable arrange for its circulation to members. Where members have been circulated with such a report by the Clerk of the Dáil, the Dáil may, where the report is an interim report, subsequently order that the report be laid before the Dáil and made public, and shall, where the report is a final report, order that the report be laid before the Dáil and made public.

### **Duty of member to uphold integrity of inquiry.**

**124.** It shall be a general duty of a member to uphold the integrity of a Part 2 inquiry, including maintaining the confidentiality of deliberations and documents relating to the inquiry.

### **Discharge from Committee.**

**125.** (1) Where a member of a Committee which is conducting a Part 2 inquiry contravenes a direction given to him or her by the Chairman to cease particular questioning, the Committee may agree to report to the Dáil, recommending that the member in question be discharged from the Committee.

(2) Where a Committee which is conducting a Part 2 inquiry considers that one of its members has contravened a requirement of the Inquiries Act applicable to the Part 2 inquiry,

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<sup>42</sup> See Part 3 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 in relation to Part 2 inquiries and fair procedures.



and, in the opinion of the Committee, the contravention is a serious contravention, the Committee may agree to report to the Dáil—

(a) specifying the relevant section of the Inquiries Act containing the requirement which has been contravened, and the evidence relating to the contravention; and

(b) recommending that the member in question be discharged from the Committee.

(3) In performing its functions under paragraph (2), the Committee shall at all times have due regard to the Constitutional principles of basic fairness of procedures and the requirements of natural and Constitutional justice.

(4) As soon as is practicable after its adoption of a report under paragraph (1) or paragraph (2), the Committee shall lay the report before the Dáil, and the Chairman shall table a motion, as soon as is practicable, proposing that the Dáil takes note of the recommendation in the report and discharges the member in question from the Committee.

(5) The Dáil shall consider a motion under paragraph (4) as soon as is practicable.

(6) The provisions of Standing Order 123 shall not apply to a report under this Standing Order.

(7) References in this Standing Order to “the Inquiries Act” are references to the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

## VISITORS

### **Introduction of visitors by members: Press.**

**126.** Visitors may be introduced by members to such places as may be reserved for them by the Ceann Comhairle, and authorised representatives of the Press may be present at sittings of the Dáil, or of a Committee of the whole Dáil.<sup>43</sup>

### **Exclusion of visitors and Press representatives in emergency.**

**127.** In case of special emergency, a member of the Government may move, without notice, that all visitors and Press representatives be excluded from the Chamber, and this shall be done by direction of the Ceann Comhairle, with the assent of two-thirds of the members present.<sup>44</sup>

## OFFICE OF CLERK AND RECORDS OF THE DÁIL

### **Journal of the Dáil.**

**128.** All proceedings of the Dáil, or of the Committee of the whole Dáil, shall be noted by the Clerk, and the minutes of proceedings after being perused and signed by the Ceann Comhairle shall constitute the Journal of the Proceedings of the Dáil which shall then be printed.

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<sup>43</sup> See also S.O. 96.

<sup>44</sup> See Article 15.8.2° of the Constitution.

### **Custody of records and documents.**

**129.** The Clerk shall have custody of all Journals of Proceedings, records, or other documents belonging to the Dáil, and he or she shall neither take nor permit to be taken any such Journals of Proceedings, records or documents from the Chamber or offices, without the express leave or Order of the Dáil, except as otherwise provided for in these Standing Orders: Provided, however, that in the event of the Dáil being adjourned for any period longer than a week, such leave may be given by the Ceann Comhairle who shall report the same to the Dáil upon its reassembling.

### **Control over Parliamentary staff.**

**130.** The Clerk shall have the direction and control over all the officers and joint staff, subject to such orders as he or she may, from time to time, receive from the Ceann Comhairle, or the Dáil.

### **Absence of Clerk.**

**131.** All the duties devolved upon, and all the powers conferred upon, the Clerk by these Standing Orders or by law, shall in his or her absence and to the extent permitted by law, be performed or exercised by the Clerk-Assistant.

### **Absence of Clerk and Clerk-Assistant.**

**132.** If both the Clerk and the Clerk-Assistant be absent, the Ceann Comhairle may appoint, for the time being, a member of the joint staff of the Houses of the Oireachtas to perform the duties devolved upon, and exercise the powers conferred upon the Clerk by these Standing Orders.

## OFFICIAL DOCUMENTS, PRIVATE PAPERS AND CONFIDENTIAL COMMUNICATIONS

### **Official documents and private papers.**

**133.** (1) Unless the context otherwise requires:

- (a) an “official document” in Standing Order 134 means an official document for the purposes of that Standing Order, and in Standing Order 136 means an official document as defined in section 112(1) of the 2013 Act;
- (b) any reference to Standing Order 134 includes a reference to the Schedule to these Standing Orders;
- (c) a “private paper” in Standing Order 135 means a private paper for the purposes of that Standing Order;
- (d) the “2013 Act” in this Standing Order and in Standing Orders 136 and 137 means the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013; and
- (e) in Standing Order 135 and the Schedule to these Standing Orders “office-holder” means the Taoiseach, the Tánaiste, a Minister of the Government, a Minister of State, or a member who is the Attorney-General.

(2) The conferral of protection on a document by or by virtue of Standing Order 134 or 135 does not waive or prejudice the entitlement of any person (including the Dáil or any of its Committees) to invoke any other privilege or immunity, for example, legal professional privilege or public interest immunity, that may attach, or may arguably attach, to the document.

(3) In the Schedule to these Standing Orders, an “officer of the Dáil” means the Ceann Comhairle, the Leas-Cheann Comhairle, any temporary Chairman, the Chairman or vice-Chairman of any Committee of the Dáil, the Clerk, and the Clerk-Assistant, and the Clerk of any Committee of the Dáil, and anything done by or to some person on a member’s staff in that person’s capacity as such is to be treated as having been done by or to the member.

(4) A document which is an official document for the purposes of Standing Order 134 or a private paper for the purposes of Standing Order 135, must be treated as confidential, and is required by these Standing Orders to be kept confidential.

(5) In Standing Orders 134 and 135 “document” imports the definition contained in section 2(1) of the 2013 Act, and extends to a copy of the document at any remove.

#### **Official documents and the Constitution.**

**134.** (1) This Standing Order is made for the purposes of giving effect to Article 15.10 of the Constitution in so far as it provides for the protection of the official documents of the Dáil.

(2) For the purpose of this Standing Order, official documents are all documents in the custody of, or belonging to, the Dáil or a Committee of the Dáil, or over which the Dáil or Committee exercises control, and which:

- (a) are or have been prepared for the purposes of, or purposes incidental to, transacting any business of the Dáil or of such a Committee,
- (b) are or have been created by or pursuant to these Standing Orders, or to an Order or direction of the Dáil or of such a Committee,
- (c) are or have been given in evidence to the Dáil or to such a Committee, or
- (d) are or have been presented or submitted to the Dáil or to such a Committee:

unless the document has been, or is presently to be, laid before the Dáil or has been, or is presently to be, otherwise lawfully placed in the public domain.

- (3) (a) The categories of documents in the Schedule to these Standing Orders are, subject to subparagraph (d) of this paragraph, to be treated as falling within the scope of paragraph (2)(a) or (2)(b).
- (b) The Committee on Procedure may, subject to this Standing Order, designate other categories of documents that are to be treated as falling within paragraph (2)(a) or (2)(b), and may at any time vary or revoke that designation.
- (c) Any designation, variation, or revocation referred to in subparagraph (b) of this paragraph must be published as soon as practicable after it is made.

- (d) Documents proffered to the Clerk of a Committee of the Dáil but which the Committee declines to receive, and documents given to such a Committee but which have ceased by decision of the Committee in accordance with statute to be documents of that Committee, are not, and are to be treated as never having been, official documents, unless they qualify on some other ground.

(4) The Clerk must not afford access to, or allow disclosure of, an official document unless, and to the extent that, that access or disclosure is provided for in or under paragraph (5) or (6) or otherwise in or under these Standing Orders.

- (5) (a) At any time, access to a specified official document, or specified official documents, may be afforded, or disclosure of it or them allowed, whether generally or for a specific purpose, and whether unconditionally or on terms:

(i) by Resolution of the Dáil; or

(ii) by the Committee on Procedure on behalf of the Dáil.

- (b) Should the Dáil be adjourned for any period longer than a week, the function exercisable by the Committee on Procedure or the Dáil under subparagraph (a) may be exercised by the Ceann Comhairle who must report his or her having done so to the Dáil once it reassembles.

- (c) The Committee on Procedure, the Dáil, or the Ceann Comhairle must, in exercising their powers under subparagraph (a) or (b), have regard to:

(i) the extent to which the document or documents relates or relate to a matter of public importance or public interest;

(ii) the rights and interests of any person affected; and

(iii) any other relevant circumstances.

- (6) (a) The grant of access to, or the disclosure of, an official document afforded by or on behalf of the Dáil or a Committee of the Dáil, to the Houses of the Oireachtas Commission or its staff, for the purpose of enabling either that Commission or the Houses of the Oireachtas Service to discharge its statutory functions:

(i) does not require any consent provided for in or under paragraph (5), any leave or Order under Standing Order 129, or any other permission under these Standing Orders however described;

(ii) does not place the document in the public domain, or otherwise impinge on its confidentiality; and

(iii) does not deprive the document of its status as an official document.

- (b) A member who has possession of, or access to, an official document in accordance with these Standing Orders or by other lawful authority may use, without any consent provided for in or under paragraph (5) or otherwise in or under these Standing Orders,

the official document for the purposes of, or purposes incidental to, transacting any business of the Dáil or of a Committee of the Dáil, once that use is contemplated by these Standing Orders, and even if the document comes into the public domain as a result.

(7) The leave or Order contemplated by Standing Order 129 must not in respect of an official document be granted or made other than in accordance with this Standing Order.

(8) A member must not, except as provided for in or under paragraph (5) or (6) or otherwise in or under these Standing Orders, disclose in public any official document or the contents of that document. Disclosure by any member, in breach of this paragraph, of an official document or its contents, is *prima facie* an abuse of privilege.

(9) (a) This Standing Order's protection extends to documents in the custody of, or belonging to, both Houses of the Oireachtas or a Joint Committee, or over which both Houses or a Joint Committee exercise control, provided that the terms of this Standing Order affording that protection have a counterpart in the Standing Orders of the Seanad.

(b) The grant of access to, or disclosure of, an official document described in subparagraph (a) may be allowed or afforded where:

- (i) the provision in this Standing Order for affording that access or allowing that disclosure has a counterpart in the Standing Orders of the Seanad; and
- (ii) if consent provided for in or under paragraph (5) or otherwise in or under these Standing Orders is required for that access or disclosure, concurring consents are granted by both Houses.

### **Private papers and the Constitution.**

**135.** (1) This Standing Order is made for the purposes of giving effect to Article 15.10 of the Constitution in so far as it provides for the protection of the private papers of members.

(2) For the purpose of this Standing Order, the private papers of a member are all documents concerning which the member has a reasonable expectation of privacy, and:

(a) which are prepared for the purposes of, or purposes incidental to:

- (i) transacting any business of the Dáil or any Committee of the Dáil; or
- (ii) the member's role as public representative; but

(b) which are not:

- (i) where the member is an office-holder, documents relating to the member's functions as office-holder (whether those documents are held by the member, by the office-holder's Department or Office, by any of his or her special advisers, or by some other person); or
- (ii) lawfully in the public domain.

(3) A reference to a member in this Standing Order includes:

- (a) where the context admits, a former member in his or her capacity as a former member, and
- (b) where the context requires, a deceased member, as well as his or her executors or administrators in their capacity as executors or administrators.

(4) A member is entitled to refuse a request for access to, or disclosure of, any of his or her private papers, and if the request is made in the first instance to the Dáil, to any of its Committees, or to the Clerk, the Clerk must refuse the request and without delay inform the member that it has been made.

(5) A member must not disclose in public the private paper of any other member or the contents of that private paper other than with the express consent of that other member. Disclosure by any member, in breach of this paragraph, of another member's private paper or its contents, is *prima facie* an abuse of privilege.

#### **Official documents and the 2013 Act.**

**136.** (1) This Standing Order is made to give further effect to Part 11 of the 2013 Act in respect of the official documents of the Dáil.

(2) On the approval of this Standing Order by the Dáil, the Committee on Procedure stands appointed as the Part 11 committee provided for in Part 11 of the 2013 Act.

(3) The Part 11 committee may at any time, either of its own motion or on application by any member, give, vary, or revoke a direction pursuant to section 113(1) of the 2013 Act specifying the categories of documents which are to be official documents, and any such direction, variation, or revocation must be published as soon as practicable after it is made.

(4) Where a document is held jointly by the Dáil and the Seanad, that document is not an official document of either House for the purposes of the 2013 Act unless there is in force a direction of the Part 11 committees of both Houses that the category of documents to which the document belongs stands designated as official documents.

(5) (a) The Part 11 committee may consider an application for access to, or disclosure of, an official document or official documents, and may make a recommendation to the Dáil in respect of that application.

(b) The Dáil may, subject to subparagraph (c), by Resolution consent fully or in part to such an application, and that Resolution is the consent in writing of the Dáil given in accordance with these Standing Orders as contemplated by section 114(1)(a) of the 2013 Act.

(c) Access to, or disclosure of, an official document of both Houses requires the concurring consents in writing of both Houses.

(d) A consent under subparagraph (b) may either be general or for a specific purpose, and may be unconditional or on terms.

### **Private papers, confidential communications and the 2013 Act.**

137. (1) This Standing Order is made to give further effect to Part 10 of the 2013 Act in respect of the private papers and confidential communications of any member.

(2) On the approval of this Standing Order by the Dáil, the Committee on Procedure stands appointed as the Part 10 committee provided for in Part 10 of the 2013 Act.

(3) The Part 10 committee may prepare guidelines and protocols as contemplated by section 108 of the 2013 Act and recommend their adoption by the Dáil.

### OFFICIAL REPORT OF DEBATES

#### **Issue under supervision of Ceann Comhairle.**

138. (1) An Official Report of the Debates of the Dáil for each sitting shall be issued under the supervision of the Ceann Comhairle.

(2) Where a member so requests, the Ceann Comhairle shall direct that a concise tabular statement containing statistical information which is directly relevant to the member's speech be furnished in the Official Report of the Debates: Provided that—

- (a) each such statement reaches the Editor of Debates prior to the making of the speech to which it relates and is referred to in the course of such speech, and
- (b) such statement or statements do not exceed one-third of the member's speech in length.

(2A) In relation to a division of the House, where a member so requests, the Ceann Comhairle shall direct that the member's brief explanation for the way in which he or she voted, or for his or her abstention from the vote, be furnished in the Official Report of the Debates, provided that the member makes their request within one week of the division.

(3) A copy of the Official Report of the Debates, or any part thereof, as well as every other publication of the Dáil, shall be made available to every member either in electronic or printed form or both, as may be recommended by the Committee on Procedure to the Ceann Comhairle who shall make a determination on such recommendation, except that the editions to which paragraph (5) applies shall be in both forms.

(4) Notwithstanding paragraph (3), the exclusion of any element of the Official Report of the Debates from the unrevised edition shall not affect its standing as a publication of the Dáil.

(5) A revised edition of the Official Report of the Debates shall be prepared in bound volumes, at such periods as the Ceann Comhairle shall determine.

(6) The Ceann Comhairle shall have the exclusive right to authorise, where necessary, the reproduction, in any form, of the Official Report of the Debates: Provided that the Ceann Comhairle may, where appropriate, direct and authorise the Clerk of the Dáil to enter into and make the necessary arrangements with third parties for their reproduction.

(7) Without prejudice to the generality of paragraph (4) and notwithstanding their exclusion from the unrevised edition of the Official Report of Debates in accordance with paragraph (3), the standing of the text of, and answers to, all Questions which have been distinguished by an asterisk in accordance with Standing Order 42(2) or in respect of which an answer shall be provided in the Official Report of Debates in accordance with Standing Order 42(3) shall be that which would have applied had they not been so excluded.

#### BROADCASTING OF PROCEEDINGS

##### **Conditions on broadcasting of proceedings.**

**139.** The broadcasting on sound and vision of the proceedings of the Dáil and its Committees by national, local and foreign broadcasters, and also on the internet via the world wide web, shall be authorised subject to the following conditions:

- (a) that recordings or extracts of the proceedings shall not be used in programmes of light entertainment, political satire, party political broadcasts or in any form of advertising or publicity, other than in the form of news and current affairs programme trailers;
  - (b) that broadcasters shall ensure political balance in the material they use;
  - (c) that, subject to the approval of the Joint Administration Committee or a sub-Committee thereof, broadcasters may be permitted to carry live coverage of any item of business subject to the following provisos:
    - (i) that such item shall not be interrupted by commentary, analysis or commercial breaks, and
    - (ii) that such item may not be re-broadcast in whole or in part except as permitted in and subject to the terms of this Standing Order;
- and
- (d) that copyright of all audio and televised material shall be vested in the Ceann Comhairle on behalf of Dáil Éireann and its Committees.

#### PRIVATE MEMBERS' BUSINESS

##### **Allocation of time between Government business and private members' business.**

**140.** (1) Government business or Private Business, as the case may be, shall be interrupted to take private members' business—

- (a) on Tuesdays, for two hours, commencing either at 8 p.m., or at a later time (the later time to be determined by adding to the 8 p.m. start time any time taken on a division on the Order of Business), and
- (b) on Wednesdays for two hours immediately following topical issues under Standing Order 29A: Provided that the Business Committee may, where divisions on



Government business are likely to occur, decide that the Government business will be taken at that time and the private members' business deferred until 8.15 p.m.:

Provided that, where leave has been given to make a motion under Standing Order 34, such motion shall have priority.

(2) Immediately following topical issues on Thursdays, one of the following items of business (having been selected by the Business Committee pursuant to Standing Orders 91, 140A or 148D) shall be taken for not more than two hours:

- (a) the Second Stage of a Bill initiated by a private member,
- (b) a motion for a Committee report, or
- (c) a motion relating to the Order for Committee Stage of a private member's Bill.

(3) A member of the Business Committee may move on behalf of the Committee and without notice, on the Order of Business on any Tuesday or at the commencement of Public Business on any Wednesday or Thursday that, on that day or during the period specified in the motion, specified Government business or Private Business, as the case may be, shall not be interrupted if under consideration at the time fixed for taking private members' business. Such motion shall be decided without amendment.

**Private members' Bills on alternate Thursdays.**

**140A.** (1) Any member other than a member of the Government or Minister of State may give notice that he or she wishes to bring forward for consideration, on an alternate Thursday, a Bill that has been initiated by him or her and that is listed on the Order Paper at Second Stage or Order for Second Stage: Provided that such notice shall be received by the Business Committee not later than 11 a.m. on the fourth day preceding the weekly meeting of the Business Committee.

(2) The private member's Bill to be considered on an alternate Thursday shall be determined by the Business Committee.

(3) Any Bill to be considered on an alternate Thursday pursuant to this Standing Order shall be set down for Second Stage and the time allowed for the debate on the motion for second reading shall not exceed a period of two hours in the aggregate:

Provided that the following time limits and sequence of speakers shall apply to the debate:

- (a) the speeches of—
  - (i) the member proposing the motion for the second reading of the Bill, and
  - (ii) a member of the Government or Minister of State,shall not exceed 15 minutes in each case;
- (b) the speech of each other member called upon shall not exceed ten minutes;

- (c) a member of the Government or Minister of State, who may speak twice, shall be entitled to make a speech immediately before the reply by the proposer, which shall not exceed five minutes;
- (d) the proposer shall be entitled to not more than ten minutes for a speech in reply; and
- (e) all members shall be entitled to share their time.

**Private members' Bills referred to Select Committee before 15th January 2019.**

**141.** Select Committees to which private members' Bills are referred before 15<sup>th</sup> January 2019 shall undertake detailed scrutiny of the provisions of such Bills, and shall report to the Dáil thereon prior to Committee Stage consideration: Provided that:

- (a) the Committee may decide in relation to a particular Bill referred before 15<sup>th</sup> January 2019 that detailed scrutiny is not necessary; and
- (b) Standing Orders 148A, 148B (save for paragraph (2) thereof), and 148D shall not apply to such Bills; and
- (c) nothing in this Standing Order shall preclude a Joint Committee from undertaking the detailed scrutiny and reporting thereon to both Houses prior to Committee Stage consideration of the Bill by the Select Committee.

**Adjourned business of private members.**

**142.** Should the debate on any motion or Bill moved by a private member be adjourned, the adjourned proceedings on such motion or Bill shall, unless the Dáil shall otherwise order, be given priority over new business introduced by a private member, and over private members' business postponed under the provisions of Standing Order 196, on the next ensuing occasion set apart for the consideration of private members' business.

GROUPS

**Groups.**

**143.** (1) A group is a body of members in Opposition who may avail of the rights provided for in these Standing Orders for groups.

(2) The minimum number of members required to be recognised as a group is five.

(3) Where members of a registered political party are elected to the Dáil, those elected members are referred to in these Standing Orders as a "party", and such a party is automatically recognised as a group where it has five members or more.

(4) A body of members which includes any combination of the following categories of members—

- (a) members of a party with five members or more,
- (b) members of a party with fewer than five members,

(c) non-party members,

may also be recognised as a group, and shall be referred to as a technical group.

(5) A group may not include—

(i) a party which contains a Minister or Minister of State;

(ii) a member who is a Minister or Minister of State;

(iii) some of the members of a party but not the others.

(6) A member of a technical group may not also be a member of another technical group.

(7) There is no limit on the number of groups which may be recognised in a Dáil.

**Rights of groups: members may not benefit “on the double”.**

**143A.** (1) Groups have the rights assigned to them in these Standing Orders in relation to—

(i) Leaders’ Questions,

(ii) Questions nominated for priority,

(iii) private members’ business,

(iv) the opening speeches on the motion for the second reading of a Bill,

(v) the right to make a brief statement opposing a proposal on the Order of Business, and

(vi) such other rights as may be provided for groups in these Standing Orders.

(2) A party which is automatically recognised as a group, and which has joined with other members to form a technical group, may only avail of those rights arising from its membership of a technical group.

**Recognition of groups: writing to the Ceann Comhairle.**

**143B.** (1) A party with five members or more is automatically recognised as a group, and need not write to the Ceann Comhairle for recognition.

(2) Members who seek to be recognised as a technical group shall send a request in writing to the Ceann Comhairle, signed by each of the members making the request.

**Joining a group.**

**143C.** The addition of a member to a technical group is recognised where the coordinator of the technical group and the new member sign a notification in writing to the Ceann Comhairle to that effect.

### **Cessation of membership of a group.**

**143D.** (1) A member ceases to be a member of a group where the Ceann Comhairle is satisfied that the member has severed all connections with the group.

(2) Where a member leaves a party and joins another, or, in the case of a non-party member, where that member joins a party, he or she is considered part of his or her new political party for group purposes, provided that his or her membership is in compliance with the rules contained in these Standing Orders relating to membership of groups: Provided further that the addition of a member or members to a party otherwise than at a bye-election or a General Election shall be disregarded when determining the precedence of a party.

### **Cessation of group status.**

**143E.** (1) A technical group shall cease to be recognised as a group where any and all of the remaining members of the group sign a notification in writing to the Ceann Comhairle to that effect.

(2) Any group (including a technical group) ceases to be recognised as a group where the Ceann Comhairle is satisfied that its number has fallen below five. In such a case, the Ceann Comhairle shall write to the group to that effect.

(3) Where the number of a former group (including a technical group) has fallen below five as a result of a casual vacancy or vacancies in the Dáil, the former group shall not lose its rights until the result of any consequential bye-election is known.

(4) Where a former group wishes to be recognised again as a group, all of its former members shall sign a notification in writing to the Ceann Comhairle. Provided that where group status was lost as a result of a casual vacancy, the written notification need only be sent to the Ceann Comhairle in the case of a technical group. Where the former group consists only of a single party, and the new member is elected to that party, it is not necessary to send the written notification. Provided always and in any case that a group shall not be recognised where its membership is not in compliance with the rules set out in these Standing Orders relating to the membership of groups.

### **Presentation of Bills and moving of motions by members of groups.**

**143F.** (1) Each group shall have the right to nominate a member of the group to present a Bill provided that there is not before the Dáil another Bill presented by a member nominated by the group.

(2) Each group shall have the right in rotation to nominate a member of the group either to move a motion standing in his or her name or to proceed with a Stage of a Bill in the Dáil.

(3) (i) The order in which the right under paragraph (2) may be exercised by the various groups shall be determined on the basis of the numbers of members in the groups, a larger group having precedence over a smaller one. In the case of an equality of numbers, precedence shall be determined by lot: Provided that a group which consists only of a single party shall have precedence over a technical group.

(ii) Until further notice in the 32nd Dáil, the sequence in which the groups may exercise this right shall be as follows:

First occasion on which private members' business is to be taken: Fianna Fáil  
Next available occasion: Sinn Féin  
Next available occasion: Fianna Fáil  
Next available occasion: Sinn Féin  
Next available occasion: Labour Party  
Next available occasion: Fianna Fáil  
Next available occasion: Solidarity-PBP  
Next available occasion: Fianna Fáil  
Next available occasion: Sinn Féin  
Next available occasion: Independents 4 Change  
Next available occasion: Fianna Fáil  
Next available occasion: Rural Independent Group  
Next available occasion: Fianna Fáil  
Next available occasion: Social Democrats-Green Party group  
Next available occasion: sequence to recommence

(iii) The sequence set out above shall continue where it left off on the resumption of Dáil Éireann following any adjournment for a summer recess.

Provided that, from 14th June 2016, until the summer recess 2016, the sequence in which the groups may exercise this right shall be as follows:

Sinn Féin  
Fianna Fáil  
Solidarity-PBP  
Fianna Fáil  
Labour Party  
Independents 4 Change  
Sinn Féin  
Rural Independent Group  
Social Democrats-Green Party group  
Fianna Fáil.

#### PRIVATE MEMBERS' BUSINESS: TIME LIMITS TO DEBATE

##### **Time limits to debate.**

**144.** (1) The time allowed for the debate on a motion proposed by a private member, other than a motion relating to any stage of a Bill, shall not exceed a period of two hours in the aggregate. At the expiration of the said period, if the proceedings have not previously been concluded, the Ceann Comhairle shall put forthwith the question or questions necessary to bring to a conclusion the proceedings on the motion and on any amendment thereto.

(2) The time allowed for the debate on the motion for the Second Stage of a Bill initiated by a private member shall not exceed a period of four hours in the aggregate, other than a Bill selected for consideration on an alternate Thursday. At the expiration of the said period, if the proceedings have not been concluded, the Ceann Comhairle shall put forthwith the question or questions necessary to bring to a conclusion the proceedings on the motion and any amendment thereto.

(3) Where a division is in progress at the time fixed for taking private members' business under Standing Order 140, any time which elapses in order to take such division shall be deducted from the time limits set out in paragraphs (1) and (2) of this Standing Order.

(4) The speech of a member proposing a motion to which any time limit applies shall not exceed 20 minutes and the member proposing, or such other member who has not already spoken as he or she may authorise in that behalf, shall be entitled to not less than 10 minutes for a speech in reply; the speech of any other member in the course of the debate shall not exceed 20 minutes.

Provided that the following time limits and sequence of speakers shall apply on the debate on a motion proposed by a private member which is limited to two hours:

Proposer	20 minutes
Government	10 minutes
Opposition time	60 minutes
Proposer	10 minutes
Government	10 minutes
Proposer (to reply)	10 minutes

Provided further that the Opposition time shall be allocated as follows:

where Fianna Fáil is the proposer—

- Sinn Féin – 15 minutes;
- the other groups<sup>45</sup> – 9 minutes each;

where Sinn Féin is the proposer—

- Fianna Fáil – 20 minutes;
- the other groups – 8 minutes each;

where the proposer is a group which is neither Fianna Fáil nor Sinn Féin—

- Fianna Fáil – 20 minutes;
- Sinn Féin – 10 minutes;
- the other groups (not including the proposer group) – 7.5 minutes each;

Provided further that where a group chooses not to avail of their Opposition time slot, they may agree with a recipient (i.e., another group or an individual member), that the recipient may use the time. Any such agreement to transfer time shall be notified to the Ceann Comhairle in advance of private members' time, and any additional time received under this proviso shall not give a member an entitlement to speak twice;

Provided further that a group which consists only of a single party shall have precedence over a technical group.

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<sup>45</sup> For the purposes of this Standing Order, the "other groups" are the Labour Party, Solidarity-PBP, Independents 4 Change, the Rural Independent Group, and the Social Democrats-Green Party group.

## BILLS, RESOLUTIONS AND ORDERS

### **Matters dealt with by motion for Resolution or Order, or by Bill.**

**145.** (1) Any matter for decision by the Dáil shall be brought before it by motion for a simple Resolution or Order, or by the initiation of a Bill.

(2) The matters that may be dealt with by Resolution shall include Standing Orders, adjournments of the Dáil, appointment or removal of the Ceann Comhairle or the Leas-Cheann Comhairle, expressions of condolence, censure, thanks, and opinion, and any other matter which, by law, the Dáil may decide by simple Resolution.

A vote of condolence may be moved, without notice, by the Taoiseach, or a member of the Government acting for him or her.

(3) The matters that may be dealt with by Order shall include the suspension of members, appointment of Committees, appointment of members to, and removal of members from, Committees, the printing of Bills and documents, and questions of procedure generally.

(4) The matters which shall be dealt with by Bills shall include all proposals for legislation.

## EXPRESSIONS OF SYMPATHY

### **Expressions of sympathy.**

**146.** At a sitting of the Dáil following the death of a former member of the Dáil, 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 arrangements agreed by the House further to a recommendation in the report of the Business Committee under Standing Order 27C.

## PRE-LEGISLATIVE CONSIDERATION

### **Pre-legislative consideration of Bill by Committee.**

**146A.** (1) Prior to its presentation or introduction to the Dáil, the general scheme or draft heads of a Bill shall be given by a member of the Government or Minister of State to the Committee empowered under Standing Order 84A to consider Bills published by the member of the Government: Provided that the Business Committee may waive this requirement, in accordance with Standing Order 27AC, on foot of a request by the member of Government or Minister of State. Such a request for a waiver shall be in accordance with guidelines adopted by the sub-Committee on Dáil Reform, and subject to notice having been given to the Business Committee not later than 11 a.m. on the fourth day preceding its weekly meeting: Provided that, by permission of the Ceann Comhairle, a request for a waiver may be made on shorter notice.

(2) A general scheme or draft heads which have been given under paragraph (1) shall be considered by the Committee empowered under Standing Order 84A to consider Bills published by the member of the Government: Provided that the Committee may decide in relation to a particular Bill that such consideration is not necessary, and in such cases, need not consider the general scheme or draft heads.

## PASSING OF BILLS

### *First Stage*

#### **Initiation of Bills.**

**147.** (1) The text of every Bill presented or to be introduced shall be examined by the Ceann Comhairle for compliance with Standing Orders and the title of the Bill and a short description of its purpose, prepared by the proposer and accepted by the Ceann Comhairle, shall appear on the Order Paper, subject to paragraph (3A).

(2) Any member may move for leave to introduce a Bill, subject to paragraph (3A). The Ceann Comhairle shall permit that member to make an explanatory statement thereon not exceeding five minutes in length. If such motion be opposed, the Ceann Comhairle shall permit in accordance with paragraph (4) an explanatory statement not exceeding five minutes in length from the member who moves and from a member who opposes the motion before he or she puts the question thereon. If leave to introduce the Bill is given, an Order shall be made for its second reading and the Bill shall be printed.

(3) A member of the Government, Minister of State or a private member nominated for the purpose under Standing Order 143F(1) may present a Bill without previously obtaining leave of the House and any Bill so presented shall be printed and an Order for its second reading shall be made, subject to paragraph (3A).

(3A) Where a Bill has already been printed, or the Dáil has given leave to introduce it, a private member may not present, or move for leave to introduce, a Bill, the content of which, in the opinion of the Ceann Comhairle, is identical or substantially similar to the first-mentioned Bill. Where the Ceann Comhairle is examining Bills for compliance with Standing Orders, and finds that two or more Bills are identical or substantially similar, the member sponsoring the Bill first received by the Ceann Comhairle shall be the member permitted to present or move for leave to introduce it.

(4) If a motion of a private member for leave to introduce a Bill be opposed the debate thereon shall be adjourned to the next day on which private members' business is to be taken.

### *Explanatory Memoranda*

#### **Provision of explanatory memoranda for Bills.**

**147A.** A Bill shall be printed only if accompanied by an Explanatory Memorandum which shall, in clear terms—

- (a) set out the purpose of the Bill in the context of existing law and the changes proposed in the Bill, and
- (b) explain the provisions of the Bill on a section-by-section basis.



## *Second Stage*

### **Second Reading.**

**148.** (1) The debate on the motion, that the Bill be now read a second time, shall be confined to the general principle of the Bill. Amendments may be made to this motion—

- (i) by omitting the word “now” and adding at the end of the motion the words “this day three months”, or “this day six months”, or some other date;
- (ii) by deleting all or some of the words after “That” and substituting words which state some special reason against the second reading of the Bill.

(2) Unless the Dáil shall otherwise order, the speech of—

- (i) the member of the Government or Minister of State proposing the motion for the second reading of the Bill,
- (ii) the main spokesperson nominated by each of the groups, as defined in Standing Order 143, and
- (iii) a member who is the Chairman or vice-Chairman of the Committee appointed to consider Bills in respect of the relevant Government Department, or a member of the Committee nominated in their stead, speaking in relation to that Committee’s pre-legislative consideration of the Bill,

shall not exceed 20 minutes: Provided that where the Business Committee is of the opinion that in respect of a particular Bill, the time for each speech in this first round should be extended by a certain amount, it shall include a proposal to that effect in its report under Standing Order 27C(3).

The speech of any other member in the course of the debate shall not exceed 20 minutes.

Provided that for the purposes of this Standing Order a group which consists only of a single party shall have precedence over a technical group;

Provided further that a member who is the Chairman or vice-Chairman of the Committee appointed to consider Bills in respect of the relevant Government Department, or a member of the Committee nominated in their stead, may only make a speech pursuant to subparagraph (iii) where the Bill has been the subject of pre-legislative consideration under Standing Order 146A. Provided further that such contribution shall not preclude a further contribution in a personal capacity by that member in the course of the debate;

Provided further that where a Government Bill falls within Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union and thereby requires consultation with the European Central Bank, the outcome of the consultation with the Bank shall be reported to the Dáil in the course of the Second Stage speech of the relevant member of the Government or Minister of State: Provided further that if the report is not made in the course of that speech, the relevant member of the Government or Minister of State may lay a report before the Dáil with the outcome of the consultation;

Provided further that a member of the Government or Minister of State, or such other member as he or she may authorise in that behalf, shall be also entitled to not less than 15 minutes, and not more than 30 minutes, for a speech in reply.

*Private members' Bills: pre-Committee Stage scrutiny*

**Where a private member's Bill has passed its second reading.**

**148A.** The Clerk of the Dáil shall cause a notification that a private member's Bill has been read a second time to be sent to—

- (a) the Clerk to the relevant Select Committee appointed pursuant to Standing Order 84A (in these Standing Orders referred to as the 'relevant Committee'),
- (b) the member in charge of the Bill, and
- (c) the member of the Government within whose policy remit the Bill falls.

**Scrutiny by Committees of private members' Bills which have passed their second reading.**

**148B.** (1) Where—

- (a) the notification that a private member's Bill has been read a second time has been circulated to the relevant Committee<sup>46</sup> by the Clerk to the Committee; and
- (b) the member in charge of the Bill has sent a written request to the relevant Committee to undertake detailed scrutiny of the Bill (referred to in these Standing Orders as 'scrutiny'),

the Bill shall be subject to scrutiny by the relevant Committee: Provided that the Business Committee may waive, in accordance with Standing Order 27AC, the requirement for scrutiny, following a request from the member in charge of the Bill, or the relevant Committee. Such a request for a waiver may only be made where the Bill has been read a second time, shall be in accordance with guidelines adopted by the sub-Committee on Dáil Reform, and shall be subject to notice having been given to the Business Committee not later than 11 a.m. on the fourth day preceding its weekly meeting: Provided that, by permission of the Ceann Comhairle, a request for a waiver may be made on shorter notice. The member in charge of the Bill may request a scrutiny waiver even having asked the relevant Committee to undertake scrutiny. The relevant Committee may only ask for a waiver following the scrutiny request.

(2) Scrutiny, or detailed scrutiny under Standing Order 141, shall be conducted from a policy, legal and financial perspective, and in accordance with the guidelines set out in the Memorandum of Understanding agreed between the Dáil and the Government, and laid before Dáil Éireann.

(3) Where the relevant Committee has completed scrutiny of a private member's Bill, it shall—

- (a) lay a report thereon before the Dáil, and

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<sup>46</sup> See definition of 'relevant Committee' in Standing Order 148A.

(b) following the laying of the report, send a Message to the Dáil—

- (i) confirming that scrutiny has been completed and reported on, and
- (ii) containing a recommendation on whether or not the Bill may proceed to Committee Stage.

Such a Message shall be in writing, signed by the Clerk to the Committee, and shall be addressed to the Clerk of the Dáil. The Ceann Comhairle shall, at the first convenient opportunity, communicate such Message to the Dáil.

(4) Nothing in these Standing Orders shall preclude a Joint Committee from undertaking scrutiny, and reporting thereon, save that only the relevant Committee may decide on the recommendation as to whether or not the Bill may proceed to Committee Stage.

*Private members' Bills: ECB consultation*

**Consultation with ECB on private members' Bills, pursuant to Treaty on the Functioning of the European Union.**

**148C.** (1) Where, in the opinion of the Ceann Comhairle, a private member's Bill falls within Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union, and thereby requires consultation with the European Central Bank, the relevant Committee shall undertake that consultation (referred to in this Standing Order as 'consultation'), and shall consider any resulting opinion from the Bank, as part of scrutiny<sup>47</sup>, or as part of detailed scrutiny under Standing Order 141.

(2) As part of consultation, the relevant Committee shall specify a time limit for submission of the Bank's opinion. Where the Bank requests an extension of the specified time limit in accordance with that decision, the relevant Committee shall give due consideration to the Bank's request.

(3) Where the time limit specified by the relevant Committee pursuant to paragraph (2), or any extension of time granted pursuant to that paragraph, has expired, the absence of an opinion from the Bank shall not prevent the relevant Committee from proceeding with scrutiny, or detailed scrutiny under Standing Order 141: Provided that any opinion received thereafter shall be brought to the attention of the relevant Committee, and shall be laid before the Dáil by the Clerk to the Committee.

(4) The outcome of the consultation with the Bank on a private member's Bill shall be reported in accordance with Standing Order 141, or Standing Order 148B, as appropriate, and any recommendations arising from consideration of the Bank's opinion shall be included in the report.

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<sup>47</sup> Pursuant to Standing Order 148B.

## *Private members' Bills: Order for Committee Stage*

### **Private Members' Bills: Order for Committee Stage.**

**148D.** (1) The Committee Stage consideration of a private member's Bill shall take place in a Select Committee appointed pursuant to Standing Order 84A.

(2) Such Committee Stage consideration may only be ordered following scrutiny of the Bill by the relevant Committee<sup>48</sup>, save where the requirement for scrutiny has been waived by the Business Committee. Where the scrutiny requirement has been waived, or where the post-scrutiny recommendation is that the Bill may proceed to Committee Stage, the member in charge of the Bill may, on notice given to the Business Committee, move the Order for Committee Stage at the first practicable opportunity after the Order of Business, or after questions on promised legislation under Standing Order 28, and such motion shall be taken without debate.

(3) Where the relevant Committee's recommendation<sup>49</sup> is that the private member's Bill may not proceed to Committee Stage, and the member in charge of the Bill does not agree with that recommendation, he or she may table a motion in writing in the following terms:

“Notwithstanding the recommendation of the Committee on [*insert name of relevant Committee appointed pursuant to Standing Order 84A*] that the [*insert name of Bill*] may not proceed to Committee Stage, the Bill is hereby referred to the Select Committee on [*insert name of relevant Committee appointed pursuant to Standing Order 84A*].”.

(4) The motion under paragraph (3) may be moved—

(a) during a private members' time slot under Standing Order 143F(3),

(b) on a Thursday immediately following topical issues, in accordance with Standing Order 140(2), or

(c) at a time and date to be agreed by the Business Committee, and subject to arrangements agreed on the Order of Business.

(5) A member who wishes to move a motion under paragraph (3) on a Thursday in accordance with paragraph (4)(b) shall give notice to the Business Committee not later than 11 a.m. on the fourth day preceding the weekly meeting of the Business Committee.

(6) If a motion under paragraph (3) is defeated, the Bill shall be deemed to have been withdrawn.

## *Third Stage*

### **When a Government Bill is read a second time.**

**149.** (1) When a Bill, other than a private member's Bill, has been read a second time, it may either be ordered to be considered in Committee of the whole Dáil on a day then named, or be referred to some other Committee.

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<sup>48</sup> Pursuant to Standing Order 148B.

<sup>49</sup> I.e., the recommendation under Standing Order 148B(3).

(2) Should a Bill, other than a private member's Bill, be ordered to be referred to a Special Committee, such order shall fix—

- (a) the date for the commencement of the Committee Stage,
- (b) the number of members to serve on the Committee, and
- (c) the quorum of it,

and Standing Orders 92 and 93 shall otherwise apply: Provided that the Dáil may, on motion made by the member in charge of the Bill, commit the Bill to a Select or Special Committee in respect of some of its provisions, and to a Committee of the whole Dáil in respect of other provisions, and that if such a motion is opposed, the Ceann Comhairle shall permit an explanatory statement from the member who moves, and from a member who opposes the motion, before he or she puts the question thereon.

#### **Notice and arrangement of amendments.**

**150.** When a Bill is to be considered in Committee or on Report,

- (a) proposed amendments shall be in writing signed by the member and shall reach the Clerk not later than 11 a.m. on the fourth day preceding that on which the Bill or, if appropriate, the part thereof to which they are addressed, is to be considered and shall be arranged in the proper order,
- (b) proposed amendments to amendments shall be in writing signed by the member and shall reach the Clerk not later than 11 a.m. on the second day preceding that on which the Bill or, if appropriate, the proposed amendment to the Bill to which they are addressed, is to be considered and shall be arranged in the proper order:

Provided, nevertheless, that on an exceptional basis, or in circumstances where shorter scheduling of business of a Bill makes practical application of the deadline impossible, amendments, or amendments to amendments, may be moved on shorter notice at the sole discretion of the Ceann Comhairle, or with the prior permission of the Chair without notice.

Provided further that a member may table amendments to a Bill in Select or Special Committee, and may attend at that Committee to move his or her amendments, even if he or she is not a member of that Committee. However, such member may not vote in such Committee, unless he or she is attending as a substitute nominated on notice in accordance with Standing Order 95(2).

#### EXPLANATORY MEMORANDUM FOLLOWING SUBSTANTIAL AMENDMENT

#### **Provision of revised Explanatory Memorandum in relation to Bills.**

**150A.** Where Bills are to be substantially amended at Committee or Report Stage the Ceann Comhairle or Committee Chairperson as the case may be shall have discretion to direct that the member in charge of the Bill must provide a revised explanatory memorandum to assist members in considering the amendments.

## *Consideration of a Bill in Committee*

### **Consideration of a Bill section by section.**

**151.** In Committee, a Bill must be considered section by section. It shall be in order, however, before consideration of a section or sections is entered upon, to move the postponement of the section or sections until another section, other sections or schedules have been disposed of. Any section of a Bill may be amended in Committee, and new sections may be inserted.

### **Offering and disposal of amendments: consideration of preamble and title.**

**152.** (1) In Committee, when an amendment is offered proposing to insert a new section in a Bill, such amendment may be moved when the number of the section, before which it is proposed to insert the new section, is read from the Chair, and the question on such amendment shall be first decided.

(2) When the amendments (if any) offered to a section have been disposed of, the question shall be proposed, “That such section (or such section as amended) stand part of the Bill”, or, as appropriate, “That such section be deleted from the Bill”.

(3) The consideration of the preamble and title of a Bill in Committee shall be deferred until the sections and schedules (if any) have been considered.

### **Adjournment of Standing, Select or Special Committees: report of progress by Committee of the whole Dáil.**

**153.** In considering a Bill, a Standing, Select or Special Committee may at any time adjourn, and a Committee of the whole Dáil may at any time report progress, provided that the necessary motion to this effect has been carried. Any such motion which is deemed by the Chair to be dilatory or obstructive shall not be accepted.

### **Power of Committee to amend Bills: instruction to Committee: amendments of title.**

**154.** (1) It shall be an instruction to all Committees to which Bills may be committed that they have power to make such amendments therein as they shall think fit, provided that such amendments be relevant to the provisions of the Bill and are not in conflict with the principle of the Bill as read a second time.

(2) The Dáil may, following debate of not less than 60 minutes as the House may order on motion made by the member in charge of a Bill, give an instruction to a Committee to which a Bill has been committed empowering it to make amendments, the nature of which shall be specified, provided that the amendments be relevant to the general subject matter and not in conflict with the principle of the Bill.

(3) If any amendment made to a Bill be not within the title of the Bill the Committee shall amend the title accordingly and report the same specially to the Dáil.

### **Printing of Bills by Select or Special Committees and Order for Report.**

**155.** When the preamble (if any) and the title of a Bill shall have been considered in Committee of the whole Dáil or in Select or Special Committee—

(a) the Bill, if amended, shall be printed; and

(b) an order shall be made by the Dáil for its consideration on Report.<sup>50</sup>

#### *Fourth (Report) Stage*

##### **Consideration of Bill on Report.**

**156.** (1) If no amendments have been offered to a Bill on Report an Order appointing a day for its Fifth Stage shall be made.

(2) If amendments have been offered to a Bill on Report the Dáil shall proceed to consider them.

(3) Members may speak twice on an amendment offered to a Bill on Report. The first contribution shall not exceed seven minutes and the second contribution shall not exceed two minutes: Provided that the member who moved the amendment shall also have a right of reply which shall not exceed two minutes.

##### **Motion for recommittal.**

**157.** (1) A motion may be made to recommit a Bill either wholly or in respect of certain sections or amendments. The motion may be made in respect of the whole Bill at the commencement of its consideration on Report and in respect of certain sections or amendments before consideration of the section or amendment as the case may be has been completed on Report.

(2) If a motion to recommit a Bill be opposed the Ceann Comhairle shall permit an explanatory statement of the reasons for such recommittal from the member who moves and a statement from a member who opposes the motion before he or she puts the question thereon.

##### **Amendments on Fourth Stage.**

**158.** Amendments may be moved on the Fourth Stage, but no amendments previously rejected in Committee of the whole Dáil shall be in order.

##### **Amendments creating charges on the public revenue or upon the people.**

**159.** On the Fourth Stage, no new section or other amendment may be proposed which creates a charge on the public revenue or upon the people but the Bill may be recommitted in respect of any such section or amendment.

##### **Order for Fifth Stage.**

**160.** When any amendments have been disposed of an Order appointing a day for its Fifth Stage shall be made.

#### *Fifth Stage*

##### **Motion for passage of Bill: verbal amendments.**

**161.** When a Bill shall come forward for final consideration, it shall be moved, "That the Bill do now pass". No amendment, not being merely verbal, shall be made to any Bill on this Stage.

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<sup>50</sup> See also S.O.s 89(2) and 90.

## ORDERS FIXING DATE FOR NEXT STAGE OF BILLS

### **Orders fixing date for next Stage of Bills.**

**162.** The making of an Order fixing the date for the next Stage of a Bill, or referring a Bill to a Committee, shall be decided without amendment: Provided that, in a case where the Order is not made, the Bill shall remain on the Order Paper.

## CORRECTIONS IN BILLS

### **Corrections in Bills.**

**163.** During the progress of a Bill, corrections of a verbal or formal nature may at any time be made in a Bill by the Clerk, under the direction of the Ceann Comhairle. Verbal, and all other corrections, shall be made by way of motion, and dealt with as any other amendment.

*[Note: Standing Order 164 has been renumbered as 150A]*

## POST-ENACTMENT REPORT

### **Post-enactment report.**

**164A.** Twelve months following the enactment of a Bill, save in the case of the Finance Bill and the Appropriation Bill, the member of the Government or Minister of State who is officially responsible for implementation of the Act shall provide a report which shall review the functioning of the Act and which shall be laid in the Parliamentary Library.

## RESTORATION OF LAPSED BILLS TO ORDER PAPER

### **Restoration of lapsed Bills to Order Paper.**

**165.** (1) Any Bill, which lapses by reason of the dissolution of the Dáil, before it has reached its final stage, may be proceeded with on the reassembly of the Dáil at the stage it had reached prior to the dissolution, upon a Resolution restoring it to the Order Paper.

(2) Unless the Resolution restoring the Bill to the Order Paper directs otherwise, the Bill shall be proceeded with at the commencement of the particular stage which it had reached prior to the dissolution of the Dáil.

## HYBRID BILLS

### **Definition.**

**166.** A public Bill (not being a Bill to confirm a Provisional Order) affecting private interests in such a way that, if it were a private Bill, it would, under the Standing Orders relative to Private Business, require preliminary notices before its introduction, is known as a hybrid Bill and shall be subject to the provisions of Standing Order 60 of the Standing Orders relative to Private Business.



**Definition and introduction.**

**167.** (1) A Bill the purpose of which as expressed in the long title is to consolidate existing Statute Law on a particular subject matter, and is so certified by the Attorney General in a certificate which shall accompany the Bill on introduction, shall be known as a Consolidation Bill.

(2) The Certificate provided for in the preceding paragraph of this Standing Order shall be printed on the Order Paper on which notice is given of intention to introduce such Bill.

(3) Every Consolidation Bill shall have prefixed to it a memorandum prepared by the Attorney General in which shall be specified the enactments repealed by the Bill, the sections of the Bill in which the repealed enactments are reproduced, together with the remarks of the Attorney General on any textual amendments made.

(4) If leave to introduce a Consolidation Bill be given, an Order for its Second Stage shall be made for a date not earlier than twenty-eight days after its introduction and the Bill and the Memorandum shall be printed.

**Second Stage.**

**168.** (1) On the Second Stage of a Consolidation Bill the only amendment which may be moved to the motion, “That the Bill be now read a second time”, is one proposing the omission of all words after the word “That” in order to substitute words stating a reason or reasons in challenge of the Certificate of the Attorney General.

(2) If on the amendment to the question, “That the Bill be now read a second time”, it is decided that the words proposed to be omitted stand part of the question the Bill shall forthwith be declared to be read a second time.

**Bill referred to Standing Joint Committee.**

**169.** Every Consolidation Bill after having passed its Second Stage shall, with the concurrence of both Houses, be referred to a Standing Joint Committee consisting of Committees of each House joined together for the purpose of consideration of such Bills<sup>51</sup>. In the absence of such concurrence the Bill may be referred to a Standing Committee of the Dáil.

**Permissible amendment to motion concurring in reference to Standing Joint Committee.**

**170.** On motion made in the Dáil, in the case of a Consolidation Bill originating in the Seanad, to concur with the Seanad as to the expediency of referring the Bill to the Standing Joint Committee, the only amendment which may be moved is one stating a reason or reasons in challenge of the Certificate of the Attorney General.

**Committal of Bill to Committee.**

**171.** When a Consolidation Bill has been read a second time in the originating House and a Resolution of concurrence in the reference of the Bill to the Standing Joint Committee has been passed by the other House, orders for the committal of the Bill to the Standing Joint

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<sup>51</sup> S.O. 172.

Committee shall be made by both Houses for a date not earlier than fourteen days after the passage of the Resolution of concurrence.

### **Standing Joint Committee on Consolidation Bills.**

**172.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee which shall be joined with a similar Committee of the Seanad to constitute the Standing Joint Committee on Consolidation Bills. The Standing Committee shall, subject to the provisions of paragraph (3), consist of three members, two of whom shall constitute a quorum. The quorum of the Standing Joint Committee shall be four, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(2) The member of the Government in charge of the Department the statute law of which is dealt with in a Bill which has been referred to the Standing Joint Committee shall be an *ex officio* member of the Standing Joint Committee for the purpose of consideration of the Bill: Provided that such member of the Government may nominate another member of the Government or a Minister of State to act in his or her stead for that purpose.

(3) Such number of members, not exceeding three, may be added to the Standing Committee on a Consolidation Bill for the purpose of considering any particular Bill committed to the Standing Joint Committee.

(4) The Standing Joint Committee shall have the following powers:

- (a) power to send for persons, papers and records as defined in Standing Order 88;
- (b) power to take oral and written evidence as defined in Standing Order 85(1); and
- (c) power to print and publish reports as defined in Standing Order 89(1).

(5) The Standing Joint Committee shall, from time to time as the Standing Joint Committee sees fit, lay minutes of its proceedings before each House.

### **Permissible amendments in the Committee.**

**173.** In the Standing Joint Committee on a Consolidation Bill the only permissible amendments shall be amendments designed to be for the removal of ambiguities and inconsistencies, the substitution of modern for obsolete or inconvenient machinery or the achievement of uniformity of expression or adaptation to existing law and practice. Amendments of the nature of substantive amendment of the Statute Law shall not be in order.

### **Messages from Standing Joint Committee on Consolidation Bills.**

**174.** When the preamble (if any), and the title of a Consolidation Bill shall have been considered in the Standing Joint Committee—

- (a) the Standing Joint Committee shall send a Message to each House in the manner provided for in Standing Order 90. Notwithstanding the generality of Standing Order 172(4), the receipt by the Clerk of the Dáil of such a Message shall be deemed to be the report of the Standing Joint Committee on the Bill;
- (b) the Bill, if amended, shall be printed; and

- (c) the Bill shall be set down for Report Stage in the originating House on a date not earlier than twenty-eight days thereafter.

#### **Fourth Stage.**

**175.** On the Report Stage, amendments shall be restricted similarly as in the Standing Joint Committee<sup>52</sup> and the Fifth Stage shall be fixed for a date not earlier than fourteen days thereafter.

#### **Waiver of Stages.**

**176.** In the case of a Consolidation Bill originating in the Seanad, the Bill shall on its receipt in the Dáil after being passed by the Seanad be set down for Report Stage, the First, Second and Third Stages being waived.

### FINANCIAL PROCEDURE

#### **Estimates and Financial Resolutions to be considered in Committee.**

**177.** Unless the Dáil shall otherwise order, every motion to increase, reduce or otherwise vary, a charge upon the people and every Estimate for the Public Service shall be considered in Committee.

#### **Bills involving the imposition of charges upon the people.**

**178.** (1) A Bill which involves the imposition of a charge upon the people, other than an incidental charge, shall not be initiated by any member, save a member of the Government.

(2) The Committee Stage of a Bill which involves a charge upon the people, including an incidental charge, shall not be taken unless a motion approving of the charge has been passed by the Dáil. No such motion as aforesaid nor any amendment thereto proposing to increase the amount stated in any such motion may be made by any member, save a member of the Government.

(3) An amendment to a Bill which could have the effect of imposing or increasing a charge upon the people may not be moved by any member, save a member of the Government or Minister of State.

#### **Bills involving the appropriation of revenue or other public moneys.**

**179.** (1) A Bill which involves the appropriation of revenue or other public moneys, other than incidental expenses, shall not be initiated by any member, save a member of the Government.

(2) The Committee Stage of a Bill which involves the appropriation of revenue or other public moneys, including incidental expenses, shall not be taken unless the purpose of the appropriation has been recommended to the Dáil by a Message from the Government. The text of any Message shall be printed on the Order Paper.<sup>53</sup>

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<sup>52</sup> S.O. 173.

<sup>53</sup> See Article 17.2 of the Constitution.

(3) An amendment to a Bill which could have the effect of imposing or increasing a charge upon the revenue may not be moved by any member, save a member of the Government or Minister of State.

### **Grants for public service.**

**180.** Every grant of money proposed for the public service shall be considered by the Dáil on a motion, which shall be decided without amendment, stating the amount to be granted and the particular service for which the sum is demanded. No such motion as aforesaid may be made by any member, save a member of the Government.

### **Initiation of Bills implementing Resolutions voting money or imposing taxation.**

**181.** On the completion by the Dáil of the consideration of any Resolution, or series of Resolutions, voting money for public services, or imposing taxation, a Bill shall be prepared and initiated by the member of the Government in charge of the Department of Finance, or another member of the Government acting on his or her behalf.

### **Presentation to the Dáil and Referral of Estimates to Select Committees.**

**182.** (1) The ordinary yearly Estimates for the Public Services shall be presented to the Dáil and circulated to members in accordance with the time periods set out in paragraph (2) of this Standing Order: Provided that supplementary or additional Estimates, not included in the ordinary yearly Estimates, may be brought forward on leave given by the Dáil after motion made.

(2) The time periods referred to in paragraph (1) shall, unless the Dáil shall otherwise order, be not less than seven days prior to the consideration of the ordinary yearly Resolutions imposing taxation and not later than the thirtieth day of the financial year.

(3) An Estimate or Estimates may, subject to the provisions of paragraph (1), be referred to a Select Committee for consideration: Provided that, where the Dáil enters into consideration of any motion under Standing Order 180 in respect of such Estimate or Estimates, the Order of referral of that Estimate to that Select Committee shall stand rescinded.

*[Note: Standing Order 183 has been deleted]*

### **Debate on Supplementary Estimates.**

**184.** In the discussion of a supplementary Estimate the debate shall be confined to the Items constituting the same, and no discussion may be raised on the original Estimate, save in so far as it may be necessary to explain or illustrate the particular Items under discussion.

### **Time limit on speeches on Financial Resolutions and Estimates.**

**185.** Unless the Dáil shall otherwise order, the speech of a member in the course of a debate on a motion for the imposition of a charge upon the people or for a grant of money proposed for the public service shall not exceed one hour: Provided that the speech of the first speaker from a group (as defined by Standing Order 143) and the speech of the member of the Government or Minister of State replying to the debate shall not exceed in each case one hour and a half: Provided further that this order shall not apply to the speech of a member of the Government or Minister of State opening the debate.

### **Committee of Public Accounts.**

**186.** (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee, to be known as the Committee of Public Accounts, to examine and report to the Dáil upon—

- (a) the accounts showing the appropriation of the sums granted by the Dáil to meet the public expenditure and such other accounts as they see fit (not being accounts of persons included in the Second Schedule of the Comptroller and Auditor General (Amendment) Act 1993) which are audited by the Comptroller and Auditor General and presented to the Dáil, together with any reports by the Comptroller and Auditor General thereon;
- (b) the Comptroller and Auditor General's reports on his or her examinations of economy, efficiency, effectiveness evaluation systems, procedures and practices; and
- (c) other reports carried out by the Comptroller and Auditor General under the Act.

(2) The Committee may suggest alterations and improvements in the form of the Estimates submitted to the Dáil.

(3) The Committee may proceed with its examination of an account or a report of the Comptroller and Auditor General at any time after that account or report is presented to Dáil Éireann.

(4) The Committee shall have the following powers:

- (a) power to send for persons, papers and records as defined in Standing Order 85(2A) and Standing Order 88;
- (b) power to take oral and written evidence as defined in Standing Order 85(1);
- (c) power to appoint sub-Committees as defined in Standing Order 85(3);
- (d) power to engage consultants as defined in Standing Order 85(8); and
- (e) power to travel as defined in Standing Order 85(9).

(5) Every report which the Committee proposes to make shall, on adoption by the Committee, be laid before the Dáil forthwith whereupon the Committee shall be empowered to print and publish such report together with such related documents as it thinks fit.

(6) The Committee shall present an annual progress report to Dáil Éireann on its activities and plans.

(7) The Committee shall refrain from—

- (a) enquiring into in public session, or publishing, confidential information regarding the activities and plans of a Government Department or office, or of a body which is subject to audit, examination or inspection by the Comptroller and Auditor General, if so requested either by a member of the Government, or the body concerned; and

- (b) enquiring into the merits of a policy or policies of the Government or a member of the Government or the merits of the objectives of such policies.

(8) The Committee may, without prejudice to the independence of the Comptroller and Auditor General in determining the work to be carried out by his or her Office or the manner in which it is carried out, in private communication, make such suggestions to the Comptroller and Auditor General regarding that work as it sees fit.

(9) The Committee shall consist of thirteen members, none of whom shall be a member of the Government or a Minister of State, and four of whom shall constitute a quorum. The Committee and any sub-Committee which it may appoint shall be constituted so as to be impartially representative of the Dáil.

### **Committee on Budgetary Oversight.**

**186A.** (1) There shall stand established as soon as may be, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee, to be known as the Committee on Budgetary Oversight, to examine and, where it considers it appropriate, report to the Dáil on—

- (a) the overall fiscal position, including—
  - (i) the aggregated position on revenue and expenditure and the General Government Balance, including structural targets;
  - (ii) medium-term projections for the public finances;
  - (iii) macro-economic forecasts and developments; and
  - (iv) general fiscal governance including the application of fiscal rules and risks to the fiscal position;
- (b) public expenditure policy, including—
  - (i) the expenditure position having regard to the Government Expenditure Ceiling and the expenditure benchmark under the Stability and Growth Pact; and
  - (ii) Ministerial Expenditure Ceilings applying to individual Estimates or groups of Estimates for the Public Services where significant variations from the expenditure profile could potentially impact on the overall fiscal position;
- (c) Exchequer receipts policy.

(2) The Committee may consider a matter of public policy with significant impact on the budgetary position or on the overall fiscal position: Provided that prior to the commencement of such consideration, the Chairman of the Committee shall consult with the relevant sectoral Committee established pursuant to Standing Order 84A.

(3) The Committee may also consider the overall framework for parliamentary engagement throughout the course of the budgetary cycle and may make recommendations thereon to the

sub-Committee on Dáil Reform for that Committee's consideration under Standing Order 107(1)(b): Provided that, in so doing, the Committee shall consult with—

- (a) the Committees established pursuant to Standing Order 84A on any recommendations which, in the opinion of the Committee, impact on their role or remit; and
- (b) the relevant Minister or Ministers on any recommendations which, in the opinion of the Committee, impact on the role or remit of a Department or Departments,

and shall notify the results of such consultations to the sub-Committee on Dáil Reform.

(4) The Committee shall have the following powers:

- (a) power to send for persons, papers and records as defined in Standing Orders 85(2A) and 88;
- (b) power to take oral and written evidence and submissions as defined in Standing Order 85(1) and (2);
- (c) power to appoint sub-Committees as defined in Standing Order 85(3);
- (d) power to engage consultants as defined in Standing Order 85(8);
- (e) power to travel as defined in Standing Order 85(9).

(5) Every report which the Committee proposes to make shall, on adoption by the Committee, be laid before the Dáil forthwith, whereupon the Committee shall be empowered to print and publish such report, together with such related documents it thinks fit.

(6) The Committee shall consist of fifteen members, none of whom shall be a member of the Government or a Minister of State, and four of whom shall constitute a quorum: Provided that—

- (a) the Committee and any sub-Committees which it may appoint shall be constituted so as to be impartially representative of the Dáil; and
- (b) the provisions of Standing Order 95 shall apply to the Committee.

(7) Until further notice in the 32nd Dáil, the Select Committee on Budgetary Oversight, established by Order of the Dáil of 21st July, 2016, shall continue in being as the Standing Committee on Budgetary Oversight, and accordingly, the current membership, Chairman, papers and work programme of the Select Committee shall be those of the Standing Committee.

### **Approval of International Agreements involving Charges on Public Funds.**

**187.** (1) Where approval by the Dáil of the terms of any international agreement involving a charge upon public funds is required, a motion to that effect may be made by a member of the Government or Minister of State.

(2) Subject always to the requirement of Article 29.5.2° of the Constitution, nothing in this Standing Order shall preclude the referral of a proposal contained in any such motion to a Select Committee for its consideration.

## MONEY BILLS

### **Certificate as to Money Bills.**

**188.** Immediately after a Bill, which in his or her opinion is a Money Bill, has passed the Dáil, and before it is sent to the Seanad, the Ceann Comhairle shall issue his or her certificate that it is a Money Bill, and he or she shall announce that fact to the Dáil. He or she shall also cause a notification to be transmitted immediately to the Chairman of the Seanad, informing him or her of the certification of any such Bill.<sup>54</sup>

## COMMUNICATION BETWEEN THE DÁIL AND THE SEANAD

### *Messages*

#### **Messages to the Seanad.**

**189.** Messages from the Dáil to the Seanad shall be in writing, signed by the Clerk of the Dáil, and shall be addressed to the Clerk of the Seanad.

#### **Messages from the Seanad.**

**190.** (1) Messages from the Seanad shall be received by the Clerk. The Ceann Comhairle shall, at the first convenient opportunity, communicate any such Message to the Dáil: Provided that in case of special urgency, any business in progress on the receipt of such Message may be interrupted to hear the same.

(2) If a Message from the Seanad requires any action to be taken or thing to be done by the Dáil, it shall be set down on the Order Paper next thereafter prepared, and shall be considered accordingly: Provided that in case of special urgency, the Dáil may consider such Message at any earlier period.

### *Bills*

#### **Vouching of Bills passed by the Dáil.**

**191.** When a Bill has passed through all its stages in the Dáil, the Clerk shall make, or cause to be made, an exact copy thereof, and shall vouch such copy to be a true and correct copy by certifying the same at the head of the first page and by initialling and numbering each succeeding page. The signed certificate of the Clerk shall state the date of the passing of the Bill through its last stage in the Dáil, and the date of its transmission to the Seanad.

#### **Transmission of Bills to the Seanad.**

**192.** Such true copy of a Bill, passed as aforesaid, and duly certified in the manner hereinbefore provided, together with a Message referring to such Bill, shall be transmitted to the Seanad. The Message shall state that the Dáil desires the agreement of the Seanad to the

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<sup>54</sup> See Article 22.2 of the Constitution.



passing of the Bill into law or, in the case of a Money Bill, that the Bill is sent to the Seanad for its recommendations.

#### **Bills initiated in the Seanad.**

**193.** A Bill, which has been initiated in and passed by the Seanad, shall be deemed to have passed its First Stage in the Dáil, and shall be set down for its Second Stage on the Order Paper next prepared after its receipt from the Seanad.

#### **Consideration of amendments or recommendations of the Seanad.**

**194.** When a Bill, transmitted from the Dáil to the Seanad, shall have passed through all its stages in the Seanad, and shall have been sent back to the Dáil with amendments made in the Seanad, or in the case of a Money Bill, with recommendations made by the Seanad, such amendments or recommendations, as the case may be, shall be published to the Dáil, and the Dáil shall, in Committee, consider and report on such amendments or recommendations, as the case may be.

#### **Powers of House in relation to Seanad amendments: amendments to Seanad amendments.**

**195.** An amendment made by the Seanad to a Bill initiated in the Dáil may be accepted by the Dáil with or without amendment or be rejected. No amendment shall be moved to an amendment made by the Seanad that is not strictly relevant thereto, nor can any other amendment be moved to the Bill unless it be consequential upon the acceptance, amendment or rejection of a Seanad amendment.

### BUSINESS UNDISPOSED OF

#### **Business undisposed of.**

**196.** All business undisposed of at the adjournment of the Dáil, shall stand postponed until the next sitting day, unless the Dáil shall otherwise order, and shall be placed on the Order Paper, subject to the provisions of Standing Orders 28, 140 and 142.

### RESIGNATION OF MEMBERS

#### **Procedure for resignation of member, and date of taking effect.**

**197.** Any member of the Dáil may voluntarily resign his or her membership thereof by notice in writing to the Ceann Comhairle, and such resignation shall take effect upon receipt of the notice by the Ceann Comhairle who shall as soon as may be inform the Dáil.

### CASUAL VACANCIES

#### **Issue of and returns to Writs, etc.**

**198.** (1) A motion may be made, after notice, directing the Ceann Comhairle to direct the Clerk to issue his or her Writ for the election of a member to fill any vacancy that may occur from time to time. Such motion shall be made at the commencement of Public Business.

(2) The Clerk shall make a report of the issue of every such Writ stating the Constituency in respect of which, and the name of the Returning Officer to whom, such Writ was issued, together with the date of issue.

(3) On the receipt of the return to the Writ, the Clerk shall announce the name of the member elected, and shall lay before the Dáil a copy of the Writ, and of the return endorsed thereon.

(4) When the return to a Writ issued for the election of a member to fill a casual vacancy shall have come into his or her hands, the Clerk shall notify the member returned that his or her attendance is required at a place appointed and on a day (or days) named by him or her, for the purpose of complying with the provisions of paragraph (1) of Standing Order 1.

#### DOCUMENTS LAID BEFORE THE DÁIL

##### **Method of laying documents before the Dáil: considered public.**

**199.** (1) Where a document is required to be laid before the Dáil the delivery of a copy of the document, which may be an electronic copy in an approved format, to the Parliamentary Library for that purpose shall be deemed to be the laying of it before the Dáil.

(2) All documents laid before the Dáil shall be considered public.

#### STANDING ORDERS

##### **Suspension or modification in effect of Standing Orders.**

**200.** (1) Any Standing Order or Orders of the Dáil may be suspended or modified, and for a particular purpose, upon motion made after notice: Provided that in cases of urgent necessity, of which the Ceann Comhairle shall be the judge, any Standing Order or Orders may be suspended upon motion made without notice. If such motion be opposed the Ceann Comhairle shall permit an explanatory statement from the member who moves it and a statement from a member who opposes it before he or she puts the question thereon.

(2) Where the particular purpose for which any Standing Order or Orders may be suspended or modified includes giving an instruction to a Committee to make amendments which are not otherwise in accordance with Standing Order 154 a debate of not less than 60 minutes as the House may order shall take place on the principle of the amendments concerned: save that the Ceann Comhairle may determine that the said amendments warrant the initiation of a separate Bill.

(3) A motion to suspend or modify Standing Orders may only be moved by a private member during the time fixed for taking private members' business.

##### **Duration of Standing Orders.**

**201.** The foregoing Standing Orders shall continue in force until altered, amended or repealed.

## **SCHEDULE 1**

### **Categories of document designated by these Standing Orders for the purposes of Standing Order 134(2)(a) and (b):**

- (a) Imeachtaí Dháil Éireann (“clerk sheets”).
- (b) Briefings regarding legislation or other proceedings before the Dáil.
- (c) Working papers of the Dáil or any of its Committees.
- (d) The following documents in respect of Dáil Committee meetings—
  - (i) agendas,
  - (ii) briefings,
  - (iii) minutes, and
  - (iv) transcripts.
- (e) Research papers prepared by the Library and Research Service, or any replacement for that facility, at the instance of the Dáil or a Committee of the Dáil.
- (f) Advices to members from officers of the Dáil or members of the joint staff.
- (g) Opinions, advice, recommendations, or the results of consultations, considered by the Dáil or a Committee of the Dáil, or prepared for that consideration.
- (h) Documents constituting or evidencing communications between members and officers of the Dáil, or communications between officers of the Dáil.
- (i) Documents constituting or evidencing communications between officers of the Dáil or members of the joint staff, on the one hand, and any office-holder or his or her Department or Office, and any officers, staff, or agencies of the Government, on the other, in direct relation to any of the business referred to in Standing Order 134(2)(a).
- (j) Documents constituting or evidencing communications from a Committee of the Dáil that solicit information for the purposes of Committee business and any response (not being one the Committee has declined to receive, or one the documents constituting which have ceased by decision of the Committee in accordance with statute to be documents of the Committee) forwarded to and accepted by the Committee.
- (k) Documents created in relation to how parliamentary business is regulated between parties or groups as provided for in these Standing Orders including with regard to the appointment of members to a Committee.
- (l) Documents concerning disciplinary issues relevant to the Dáil or its Committees.
- (m) Without limiting the next preceding category, documents constituting or evidencing communications pursuant to statute between an officer of the Dáil or a member of either House of the Oireachtas, on the one hand, and a Committee of the Dáil, on the other, in relation to the conduct or alleged conduct of a member of the Dáil.
- (n) A response by a non-member to matter in the nature of being defamatory received by or on behalf of the Committee on Procedure in accordance with these Standing Orders until that Committee decides that the terms of the response are such that it should be published or laid before the Dáil.
- (o) Drafts not intended for publication of official documents.

- (p) In respect of a document falling outside Standing Order 134(2) solely because it is in the public domain or has been laid before the Dáil or is presently to be published or so laid, drafts not intended for publication or not intended to be so laid.
- (q) Documents relating to an assent referred to in Article 15.8.2° of the Constitution and to any sitting of the Dáil pursuant to that assent.
- (r) Documents relating to the election of the Ceann Comhairle or Leas-Cheann Comhairle.

## SCHEDULE 2

### Rules for the selection of a candidate for Ceann Comhairle for the purposes of Standing Orders 6 and 7:

#### **Provision of ballot papers**

- (1) Ballot papers shall be provided to members in the following manner—
  - (a) The ballot paper shall be marked with the official mark;
  - (b) Members present in the Chamber shall be provided with ballot papers by the Clerk;
  - (c) A mark shall be placed on the members' division list opposite the member's name to indicate that a ballot paper has been issued to such member;
  - (d) A member who has inadvertently spoiled his or her ballot paper shall, on returning it to the Clerk and satisfying the Clerk as to inadvertence, be given another ballot paper. The Clerk shall immediately mark "spoilt" on the spoilt ballot paper. The Clerk shall retain the spoilt ballot paper and deal with it in accordance with paragraph 19 of this Schedule.

#### **Rules for the counting of votes**

- (2) The Clerk, his or her assistants and the candidates may be present at the opening of the ballot boxes and counting of the votes extracted therefrom and no other person shall be present without the permission of the Clerk.
- (3) The Clerk shall reject any ballot paper that is invalid, endorsing "rejected" on its face and any such ballot paper shall not be included in the count.
- (4) The Clerk shall then ascertain the number of first preferences recorded on the ballot papers for each candidate, and shall then arrange the candidates on a list (hereinafter called "*the order of preferences*") in the order of the number of first preferences recorded for each candidate, beginning with the candidate for whom the greatest number of first preferences is recorded. If the number of first preferences recorded for any two or more candidates (hereinafter called "*equal candidates*") is equal, the Clerk shall ascertain the number of second preferences recorded on all the ballot papers for each of the equal candidates, and shall arrange the equal candidates as amongst themselves on the order of preferences in the order of the second preferences recorded for each such candidate, beginning with the candidate for whom the greatest number of second preferences is recorded. If the number of first and second preferences recorded for any two or more equal candidates is equal, the Clerk shall, in like manner, ascertain the number of third preferences recorded on all the ballot papers for each of such last-mentioned equal candidates, and arrange such candidates on the order of preferences accordingly, and so on until all the candidates are arranged in order on the order of preferences. If the number of first, second, third, and all other preferences recorded for any two or more equal candidates is equal, the Clerk shall determine by lot the order in which such candidates are to be arranged on the order of preferences.
- (5) The Clerk shall then arrange the valid ballot papers in parcels according to the first preferences recorded for each candidate.

- (6) The Clerk shall then count the number of papers in each parcel and credit each candidate with a number of votes equal to the number of valid papers on which a first preference has been recorded for such candidate.
- (7) The Clerk shall then add together the number of votes credited to each candidate and divide that number by two; the result increased by one, any fractional remainder being disregarded, shall be the number of votes sufficient to secure the selection of a candidate and this number is referred to in these Rules as the “*quota*”.
- (8) If at the end of any count or at the end of the transfer of any parcel or sub-parcel of an excluded candidate, the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall be deemed to be the “*successful candidate*” and the count shall thereupon be concluded.
- (9) If at the end of any count, the quota has not been reached or exceeded by any candidate, the following provisions shall apply—
  - (a) the Clerk shall exclude the candidate (in this Rule referred to as the “*excluded candidate*”) then credited with the lowest number of votes and all the papers of that candidate shall be examined;
  - (b) the transferable papers of the excluded candidate shall be arranged in sub-parcels according to the next available preferences recorded thereon for continuing candidates and each sub-parcel shall be transferred to the continuing candidate for whom the preference was recorded;
  - (c) a parcel containing original votes shall be first transferred;
  - (d) sub-parcels containing transferred votes shall be transferred in the order in which the excluded candidate obtained them;
  - (e) a separate sub-parcel shall be made of the non-transferable papers and they shall be set aside as finally dealt with;
  - (f) if, when a candidate has to be excluded under this Rule, the total of the votes of the two or more lowest candidates is less than the number of votes credited to the next highest candidate, the Clerk shall in one operation exclude such two or more lowest candidates;
  - (g) if, when a candidate has to be excluded under this Rule, and two or more candidates have each the same number of votes and are lowest (the total of which is more than the next highest candidate), regard shall be had to the number of original votes credited to each of those candidates, and the candidate with the lowest number of original votes shall be excluded. Where the numbers of the original votes are equal, regard shall be had to the total number of votes credited to those candidates at the first count at which they had an unequal number of votes and the candidate with the lowest number of votes at that count shall be excluded and, where the numbers of votes credited to those candidates were equal at all counts, the candidate lower in the order of preferences at the first count shall be excluded.
- (10) If at the end of any count, the quota has not been reached or exceeded by any candidate, and there is only one continuing candidate remaining, that candidate shall be deemed to be the successful candidate and the count shall thereupon be concluded.
- (11) On every transfer under these Rules, each sub-parcel of papers transferred shall be placed on top of the parcel or sub-parcel (if any) of papers of the candidate to whom the

transfer is made, and that candidate shall be credited with a number of votes equal to the number of papers transferred to him or her.

- (12) At the end of every count the Clerk shall record on a result sheet the total number of votes credited to each candidate at the end of that count and also the number of the non-transferable papers not effective on that count.
- (13) Any candidate may, at the conclusion of any count, request the Clerk to re-examine and recount all or any of the ballot papers dealt with during that count, and the Clerk may re-examine and recount accordingly the ballot papers indicated.
- (14) The Clerk may at his or her discretion, or at the request of a candidate, recount ballot papers either once or more often in any case in which he or she is not satisfied as to the accuracy of any count.
- (15) Nothing in these Rules shall make it obligatory on the Clerk to recount the same parcel of ballot papers more than once.
- (16) In the re-examination and recount, the number or order of ballot papers in any parcel shall not be disturbed.
- (17) The decision of the Clerk, whether expressed or implied by his or her acts, on any question which arises in relation to the count, including the exclusion of any candidate, or to any ballot paper or transfer of votes, shall be final.
- (18) On the completion of the counting of the votes, the Clerk shall determine and declare the result in the count centre, and announce the name of the successful candidate whose name shall be put before the House in accordance with Standing Order 7(3).

#### **Destruction of ballot papers**

- (19) As soon as practicable subsequent to the election and taking of the Chair by the successful candidate, the Clerk shall destroy the ballot papers.

#### **Definitions**

- (20) In these Rules—
  - (a) “*continuing candidate*” means any candidate not deemed to be the successful candidate and not excluded;
  - (b) “*count*” means (as the context may require) either—
    - (i) all the operations involved in the counting of the first preferences recorded for candidates; or
    - (ii) all the operations involved in the transfer of the votes of an excluded candidate; or
    - (iii) all the operations involved in the transfer of the votes of two or more candidates together;
  - (c) “*determine by lot*” means determine in accordance with the following directions, namely, the names of the candidates concerned having been written on similar slips of paper, and the slips having been folded so as to prevent identification and mixed and drawn at random, the candidates concerned shall as amongst themselves be arranged on the order of preferences in the order in which the slips containing their names are drawn, beginning with the candidate whose name is on the slip drawn first;
  - (d) “*invalid*” by reference to a ballot paper means any ballot paper—
    - (i) which does not bear the official mark; or

- (ii) on which the figure “1” standing alone, or the word “one” or any other mark which, in the opinion of the Clerk, clearly indicates a first preference, is not placed at all or is not so placed as to indicate a first preference for some candidate; or
  - (iii) on which the figure “1” standing alone, or the word “one” or any other mark which, in the opinion of the Clerk, clearly indicates a first preference, is set opposite the name of more than one candidate; or
  - (iv) on which the figure “1” standing alone indicates a first preference and some other number is set opposite the name of the same candidate; or
  - (v) on which anything is written or marked which, in the opinion of the Clerk, is calculated to identify the member voting;
- (e) “*non-transferable paper*” means a ballot paper—
- (i) on which no second or subsequent preference is recorded for a continuing candidate; or
  - (ii) on which the names of two or more candidates (whether continuing or not) are marked with the same number, and are next in order of preference; or
  - (iii) on which the name of the candidate next in order of preference (whether continuing or not) is marked by a number not following consecutively after some other number on the voting paper or by two or more numbers; or
  - (iv) which is void for uncertainty;
- (f) “*original vote*” in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate;
- (g) “*preference*” shall be interpreted as follows—
- (i) “*first preference*” means the figure “1” standing alone, or the word “one” or any other mark which, in the opinion of the Clerk, clearly indicates a first preference;
  - (ii) “*second preference*” means the figure “2” standing alone, or the word “two” or any other mark which, in the opinion of the Clerk, clearly indicates a second preference standing in succession to a first preference;
  - (iii) “*third preference*” means the figure “3” standing alone, or the word “three” or any other mark which, in the opinion of the Clerk, clearly indicates a third preference standing in succession to a second preference and so on;
  - (iv) “*next available preference*” means a preference which, in the opinion of the Clerk, is a second or subsequent preference recorded in consecutive order for a continuing candidate, the preferences next in order on the ballot paper for candidates already excluded being disregarded;
- (h) “*transferable paper*” means a ballot paper on which, following a first preference, a second or subsequent preference is recorded in numerical order for a continuing candidate;
- (i) “*transferred vote*” in regard to any candidate means a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate.



TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
1	24 July, 1923; 21 July, 1926; 12 October, 1933; 12 January, 1938 and 29 October, 1963.
2	24 July, 1923; 21 July, 1926; 12 January, 1938 and 29 October, 1963.
3	24 July, 1923; 21 July, 1926 and 29 October, 1963.
4	24 July, 1923; 21 July, 1926 and 29 October, 1963.
5	21 July, 1926 and 12 January, 1938.
6	24 July, 1923; 21 July, 1926; 28 January, 2016 and 21 July, 2016 (P).
7	28 January, 2016.
8	28 January, 2016.
9	24 July, 1923 and 21 July, 1926.
10	15 October, 1996.
11	24 July, 1923; 21 July, 1926; 29 October, 1963; 15 October, 1996 and 30 June, 2016 (P).
12	21 July, 1926 and 25 June, 1986.
13	21 July, 1926 and 29 October, 1963.
14	21 July, 1926; 29 October, 1963 and 23 October, 1974.
15	21 July, 1926 and 29 October, 1963.
16	26 September, 1922; 21 July, 1926 and 23 October, 1974.
17	26 September, 1922; 24 July, 1923; 21 July, 1926 and 31 January, 1978.
18	8 March, 1923; 21 July, 1926; 29 October, 1963 and 23 October, 1974.

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
19	23 October, 1974.
20	26 September, 1922; 21 July, 1926; 12 January, 1938; 23 October, 1974 and 6 February, 2007.
21	26 September, 1922; 21 July, 1926 and 2 May, 2017 (P).
22	26 September, 1922; 21 July, 1926; 30 October, 1962; 23 October, 1974 and 9 June, 2016 (P).
23	26 September, 1922; 3 October, 1922; 24 July, 1923; 21 July, 1926; 5 June, 1936; 30 October, 1962; 29 October, 1963; 23 October, 1974; 13 November, 1986; 15 October, 1996; 29 January, 1998; 9 June, 2016 (P); 25 October, 2016 (P); 17 January, 2017 (P); 14 November, 2017 (P) and 15 May, 2018 (P).
24	8 March, 1923; 21 July, 1926; 5 June, 1936; 30 October, 1962; 23 October, 1974; 13 November, 1986 and 15 October, 1996.
25	8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974; 13 November, 1986; 9 June, 2016 (P); 17 January, 2017 (P) and 14 November, 2017 (P).
26	26 September, 1922; 21 July, 1926; 29 October, 1963; 15 October, 1996 and 25 March, 1997.
27	14 July, 1932 and 4 May, 2017 (P).
27A	9 June, 2016 (P)
27B	9 June, 2016 (P).
27AC	18 December, 2018 (P).
27C	9 June, 2016 (P) and 18 December, 2018 (P).
27D	9 June, 2016 (P).
27E	9 June, 2016 (P).
27F	9 June, 2016 (P).

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
28	26 September, 1922; 24 July, 1923; 21 July, 1926; 29 October, 1963; 15 October, 1996; 20 February, 2001; 24 October, 2002; 9 June, 2016 (P); 28 June, 2016 (P); 17 January, 2017 (P) and 15 May, 2018 (P).
29	24 October, 2002; 9 June, 2016 (P); 9 June, 2016 (T) and 29 November, 2016 (T).
29A	9 June, 2016 (P) and 14 November, 2017 (P).
30	23 October, 1974; 15 October, 1996; 25 November, 2010; 7 May, 2013 and 9 June, 2016 (P).
31	21 July, 1926 and 23 October, 1974.
32	26 September, 1922; 24 July, 1923; 21 July, 1926 and 29 October, 1963.
33	26 September, 1922; 21 July, 1926 and 13 November, 1986.
34	26 September, 1922; 3 October, 1922; 21 July, 1926; 5 June, 1936; 30 October, 1962; 29 October, 1963; 23 October, 1974; 13 November, 1986; 21 March, 1991 and 24 October, 2002.
35	26 September, 1922; 3 October, 1922; 21 July, 1926; 26 May, 1943; 6 December, 1949; 13 July, 1965; 23 October, 1974; 13 November, 1986 and 15 October, 1996.
36	26 September, 1922; 21 July, 1926; 15 October, 1996 and 28 June, 2016 (P).
37	26 September, 1922; 8 March, 1923; 21 July, 1926; 13 November, 1986; 15 October, 1996 and 9 June, 2016 (P).
38	23 October, 1974; 13 November, 1986; 15 October, 1996; 30 September, 1999; 3 April, 2001; 18 April, 2002; 24 October, 2002; 9 June, 2016 (P); 25 October, 2016 (P) and 14 November, 2017 (P).
39	13 November, 1986; 15 October, 1996; 9 June, 2016 (P); 28 June, 2016 (P); 2 November, 2016 (P) and 17 January, 2017 (P).
40	13 November, 1986; 30 September, 1999; 18 April, 2002; 9 June, 2016 (P) and 28 June, 2016 (P).

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
41	13 November, 1986; 15 October, 1996; 30 September, 1999; 18 April, 2002; 24 October, 2002; 7 May, 2013; 8 June, 2016 (T); 9 June, 2016 (P); 9 June, 2016 (T) and 25 October, 2016 (T).
42	26 September, 1922; 21 July, 1926; 29 October, 1963; 23 October, 1974; 13 November, 1986; 15 October, 1996; 25 March, 1997 and 18 April, 2002.
42A	28 June, 2016 (P).
42B	28 June, 2016 (P).
43	26 September, 1922; 21 July, 1926; 23 October, 1974 and 9 June, 2016 (P) [Note: Standing Order 43 has been deleted].
44	26 September, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 13 November, 1986; 30 September, 1999 and 18 April, 2002.
44A	9 June, 2016 (P).
45	23 October, 1974.
46	25 March, 1997.
47	26 September, 1922; 8 March, 1923; 21 July, 1926 and 23 October, 1974.
48	26 September, 1922; 21 July, 1926 and 23 October, 1974.
49	26 September, 1922; 21 July, 1926 and 23 October, 1974.
50	15 October, 1996.
51	26 September, 1922; 21 July, 1926; 29 October, 1963 and 23 October, 1974.
52	21 July, 1926 and 29 October, 1963.
53	20 October, 1988.
54	21 July, 1926 and 29 October, 1963.
55	26 September, 1922 and 21 July, 1926.
56	26 September, 1922 and 21 July, 1926.

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
57	3 October, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996 and 13 November, 1997.
58	3 October, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974; 25 March, 1997 and 13 November, 1997.
59	15 October, 1996 and 9 June, 2016 (P).
60	26 September, 1922; 24 July, 1923; 21 July, 1926 and 23 October, 1974.
61	15 October, 1996; 25 March, 1997, 13 November, 1997 and 10 July, 2018 (P).
62	23 October, 1974, 13 November, 1997 and 10 July, 2018 (P).
63	26 September, 1922; 8 March, 1923; 21 July, 1926 and 23 October, 1974.
64	21 July, 1926; 5 June, 1936; 22 May, 1962; 23 October, 1974; 15 October, 1996, 13 November, 1997; 1 April, 1999; 7 July, 2010; 9 June, 2016 (P) and 10 July, 2018 (P).
65	21 July, 1926.
66	3 October, 1922; 21 July, 1926; 12 January, 1938; 29 October, 1963 and 31 January, 1978.
67	2 June, 2004.
68	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996; 13 November, 1997 and 7 March, 2000.
69	29 October, 1963; 23 October, 1974 and 31 January, 1978.
70	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996; 7 March, 2002; 9 June, 2016 (P); 28 June, 2016 (P) and 21 July, 2016 (P).
71	21 July, 1926; 23 October, 1974; 24 October, 1989; 9 June, 2016 (P) and 21 November, 2017 (P).
72	21 July, 1926; 29 October, 1963; 23 October, 1974; 22 June, 1994; 15 October, 1996 and 9 June, 2016 (P).

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
73	7 March, 2002 and 9 June, 2016 (P).
74	8 July, 1983 and 7 March, 2002.
75	21 July, 1926 and 23 October, 1974.
76	15 October, 1996 and 7 March, 2002.
77	26 September, 1922; 21 July, 1926; 29 October, 1963 and 9 June, 2016 (P).
78	26 September, 1922 and 21 July, 1926.
79	21 July, 1926.
80	21 July, 1926; 30 October, 1962 and 23 October, 1974.
81	26 September, 1922; 3 October, 1922; 8 March, 1923; 21 July, 1926; 23 October, 1974; 13 November, 1997 and 16 June, 2016 (P).
82	15 October, 1996 and 13 November, 1997.
83	13 November, 1997.
84	21 July, 1926; 23 October, 1974; 13 November, 1997; 18 April, 2002; 16 June, 2016 (P); 12 July, 2016 (P) and 28 March, 2017 (P).
84A	16 June, 2016 (P); 12 July, 2016 (P); 21 July, 2016 (P); 17 January, 2017 (P) and 18 December, 2018 (P).
85	13 November, 1997; 2 July, 1999; 6 February, 2007; 16 June, 2016 (P) and 28 June, 2016 (P).
86	10 June, 2014.
87	13 November, 1997.
88	21 July, 1926.
89	13 November, 1997.
90	13 November, 1997.

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
91	15 October, 1996; 13 November, 1997; 9 June, 2016 (P) and 18 December, 2018 (P).
92	26 September, 1922 and 21 July, 1926.
93	21 July, 1926; 13 November, 1997; 28 January, 2014; 28 January, 2016; 9 June, 2016 (P) and 21 July, 2016 (P).
94	25 March, 1997, 13 November, 1997 and 6 February, 2007.
95	29 October, 1963; 23 October, 1974; 31 January, 1978; 15 October, 1996; 25 March, 1997; 9 October, 1997; 13 November, 1997; 9 June, 2016 (P); 16 June, 2016 (P); 21 July, 2016 (P); 2 November, 2016 (P) and 18 December, 2018 (P).
96	13 November, 1997.
97	21 July, 1926; 29 October, 1963; 23 October, 1974; 15 October, 1996 and 13 November, 1997.
97A	16 June, 2016 (P).
98	27 November, 2014.
99	27 November, 2014.
100	15 October, 1996 and 13 November, 1997.
101	15 October, 1996 and 13 November, 1997.
102	15 October, 1996 and 13 November, 1997.
103	28 January, 2014.
104	28 January, 2014.
105	28 January, 2014.
106	13 November, 1997.
107	29 October, 1963; 30 April, 1985; 15 October, 1996; 25 March, 1997; 21 October, 1997; 13 November, 1997; 28 April, 1998; 27 May, 2003; 6 February, 2007; 14 November, 2007; 17 April, 2008; 7 July, 2010; 28

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
	January, 2014; 27 November, 2014; 17 December, 2015; 28 June, 2016 (P) and 21 July, 2016 (P).
108	25 March, 1997; 13 November, 1997; 28 April, 1998; 6 February, 2007; 28 January, 2016; 12 July, 2016 (P); 28 March, 2017 (P) and 28 March, 2017 (T).
109	13 November, 1997; 28 January, 1998 and 7 March, 2002.
110	14 November, 2007.
110A	28 June, 2016 (P) and 14 November, 2017 (P).
111	7 May, 2013.
111A	12 July, 2016 (P) and 28 March, 2017 (P).
111B	12 July, 2016 (P).
111C	12 July, 2016 (P).
111D	12 July, 2016 (P).
111E	12 July, 2016 (P).
111F	17 January, 2017 (P).
112	25 November, 2010.
113	25 November, 2010.
114	25 November, 2010 and 16 June, 2016 (P).
115	25 November, 2010.
116	25 November, 2010.
117	28 January, 2014.
118	28 January, 2014.
119	28 January, 2014.



TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
120	28 January, 2014.
121	28 January, 2014.
122	28 January, 2014.
123	28 January, 2014.
124	28 January, 2014.
125	5 March, 2015.
126	26 September, 1922; 21 July, 1926; 23 October, 1974 and 13 November, 1997.
127	26 September, 1922; 8 March, 1923 and 21 July, 1926.
128	26 September, 1922; 21 July, 1926; 23 October, 1974 and 15 October, 1996.
129	21 July, 1926 and 17 December, 2015.
130	21 July, 1926 and 23 October, 1974.
131	21 July, 1926.
132	29 October, 1963.
133	17 December, 2015.
134	17 December, 2015.
135	17 December, 2015.
136	17 December, 2015.
137	17 December, 2015.
138	26 September, 1922; 8 March, 1923; 21 July, 1926; 23 October, 1974; 19 December, 1990; 17 May, 1995; 2 December, 2010 and 28 June, 2016 (P).
139	15 October, 1996; 13 November, 1997; 28 April, 1998; 14 November, 2007 and 7 July, 2010.

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
140	26 September, 1922; 3 October, 1922; 21 July, 1926; 5 June, 1936; 30 October, 1962; 23 October, 1974; 13 November, 1986; 9 June, 2016 (P); 17 January, 2017 (P); 14 November, 2017 (P); 15 May, 2018 (P) and 18 December, 2018 (P).
140A	9 June, 2016 (P).
141	26 September, 1922; 21 July, 1926; 5 June, 1936; 19 July, 2016 (P); 25 October, 2016 (P) and 18 December, 2018 (T).
142	26 September, 1922; 8 March, 1923 and 21 July, 1926.
143	30 October, 1962; 23 October, 1974; 27 February, 1992; 15 October, 1996; 9 October, 1997; 13 November, 1997; 24 October, 2002 and 26 May, 2016 (P).
143A	26 May, 2016 (P).
143B	26 May, 2016 (P).
143C	26 May, 2016 (P).
143D	26 May, 2016 (P) and 9 June, 2016 (P).
143E	26 May, 2016 (P).
143F	26 May, 2016 (P); 9 June, 2016 (P) and 9 June, 2016 (T).
144	27 November, 1940; 18 June, 1953; 11 June, 1959; 23 October, 1974; 25 March, 1997; 15 December, 1998; 9 June, 2016 (P); 9 June, 2016 (T) and 15 May, 2018 (P).
145	26 September, 1922; 8 March, 1923; 24 July, 1923; 21 July, 1926; 23 October, 1974; 9 October, 1997 and 13 November, 1997.
146	15 October, 1996 and 17 January, 2017 (P).
146A	28 June, 2016 (P); 19 July, 2016 (P) and 18 December, 2018 (P).
147	26 September, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974; 31 January, 1978; 15 October, 1996; 28 June, 2016 (P) and 13 July, 2017 (P).

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
147A	18 December, 2018 (P).
148	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996; 24 October, 2002; 17 July, 2014; 28 June, 2016 (P); 15 November, 2016 (P) and 18 December, 2018 (P).
148A	18 December, 2018 (P).
148B	18 December, 2018 (P).
148C	18 December, 2018 (P).
148D	18 December, 2018 (P).
149	26 September, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974; 21 July, 2016 (P) and 18 December, 2018 (P).
150	26 September, 1922; 21 July, 1926; 15 October, 1996; 6 July, 2006 and 28 June, 2016 (P).
151	26 September, 1922; 8 March, 1923 and 21 July, 1926.
152	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996 and 17 July, 2014.
153	26 September, 1922; 8 March, 1923; 24 July, 1923; 21 July, 1926 and 13 November, 1997.
154	24 July, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974 and 7 November, 2006.
155	26 September, 1922; 8 March, 1923; 21 July, 1926 and 13 November, 1997.
156	23 October, 1974; 30 April, 1997 and 17 January, 2017 (P).
157	23 October, 1974 and 15 October, 1996.
158	26 September, 1922; 8 March, 1923 and 21 July, 1926.
159	21 July, 1926 and 23 October, 1974.
160	26 September, 1922; 21 July, 1926 and 23 October, 1974.

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
161	26 September, 1922; 24 July, 1923 and 21 July, 1926.
162	15 October, 1996 and 18 December, 2018 (P).
163	21 July, 1926.
164	7 July, 2010. [ <i>Note: Standing Order 164 was renumbered as 150A on 18 December, 2018.</i> ]
164A	28 June, 2016 (P).
165	8 March, 1923; 21 July, 1926; 29 October, 1963 and 23 October, 1974.
166	21 July, 1926.
167	28 May, 1946 and 29 October, 1963.
168	28 May, 1946.
169	28 May, 1946 and 13 November, 1997.
170	28 May, 1946.
171	28 May, 1946.
172	28 May, 1946; 29 October, 1963; 23 October, 1974; 31 January, 1978; 9 October, 1997 and 13 November, 1997.
173	28 May, 1946.
174	28 May, 1946; 29 October, 1963 and 13 November, 1997.
175	28 May, 1946.
176	28 May, 1946.
177	15 October, 1996 and 25 March, 1997.
178	23 October, 1974; 31 January, 1978 and 15 October, 1996.
179	23 October, 1974; 31 January, 1978 and 15 October, 1996.
180	23 October, 1974.

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
181	8 March, 1923; 21 July, 1926; 12 January, 1938 and 15 October, 1996.
182	8 March, 1923; 21 July, 1926; 29 October, 1963; 26 March, 1968; 23 October, 1974 and 13 November, 1997.
183	23 October, 1974; 13 November, 1986 and <b>28 June, 2016 (P)</b> [ <i>Note: Standing Order 183 has been deleted</i> ].
184	24 July, 1923; 21 July, 1926; 29 October, 1963 and 23 October, 1974.
185	23 October, 1974 and 31 January, 1978.
186	8 March, 1923; 15 May, 1924; 21 July, 1926; 29 October, 1963; 31 January, 1978; 3 March, 1994; 15 October, 1996; 13 November, 1997; 1 April, 1999; <b>16 June, 2016 (P)</b> and <b>5 July, 2016 (P)</b> .
186A	<b>15 December, 2016 (P)</b> and <b>15 December, 2016 (T)</b> .
187	14 February, 2001.
188	8 March, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938 and 23 October, 1974.
189	8 March, 1923; 21 July, 1926; 5 June, 1936 and 11 May, 1938.
190	8 March, 1923; 21 July, 1926; 5 June, 1936 and 11 May, 1938.
191	8 March, 1923; 21 July, 1926; 5 June, 1936 and 11 May, 1938.
192	8 March, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938 and 29 October, 1963.
193	8 March, 1923; 21 July, 1926; 5 June, 1936 and 11 May, 1938.
194	8 March, 1923; 24 July, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938 and 23 October, 1974.
195	7 May, 1924; 21 July, 1926; 5 June, 1936 and 11 May, 1938.
196	26 September, 1922; 8 March, 1923 and 21 July, 1926.
197	26 September, 1922; 21 July, 1926 and 22 June, 1994.

TABLE SHOWING DATES AT WHICH STANDING ORDERS OF 2016  
WERE PASSED AND AMENDED — *continued*

Number of Standing Order in 2016 Edition	Dates at which each Standing Order was passed and amended
198	24 July, 1923; 21 July, 1926; 12 October, 1933; 29 October, 1963 and 23 October, 1974.
199	8 March, 1923; 21 July, 1926; 29 October, 1963 and 7 July, 2010.
200	8 March, 1923; 6 March, 1924; 21 July, 1926; 29 October, 1963; 23 October, 1974; 15 October, 1996 and 7 November, 2006.
201	26 September, 1922; 24 July, 1923 and 21 July, 1926.
Schedule 1	17 December, 2015; 28 January, 2016 and <b>21 July, 2016 (P)</b> .
Schedule 2	28 January, 2016.

Notes — In addition to the specific amendments to each Order made on the dates indicated above, certain general verbal alterations were made throughout the Standing Orders on 12 January, 1938.

The Standing Orders were gender-proofed on 15 October, 1996.

The deletion of the phrase “Committee on Procedure and Privileges” wherever it occurred throughout the Standing Orders, and substitution therefor of “Committee on Procedure” was agreed in the House on 28 June, 2016.

(T) = Temporary amendment; (P) = Permanent amendment.

## **Oireachtas Library & Research Service Rules**

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# OIREACHTAS LIBRARY & RESEARCH SERVICE

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## RULES

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*(As adopted by the Joint Library Committee, 17th May 1939 and amended on 11th April 1962, 10th July 1974, 29th September 1983 and 10th May 2007.)*

1. The Library & Research Service is responsible for delivering information and research services to support the work of both Houses, Committees and individual Members in respect of their parliamentary duties. The Service also manages the procedures relating to the laying of documents before the Houses.

2. The direction and control of the Library & Research Service shall be vested in the Houses of the Oireachtas Commission, which shall be empowered to add to, alter or cancel these rules as occasion may require.

3. The Houses of the Oireachtas Commission shall, from time to time, issue such directions as to it shall seem expedient in regard to the Library & Research Service, and the duties of the Head of Library and Research Services and his or her staff.

4. The Joint Administration Committee set up by both Houses will assist and advise the Houses of the Oireachtas Commission in carrying out the rules and in suggesting further improvements and additions to the services.

5. The primary users of the Oireachtas Library & Research Service are Members of both Houses and their staff, Committees of the Houses and staff of the Houses of the Oireachtas Service. A limited service is provided to former Members of the Houses and Members of the European Parliament. No person shall be entitled to resort to the Members' Reading Room except Deputies, Senators, former Members, Members of the European Parliament and Officers of the Oireachtas, and such other persons as may receive a written order from the Houses of the Oireachtas Commission.

6. Except on Saturdays, Sundays and Public Holidays, the Library & Research Service shall be open upon every day when either House of the Oireachtas is sitting, until the rising of whichever House is last sitting, and when neither House is sitting between the hours of 9.15 a.m. and 5.30 p.m.

7. The Statement of Services, approved by the Houses of the Oireachtas Commission on 19th October 2006, outlines the information and research services to which Members and other users are entitled. The Guide also outlines the general conditions of using the services and collections.



## 32<sup>nd</sup> Dáil

### *Layout of Dáil sitting day*

#### **TUESDAY**

	<b>Start 2 p.m.</b>
Leaders' Questions	2 p.m. – 2.32 p.m. (32 mins)
Order of Business	2.32 p.m. – 3.02 p.m. (30 mins)
P.Q.s - Oral Taoiseach	3.02 p.m. – 3.47 p.m. (45 mins)
P.Q.s:- Oral Minister	3.47 p.m. – 5.17 p.m. (90 mins)
Topical Issues	5.17 p.m. – 6.05 p.m. (48 mins)
<i>Private Notice Question (if any)</i>	
<i>SO 34 (if any)</i>	7 p.m.
Government Business <i>up to</i>	8 p.m.
Private Members' Business	8 p.m. – 10 p.m. (120 mins)
	<b>Dáil Adjourns 10 p.m.</b>

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#### **WEDNESDAY**

	<b>Start 10.30 a.m.</b>
P.Q.s:- Oral Minister	10.30 a.m. – 12 noon (90 mins)
Leaders' Questions	12 noon – 12.32 p.m. (32 mins)
Questions on Promised Legislation	12.32 p.m. – 1.02 p.m. (30 mins)
P.Q.s - Oral Taoiseach	1.02 p.m. – 1.47 p.m. (45 mins)
SOS	1.47 p.m. – 2.47 p.m. (60 mins)
Topical Issues	2.47 p.m. – 3.35 p.m. (48 mins)
<i>Private Notice Question (if any)</i>	
Private Members' Business	3.35 p.m. – 5.35 p.m. (120 mins)
Government Business	5.35 p.m. – 10.15 p.m.
<i>SO 34 (if any)</i>	7 p.m.
	<b>Dáil Adjourns 10.15 p.m.</b>

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#### **THURSDAY**

	<b>Start 10.30 a.m.</b>
P.Q.s:- Oral Minister	10.30 a.m. – 12 noon (90 mins)
Leaders' Questions	12 noon – 12.32 p.m. (32 mins)
Questions on Promised Legislation	12.32 p.m. – 12.47 p.m. (15 mins)
Weekly divisions	12.47 p.m. – 1.30 p.m. (43 minutes)
SOS	1.30 p.m. – 2.10 p.m.
Government Business <i>up to</i>	5 p.m.
<i>SO 34 (if any)</i>	3.30 p.m.
Topical Issues	5 p.m. – 5.48 p.m. (48 mins)
<i>Private Notice Question (if any)</i>	
Private Members' Bill or Committee Report (alternating weekly)	5.48 p.m. – 7.48 p.m. (120 mins)
	<b>Dáil Adjourns 7.48 p.m.</b>