



Standing Orders

relative to Public Business

2020

This document is a consolidated version of all of the Standing Orders of Dáil Éireann currently in effect, as of **16 September 2024**. It incorporates the Standing Orders of the 2020 edition, along with any modifications made in the 33rd 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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Meeting of Dáil subsequent to General Election

1. Roll of Members

- (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.

2. Opening of the proceedings

On the first day of the meeting of the Dáil subsequent to a General Election, and so soon as a quorum is present¹, the proceedings shall be opened by the Clerk, who shall read the Proclamation convening Dáil Éireann.

3. Clerk's Election Report

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.

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

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

5. Definition of expressions Ceann Comhairle and Leas-Cheann Comhairle

For the purposes of these Standing Orders the expression "Ceann Comhairle" shall mean the member elected by Dáil Éireann to be Cathaoirleach of Dáil Éireann and the expression "Leas-Cheann Comhairle" shall mean the member elected by Dáil Éireann to be Leas-Chathaoirleach of Dáil Éireann.

6. Election of Ceann Comhairle

- (1) The Dáil shall then proceed to the election of a Ceann Comhairle. The Clerk shall act as Cathaoirleach 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.

¹ S.O. 21

- (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.

7. Putting the question on election of Ceann Comhairle

- (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.

8. Alternative procedure for election of Ceann Comhairle

- (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.

9. Ceann Comhairle takes the Chair

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 Cathaoirleach.

10. Declaration by Ceann Comhairle

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.

11. Election of, and declaration by, Leas-Cheann Comhairle

- (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.

12. Vacancy in office of Ceann Comhairle

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.²

13. Absence of Ceann Comhairle

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.

14. Absence of Ceann Comhairle and Leas-Cheann Comhairle

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.

² S.O.s 6, 7 and 8

15. Continued absence of Ceann Comhairle

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.

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

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.

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

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

18. Nomination of Panel of Cathaoirligh

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 Cathaoirleach in the Dáil or in Committee of the whole Dáil, when requested so to act by the Ceann Comhairle.

19. Duties and authority of Leas-Cheann Comhairle

While the Leas-Cheann Comhairle (or a temporary Cathaoirleach) 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.

Language

20. Proceedings, Journal of Proceedings and Documents — Language

- (1) All proceedings of the Dáil shall be conducted through the medium of the Irish or the English language.
- (2) The Journal of Proceedings of the Dáil and all other appropriate documents, as directed by the Ceann Comhairle, shall be issued in the Irish and English languages.

Quorum

21. Quorum

N.B. *[Please see pg 138 for Dáil Sessional Order affecting this Standing Order].*

- (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 members³.
- (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.

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

N.B. [Please see **pg 138** for Dáil Sessional Orders affecting this Standing Order].

- (1)
 - (a) If, a quarter of an hour after the time appointed for the meeting of Dáil Éireann (or such longer time as the Ceann Comhairle may, at his or her discretion, decide) a quorum is not present, the Ceann Comhairle shall, because the meeting of the Dáil cannot proceed in the absence of a quorum, postpone the meeting of the Dáil until a later time on the same day.
 - (b) Where, following the lapse of a quarter of an hour after the time appointed under paragraph (a) for the postponed meeting of Dáil Éireann, a quorum is still not present, the Ceann Comhairle shall postpone the meeting of the Dáil to the next sitting day.
 - (c) Where the Ceann Comhairle postpones a sitting under paragraph (a) or (b), he or she shall take the Chair and announce such postponement from the Chair: Provided that the fact of the postponement, and the names of the members attending in the Dáil chamber at the time of the postponement, shall be entered in the Journal of the Proceedings of the Dáil for the postponed sitting.
 - (d) For the avoidance of doubt, for the purposes of paragraphs (a), (b) and (c) “Ceann Comhairle” includes the Leas-Ceann Comhairle but does not include a member of the panel of Temporary Cathaoirligh nominated by the Ceann Comhairle under Standing Order 18.
- (2) 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 102 is under consideration or while a matter brought forward in accordance with Standing Order 37 is being discussed, any member calls the attention of the Cathaoirleach 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

³ See also S.O. 89

adjournment, as also the names of the members present, shall be entered in the Journal of the Proceedings of the Dáil.⁴

Sittings of the Dáil

23. Times and days of sitting: interruption of business, etc.

- (1)
 - (a) Unless it shall otherwise resolve the Dáil shall meet at the times specified in the ordinary routine of Business as defined by Standing Order 34A.
 - (b) The proceedings on any business under 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 at the times specified in the ordinary routine of business: Provided that if an Order shall have been made under Standing Order 24, that the time at which business is to be interrupted be other than that specified in the ordinary routine of business, that substitution shall apply in respect of that sitting day.
- (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 closure⁵ 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.

24. Late sittings

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.

25. Suspension of sitting

- (1) The sitting shall be suspended for a time on Wednesdays and Thursdays in accordance with the ordinary routine of Business as defined by Standing Order 34A, save on

⁴ See also S.O.s 90 and 113 re divisions and quorums

⁵ S.O. 78

Wednesdays where the Dáil meets at 2 p.m. when the sitting shall not be so suspended.

- (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

26. Special Summons for earlier date; postponement of sitting

- (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 35.
- (2) Where the Dáil stands adjourned to a stated day and the Leaders of the groups⁶, 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

27. Prayer and silent reflection

- (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

28. Constitution of the Business Committee

- (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:

⁶ S.O. 163

- (a) the Ceann Comhairle who *ex officio* shall be Cathaoirleach;
- (b) as many members nominated by Government as corresponds to the number of parties in 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 Cathaoirleach of the Working Group of Committee Cathaoirligh.

Provided that the quorum of the Committee shall be five, members may be substituted as provided for under Standing Order 106(2), and the Ceann Comhairle may, in his or her absence, appoint another member of the Business Committee to act as Cathaoirleach.

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

29. Meetings of the Business Committee and determination of business

- (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 and the order thereof. 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 169(3), but subject to the provisions of Standing Order 102. 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.
- (3) The Leas-Cheann Comhairle may propose arrangements to the Business Committee in relation to the taking of Private Business, and such business and arrangements may be included in the report of the Business Committee made pursuant to Standing Order 31(3).

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

- (1) At any of its meetings, the Business Committee may consider requests for waivers under—
 - (a) Standing Order 174A [“Pre-legislative consideration and publication of Government Bills”], or
 - (b) Standing Order 178 [“Scrutiny by Committees of private members’ Bills which have passed their second reading”],
 in accordance with any guidelines agreed thereon by the Committee on Standing Orders and 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.

31. Business Committee consideration and reporting

- (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 102,
 - (ii) a private member's Bill at Second Stage pursuant to Standing Order 160, or
 - (iii) a motion relating to the Order for Committee Stage of a private member's Bill pursuant to Standing Order 180,for consideration on Thursdays pursuant to Standing Order 159(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 which shall contain—
 - (a) the Government business to be taken and the order thereof, and the business to be taken in private members' time, in accordance with the prerogatives of the Government and parties and groups in Opposition pursuant to Standing Order 29(2),
 - (b) its recommendations on proposed arrangements for the following week, each of which shall be numbered, including any recommendations on proposed arrangements for Private Business, pursuant to any proposals made by the Leas-Ceann Comhairle to the Business Committee pursuant to Standing Order 29(3); and
 - (c) an indication of the business for the second following week.
- (4) The report made pursuant to paragraph (3) shall be published and circulated to members.

32. Business Committee shall aim for consensus

- (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.

[Note: Standing Order 33 has been deleted]

34. Business Committee acting as Committee of Selection

When acting as the Committee of Selection, the Business Committee shall nominate members to serve on Select, Special or Standing Committees, none of whom shall be a member of the Government or a Minister of State, 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: Provided that, notwithstanding any Order of the Dáil, a member who is appointed as a member of the Government or a Minister of State automatically stands discharged from any Committee to which they were nominated. The Business Committee, when acting as the Committee of Selection, shall also administer the allocation of Committee Cathaoirleach posts according to the d'Hondt system under Standing Order 104(2).

Business of the Dáil

34A. Ordinary routine of Business

- (1) Unless the Dáil shall otherwise order or resolve, and subject to paragraph (2), the days and times on which the Dáil shall ordinarily sit and the ordinary routine of business on those days shall be as set out in Schedule 3 to these Standing Orders: Provided that where the first sitting day of the week is a Wednesday, the routine of business which ordinarily applies on a Tuesday shall apply for that day; Provided further that the Business Committee may include recommendations for proposed arrangements for the taking of Private Business in its report made pursuant to Standing Order 31(3).
- (2) Motions for—
 - (a) the election of a Ceann Comhairle pursuant to Standing Order 6,
 - (b) the nomination by Dáil Éireann of a Taoiseach for appointment by the President, and
 - (c) the approval by Dáil Éireann of the nomination by the Taoiseach of other members of the Government for appointment by the President,

shall take precedence over the ordinary routine of business pursuant to paragraph (1) in the sequence set out above.

- (3) Where any stage of a Bill is ordered to be taken on a particular day, that stage shall not be commenced earlier than that day unless the Dáil shall otherwise order or resolve.

35. Order of Business

N.B. *[Please see pg 139 for Dáil Sessional Order affecting this Standing Order].*

- (1) The week's business, as set out in the most recent report of the Business Committee made pursuant to Standing Order 31(3), shall not be required to be announced in the House, but shall be furnished in the Official Report of the Debates. The Clerk shall publish and circulate to members the proposed arrangements for the week's business, with each arrangement numbered. At the commencement of the Order of Business taken in accordance with the ordinary routine of Business as defined by Standing Order 34A, the Ceann Comhairle shall call on a nominated member of the Business Committee to move a motion for the adoption of the arrangements, which shall, subject to paragraph (3), then be decided by one question which shall be put from the Chair.
- (2) Where there is opposition to the motion for the adoption of the arrangements for the week's business, the Ceann Comhairle may permit, at his or her discretion, a statement not exceeding one minute from a representative of each party or group in Opposition, following which a member of the Government may make a statement in response which shall not exceed three minutes: Provided that only a single statement from a party or group in Opposition, and only a single response from a member of the Government, shall be permitted.
- (3) Any member may propose an amendment to the motion for the adoption of the arrangements for the week's business: Provided that when moving the proposed amendment, the member shall identify the proposal he or she wishes to amend by its number, and give a short description of the proposal; Provided further that where an amendment or amendments have been proposed to an arrangement or arrangements, any such amendment shall not be disposed of separately, but shall be disposed of by means of the single question to be put from the Chair pursuant to paragraph (1) on the arrangements for the week.
- (4) Where, for whatever reason, the Business Committee has not made a report to the House for any sitting day or days, the Taoiseach or another member of the Government shall announce the Government business to be taken on that day or those days and may also propose arrangements, including in relation to the business to be taken, for that day or those days.
- (5) The Government Chief Whip, having consulted with the Business Committee, may propose to the House revised arrangements relating to the taking of an item or items of business, at any time after the Order of Business and on any given sitting day: Provided that where the Government wishes to schedule an item or items of business in respect of which there is no requirement for the alteration of any arrangements agreed on the Order of Business, it shall be sufficient for the scheduling of such item or items of business to be notified to the Dáil by way of inclusion in a revised report of

the Business Committee, in accordance with the Government's prerogatives pursuant to Standing Order 29(2).

35A. Questions on policy or legislation

(1) In accordance with the ordinary routine of Business as defined by Standing Order 34A, the Ceann Comhairle may permit, at his or her discretion questions to the Taoiseach, or to the Taoiseach's nominee, which shall be known as Questions on policy or legislation, on the following matters:

- (a) the taking of business which has been promised, including legislation promised either within or outside the Dáil;
- (b) the making of secondary legislation;
- (c) a matter of public policy or administration; and
- (d) when Bills or other documents needed in the House will be circulated:

Provided that the Taoiseach may request a Minister or Minister of State to respond to any issue raised.

- (2) The time allowed for any question put pursuant to paragraph (1) shall not exceed one minute, and members shall be allowed to put only one question, addressing a single topic, whereupon the Taoiseach shall make a reply which shall not exceed one minute.
- (3) On the first sitting day of the week, the time allowed for the Order of Business pursuant to Standing Order 35 and for questions on policy or legislation pursuant to this Standing Order, shall not exceed 30 minutes in the aggregate, save that any time taken on a division on the Order of Business shall not be reckoned in the calculation of that 30 minutes. On any other day when questions on policy or legislation pursuant to this Standing Order are to be taken, the time allowed shall not exceed 30 minutes.

35B. Publication and notification to members of Dáil Business

- (1) All business before Dáil Éireann shall be published by the Clerk and notified to members in such manner as may be directed by the Ceann Comhairle. This may include publication and notification by electronic means, and the publication and notification of an amended version of any such business.
- (2) The categories of business to be published by the Clerk and notified to members, and other parliamentary matters which may be notified to members, shall be published as an Appendix to these Standing Orders from time to time.

36. Leaders' Questions

N.B. *[Please see pg 136 for Dáil Sessional Order affecting this Standing Order].*

- (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 in accordance with the ordinary routine of Business as defined by Standing Order 34A.
- (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.
- (ca) The sequence in which Leaders shall be called upon to put questions shall be in accordance with a rota approved by the Committee on Standing Orders and 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.
- (d) 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".
- (e) In this Standing Order, "Leader in Opposition" means the Leader of a group as defined in Standing Order 165: Provided that the Leader of a party which is a group under Standing Order 165(1) shall have precedence over the designated Leader of a group recognised under paragraph (2) of that Standing Order.

37. Topical issues

N.B. [Please see **pg 138** for Dáil Sessional Order affecting this Standing Order].

- (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 163) 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 54;
- (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) Unless the Dáil shall otherwise order, topical issues selected by the Ceann Comhairle shall be considered in accordance with the ordinary routine of Business as defined by Standing Order 34A.
- (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.

[Note: Standing Order 38 has been deleted]

39. Order of Private Business

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.

40. Notice of motions and amendments: shorter notice

- (1) Subject to paragraph (2)—
 - (a) all motions of which notice is required to be given shall be in writing, signed by a member, and shall reach the Clerk, not later than 11 a.m. four days before the motion is to be taken, not reckoning a Saturday, Sunday or public holiday;
 - (b) any amendments to a motion tabled pursuant to subparagraph (a) shall be in writing, signed by a member, and shall reach the Clerk, not later than 11 a.m. two days before the motion is to be taken, not reckoning a Saturday, Sunday or public holiday.
- (2) By permission of the Ceann Comhairle, motions and amendments may be made on shorter notice.
- (3) The Clerk shall arrange for the publication and notification to members of motions and amendments pursuant to Standing Order 35B as soon as practicable following their receipt, subject to their compliance with Standing Orders.

[Note: Standing Order 41 has been deleted]

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

- (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

42A. Questions Paper

- (1) A Questions Paper shall be published by the Clerk and circulated to members on Tuesdays, Wednesdays and Thursdays and during the summer recess in accordance with Standing Order 52, and shall contain the text of all Questions to be asked of members of the Government that day (other than private notice Questions permitted under Standing Order 43), pursuant to Standing Orders 43 and 52.
- (2) On Tuesdays and Wednesdays, the Questions Paper shall contain the text of Questions, other than Questions nominated for priority, for oral answer on the following day.

43. Notice of Questions and private notice Questions

Questions to a member of the Government—

- (a) nominated for priority⁷ or
- (b) to which an answer is to be provided in the Official Report of the Debates⁸

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.

⁷ S.O. 49

⁸ S.O. 50(2)

44. Relevancy of Questions

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.

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

- (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 37: 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 37.
- (5) Questions shall not contain argument or personal imputation.

46. Time for Questions

- (1) Unless the Dáil shall otherwise order, Questions for oral answer to the Taoiseach shall be taken for a period not exceeding 45 minutes, and Questions for oral answer to other members of the Government shall be taken for a period not exceeding 90 minutes in accordance with the ordinary routine of Business as defined by Standing Order 34A: Provided that Questions asked on private notice may be taken by permission of the Ceann Comhairle and, if taken, shall be taken in accordance with the ordinary routine of Business as defined by Standing Order 34A.

- (2) The time allowed for Questions, other than Questions to the Taoiseach⁹ but including Questions nominated for priority¹⁰, shall not exceed 90 minutes.

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

- (1) (a) Questions addressed to the Taoiseach may be asked only on Tuesdays and Wednesdays and shall be placed on the Questions 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 Questions Paper and which is not disposed of on the day it first appears shall be placed on the Questions 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 Questions Paper, as provided in subparagraph (d), the Taoiseach 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 Questions 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 Questions Paper and that day

⁹ S.O. 47

¹⁰ S.O. 49

will not be counted as one of the three sitting days in respect of any Questions to the Taoiseach not appearing on the Questions 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 lottery¹¹, and
 - (b) Questions which have been nominated for priority¹².

48. Questions: Lottery

- (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 Questions 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 Questions 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 or more other Questions put down by the same member or by one or more other members of that group.
- (2) A Question shall be put by the member in whose name the Question appears on the Questions Paper rising in his or her place, indicating the number of the Question on the Questions 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.

¹¹ S.O. 48

¹² S.O. 49

- (3) 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.

49. Questions nominated for priority

N.B. [*Please see pg 139 for Dáil Sessional Order affecting this Standing Order*].

- (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 163) 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 Questions Paper before other Questions to members of the Government, other than the Taoiseach, to be asked on the same day.
 - (iv) Questions for answer on any one day shall be placed on the Questions Paper so as to rotate between groups in Opposition, with preference being given to the larger group (preference being decided by lot in any case of equality between groups): Provided that a party which is a group under Standing Order 165(1) shall have precedence over a group recognised under paragraph (2) of that Standing Order.
 - (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.

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

- (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 45(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 Questions 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.

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

- (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 Questions 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.

52. Questions during the summer recess

- (1) Members may put down Questions distinguished by an asterisk under Standing Order 50(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, a Questions 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.

53. Supplementary Questions

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 Questions Paper: Provided further that supplementary Questions shall not be grouped for the purposes of reply.

54. Adequacy of replies to Questions and topical issues

- (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-Cheann 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-Cheann 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).
 - (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 45.
- (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 issue¹³.

¹³ See S.O. 37

Statements

55. Statements in the House

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

56. Personal explanations

- (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

57. Calling of members to speak; addressing Chair

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.

58. Precedence of Chair

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

59. Speaking twice

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.

60. Interventions in debate

- (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.

61. Debating of motions and amendments

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

62. When motions and amendments lapse

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.

63. Lapse of private member's motion

A private member's motion which is not moved within twelve months from the date on which it was first published by the Clerk and notified to members pursuant to Standing Order 35B shall be deemed to have lapsed, but without prejudice to the right of members to put down such motion again.

64. Motions and amendments may be withdrawn

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

65. Relevancy and form of amendments

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.

66. Debate not allowed after question put

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

67. Amending or rescinding Resolution

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 published by the Clerk and notified to members pursuant to Standing Order 35B, 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.

68. Restrictions on debate: repetition and anticipation

- (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 Comhairle¹⁴;
 - (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 time¹⁵.
- (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.

69. Debate: matters *sub judice*

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 Parliamentary Privileges and Oversight 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;
- (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 37, 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.

¹⁴ S.O. 56

¹⁵ S.O. 231(1)

70. Irrelevance or repetition

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.

71. Privilege: Utterances which may have had an adverse effect: Submission to Chair

(1) For the purpose of this Standing Order, Standing Order 71A and Standing Order 72—

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

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

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

“Cathaoirleach” means—

- (a) the Ceann Comhairle in the case of the proceedings of Dáil Éireann, or
- (b) the Cathaoirleach of the Committee in the case of the proceedings of—
 - (i) a Committee appointed by Dáil Éireann, or
 - (ii) a Joint Committee appointed by both Houses, or any sub-Committee thereof,

“relevant Clerk” means—

- (a) in the case of Dáil proceedings, the Clerk of Dáil Éireann, or
- (b) in the case of the proceedings of a Select, Special or Joint Committee, the Clerk of the Committee.

“proceedings” include the proceedings of—

- (a) Dáil Éireann and Committee of the whole Dáil, and
- (b) in relation to Committees—
 - (i) a Committee appointed by Dáil Éireann, and
 - (ii) a Joint Committee appointed by both Houses, or any sub-Committee thereof, and

“utterance” includes all matters published in the Official Report of the Debates.

(2) This Standing Order and Standing Order 71A shall not apply to a witness attending before a Committee pursuant to a direction under either sections 67 or 83 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013.

- (3) A person who is of the opinion that they have been adversely affected by an utterance may make a written submission to the relevant Clerk not later than 6 weeks following the making of the utterance. The relevant Clerk shall, as soon as practicable following receipt of a submission, furnish the submission to the Cathaoirleach for his or her consideration under paragraph (4).
- (4) The Cathaoirleach shall, as soon as practicable, and in accordance with any relevant guidance issued by the Working Group of Committee Cathaoirligh under Standing Order 120 as appropriate, determine the action, if any, to be taken in response to a submission under paragraph (3), and shall notify the person who has made the submission accordingly: Provided further that the Ceann Comhairle may, at his or her discretion, at any time refer the submission to the Committee on Parliamentary Privileges and Oversight for consideration in accordance with Standing Order 71A.

71A. Privilege: Utterances which may have had an adverse effect: Submission to Committee on Parliamentary Privileges and Oversight

- (1) A person who—
 - (a) is not satisfied with the notification of the response of the Cathaoirleach to his or her initial submission under Standing Order 71(4), or
 - (b) has not received such a notification within 6 weeks of the making of the initial submission,
 may, not later than 12 weeks following the making of the initial submission, make a further submission to the Committee on Parliamentary Privileges and Oversight.
- (2) Paragraph (1) shall not prevent a person who has received a notification in response within 6 weeks of making an initial submission from making a further submission to the Committee on Parliamentary Privileges and Oversight: Provided that such further submission is made not later than 12 weeks after the initial submission.
- (3) The Committee on Parliamentary Privileges and Oversight shall consider any submission or referral made—
 - (a) under paragraph (1), or
 - (b) by the Ceann Comhairle under Standing Order 71(4) or under this Standing Order,
 as soon as practicable following its receipt. The Committee on Parliamentary Privileges and Oversight may, by exception, decide to accept a submission later than the time periods specified in this Standing Order where, in all the relevant circumstances, the Committee on Parliamentary Privileges and Oversight is satisfied that the person has acted promptly, and that there are compelling reasons, supported by evidence, for the Committee on Parliamentary Privileges and Oversight to accept the submission.
- (4) Where a submission has not been made under Standing Order 71 or under this Standing Order, the Ceann Comhairle may, where he or she is of the opinion that a person may have been adversely affected, refer an utterance to the Committee on Parliamentary Privileges and Oversight for consideration in accordance with this Standing Order.
- (5) Where the Committee on Parliamentary Privileges and Oversight has received a submission or referral under this Standing Order, it shall notify the member who made

the utterance, and shall afford such member an opportunity to make their own submission to the Committee on Parliamentary Privileges and Oversight.

- (6) Where a submission or referral under this Standing Order relates to an utterance by a member of the Committee on Parliamentary Privileges and Oversight, such member shall recuse themselves from all proceedings in respect of that submission or referral: Provided that another member may substitute for such member for such proceedings in accordance with Standing Order 106(2).
- (7) When making a determination under this Standing Order (which may include a determination on whether an abuse of privilege has occurred), the Committee on Parliamentary Privileges and Oversight shall have regard to the public interest, fair procedures and the requirements of natural and constitutional justice, and such other considerations as it considers appropriate and relevant as set out in such guidelines as shall be adopted by the Committee in accordance with Standing Order 119.
- (8) In considering the public interest for the purposes of making a determination under this Standing Order, the Committee on Parliamentary Privileges and Oversight shall balance—
 - (a) the rights of members to engage freely in debate on matters of public importance (which rights are subject to the provisions of Standing Orders and rulings of the Chair made pursuant to Standing Order 72), and
 - (b) the rights of all persons affected by such debate.
- (9) For the purposes of this Standing Order, “public interest” includes, but is not limited to, consideration of the following matters:
 - (a) the degree to which the utterance is in relation to, and in furtherance of, a matter of public policy,
 - (b) the degree to which it relates to a matter of significant public concern,
 - (c) whether the utterance was made in the course of the performance of a member’s parliamentary duty,
 - (d) the degree to which it was made in a responsible manner, including its relevance to the proceedings, and
 - (e) the degree to which the utterance adversely affects an identifiable person.

Additional considerations may be set out in guidelines adopted by the Committee in accordance with Standing Order 119.

- (10) Having made a determination under paragraph (7), the Committee on Parliamentary Privileges and Oversight may make such recommendations as it considers appropriate and shall report to the Dáil thereon. Such recommendations may include, but are not limited to, one or more of the following—
 - (a) that the relevant Committee be instructed by the Dáil to take such action, subject to such conditions, as the Committee on Parliamentary Privileges and Oversight shall determine;
 - (b) that a member be censured by the Dáil for stated reasons:

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

- (11) The Dáil shall consider a motion under paragraph (10) as soon as is practicable.
- (12) Where the report of the Committee on Parliamentary Privileges and Oversight finds that an abuse of privilege has occurred, the member who made the utterance is required to withdraw it during the proceedings of the Dáil or the relevant Committee, as appropriate, and within such time period and in such form of words as shall be specified by the Committee in its report. The Ceann Comhairle (or Cathaoirleach of the relevant Committee, as the case may be) shall, following consultation with the member concerned, determine the time and the day for the making of the withdrawal, and the Ceann Comhairle or Cathaoirleach of the relevant Committee shall read out the Committee on Parliamentary Privileges and Oversight's finding on the utterance immediately prior to calling on the member to withdraw the utterance.
- (13) If the member does not withdraw their utterance in the manner outlined in paragraph (12), the Ceann Comhairle (having been notified where applicable by the Clerk to the relevant Committee that the member has not withdrawn the utterance), shall, immediately prior to the Order of Business, or immediately following Questions on Policy or Legislation under Standing Order 35A, on the next sitting day of Dáil Éireann after the day determined for the withdrawal of the utterance, or as soon as is practicable thereafter, read out the Committee on Parliamentary Privileges and Oversight's finding on the utterance and name the member for suspension from the service of the Dáil and its Committees in accordance with Standing Order 74.

71B. Privilege: Prior notice of intention to make an utterance

Notwithstanding the provisions of Standing Order 71 or 71A, any member who considers that it is in the public interest for him or her to make an utterance which could, within the meaning provided for in Standing Order 71, adversely affect a person, may give prior private notice in writing to the Ceann Comhairle (or Cathaoirleach of the relevant Committee, as the case may be) of his or her intention to make such an utterance and the reasons therefor; and such notice shall be taken into account in the consideration of the application of the provisions of Standing Order 71A.

72. Role of the Chair in maintaining order and making rulings

- (1) For the purpose of this Standing Order, "Cathaoirleach" shall mean—
 - (a) the Ceann Comhairle, the Leas-Cheann Comhairle, or a temporary Cathaoirleach acting pursuant to Standing Order 18, or
 - (b) a Cathaoirleach, Leas-Chathaoirleach or a temporary Cathaoirleach of a Committee appointed pursuant to these Standing Orders.
- (2) The Cathaoirleach is the sole judge of order in proceedings and has authority to suppress disorder, and to enforce prompt obedience to his or her ruling.
- (3) The Cathaoirleach has authority to interpret Standing Orders and to rule on matters which are not expressly covered in Standing Orders, including but not limited to matters relating to relevance, repetition and appropriate use of privilege during debate.

- (4) 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 74.

73. Disorderly conduct: member to withdraw from Dáil

- (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.

74. Suspension of member

- (1) A member may be named by the Ceann Comhairle for suspension from the service of the Dáil and its Committees, where, in the opinion of the Ceann Comhairle, the member's conduct in the Dáil or in Committee of the whole Dáil is grossly disorderly.
- (2) A member shall be named by the Ceann Comhairle in accordance with the provisions of these Standing Orders—
- (a) on a report of the Committee on Parliamentary Privileges and Oversight containing a determination that a member has abused privilege, or
 - (b) on the report in accordance with Standing Order 113, of a Cathaoirleach of a Committee, or a Committee appointed by the Dáil, that a member has been grossly disorderly and has disregarded the authority of the Chair.
- (3) Where a member is named, the Ceann Comhairle shall move and forthwith put the question in the appropriate form on the motion, no amendment, adjournment or debate being allowed. If, on the declaration of the result, the member stands suspended from the service of the Dáil, the member shall withdraw from the chamber forthwith: Provided, on an exceptional basis, a division may be claimed on the question and shall take place immediately, and the member shall be entitled to vote in any such division.
- (4) Subject to paragraph (5), the Ceann Comhairle, on receiving from a suspended member a written and approved expression of regret, to be entered in the Journal of the Proceedings of the Dáil, shall—
- (a) lay the expression of regret before the Dáil, and
 - (b) move the motion without notice, amendment, adjournment or debate immediately prior to the Order of Business, or immediately following Questions on Policy or Legislation under Standing Order 35A, on the next sitting day, or as soon as is practicable thereafter, and forthwith put the question for the discharge of the Order of suspension, whereupon, on the declaration of the

result, the Order shall be discharged, and the member re-admitted: Provided on an exceptional basis a division may be claimed on the question and shall take place forthwith.

- (5) Where a member is suspended pursuant to having been named for not having withdrawn an utterance found to be an abuse of privilege—
- (a) suspension shall not prevent the member entering the Dáil Chamber solely for the purposes of withdrawing the utterance, and
 - (b) where the member has withdrawn their utterance, the Ceann Comhairle shall move to discharge the Order of suspension in accordance with paragraph (4): Provided that no motion for discharge of the Order of suspension may be made unless the member has withdrawn their utterance, even where the member has given the Ceann Comhairle a written and approved expression of regret.

74A. Types of suspension from the service of the Dáil and its Committees

- (1) Suspension from the service of the Dáil where the member has been named under Standing Order 74—
- (a) for gross disorder in the Dáil or in Committee of the whole Dáil, or
 - (b) for not having withdrawn an utterance found to be an abuse of privilege,
- shall include suspension from the service of any Committee appointed by the Dáil to which the member shall have been appointed previous to, or during, his or her suspension.
- (2) Where a member has been named on the report of the Cathaoirleach of a Committee appointed by the Dáil, or on the report of a Committee appointed by the Dáil, the member's suspension shall be solely from service with that Committee.
- (3) A suspension of a member shall on the first occasion last for two sitting days, on the second occasion for four sitting days, and on the third or any subsequent occasion for eight sitting days: Provided that—
- (a) in any suspension, the day on which the member is suspended shall be counted in calculating the number of days, and
 - (b) where a member is suspended pursuant to having been named—
 - (i) for not having withdrawn an utterance found to be an abuse of privilege, or
 - (ii) on the report of a Committee appointed by the Dáil,the member's suspension shall last for four sitting days.
- (4) Where a member is suspended from the service of any Committee appointed by the Dáil—
- (a) the reference to "sitting days" in paragraph (3) shall be interpreted as referring to the number of occasions on which a Committee meets (with a meeting of a Select Committee considered as a separate meeting to that of a Joint Committee); and
 - (b) where the member is not suspended from the service of the Dáil but is suspended solely from the service of a Committee appointed by the Dáil, the written expression of regret under Standing Order 74(4) shall be received by the

Cathaoirleach of the Committee, who may approve it. An approved expression of regret shall be laid before the Dáil, and a copy sent to the Ceann Comhairle. On receipt of the copy, the Ceann Comhairle shall move to discharge the Order of suspension in accordance with Standing Order 74(4).

- (5) Nothing in this Standing Order shall prevent a member from acting in substitution for a member suspended from the service of a Committee, in accordance with Standing Order 106(2).

75. Adjournment of Dáil or suspension of sitting in case of great disorder

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.

76. References to members

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.....

77. Procedure relating to removal of Judge

- (1) Any motion (hereafter described as “an Article 35.4.1° motion”) 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) The Dáil may either reject the Article 35.4.1° 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 published by the Clerk and notified to members pursuant to Standing Order 35B, 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 71 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 94, 96, 98, 99, 100, 102, 104, 106, 107, 112, 145 and 232(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 145 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 Cathaoirleach of the Select Committees so joined shall be a member of Dáil Éireann.

Closure of Debate

78. Closure

- (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 Cathaoirleach 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 Cathaoirleach, 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 Cathaoirleach is in the Chair.

Attendance of Members of Seanad

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

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.¹⁶

Divisions

79A. Pairing for maternity or other statutory leave

- (1) The Ceann Comhairle may receive a written notice that a member will not attend in the chamber to vote in a division where that member is pairing with another member who is on maternity or other statutory leave.
- (2) A written notice pursuant to paragraph (1) may be given by—
 - (a) the member who is providing the pair, or
 - (b) a Whip of a party or group:

Provided that where the notice is given by a Whip of a party or group, it need not specify the name of the member providing the pair, but may merely state that the pair is being provided by a member of the party or group.

- (3) Where a notice is received pursuant to paragraph (1), the Ceann Comhairle shall direct that an appropriate note shall be included in the Official Report of the Debates in respect of the relevant division or divisions.
- (4) The member sending the notice pursuant to paragraph (1) shall include confirmatory correspondence from the member taking the leave, and the notice shall also specify the start and end date of the arrangement.
- (5) A notice pursuant to paragraph (1) may be forwarded to the Ceann Comhairle in respect of a division which has already occurred, but shall not be sent more than a week after that division.

¹⁶ See Article 28.8 of the Constitution

80. Divisions may be demanded

- (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 next weekly division time in accordance with the ordinary routine of Business as defined by Standing Order 34A. Provided that any division demanded on the day of, but before, the weekly division time shall be taken at the weekly division time on that 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.

81. Division bells rung and time for locking doors

- (1) When a division is demanded on any of the matters listed in Standing Order 80(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
 - (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 163, 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 taken in accordance with the ordinary routine of Business as defined by Standing Order 34A, when the time has come to deal with any deferred

divisions under Standing Order 80(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 taken in accordance with the ordinary routine of Business as defined by Standing Order 34A, 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.

82. Divisions

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 81, 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.

83. Divisions: conduct of by electronic means

- (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.

84. Postponement of taking of division in case of special security measures

If, in the course of proceedings under Standing Orders 81, 82 and 83, 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.

85. Declaration of result of division

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.¹⁷ The doors shall then be re-opened.

86. Irregularities in, or obstruction of, divisions

If, in the course of proceedings under Standing Orders 81, 82, 83 and 85, 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;

¹⁷ See also S.O.s 22 and 90 re divisions and quorums in the Dáil

- (ii) the taking of the division has been obstructed and the tellers of one side refuse to comply with Standing Order 85 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.

87. Casting vote and abstentions

- (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.¹⁸
- (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

88. Going into Committee

The Dáil shall go into Committee whenever it is to take business which is to be considered in Committee.

89. Quorum in Committee of the whole Dáil

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.¹⁹

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

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 Cathaoirleach 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

¹⁸ See Article 15.11 of the Constitution

¹⁹ See S.O. 21

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.²⁰

91. Procedure in Committees

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

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

- (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 Cathaoirleach 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.

93. Suspension of Committee Meetings

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 Cathaoirleach 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 Cathaoirleach of the Committee to be dilatory or obstructive shall not be accepted.

93A. Committee on Remit Oversight

- (1) A Committee on Remit Oversight shall stand established following the reassembly of the Dáil subsequent to a General Election, to consider the following requests relating to the remit of Standing, Select or Special Committees:
 - (a) a request by a Committee for a determination as to whether the consideration of a matter is within its remit,
 - (b) a request by the Ceann Comhairle for a determination under paragraph (a) in respect of a particular Committee,
 - (c) a request by a Committee for an extension to its orders of reference for a particular purpose, in accordance with Standing Order 93B, including any submission from an affected Committee.

²⁰ See also S.O.s 22 and 112 re divisions and quorums

- (2) For the purpose of this Standing Order and Standing Orders 93B and 93C–
“consideration of a matter” shall include any proposal by a Committee to engage in an activity, exercise a power or discharge a function,
“remit” shall mean the orders of reference of a Committee as authorised by Standing Orders or by Order of the Dáil.
- (3) The Committee on Remit Oversight shall consider a request under paragraph (1) as soon as is practicable. The Committee shall endeavour to make a determination within a week of receipt of a request, unless the Committee forms the opinion that the matter does not require an urgent determination, in which case the timescale for a decision will be notified to the requester.
- (4) The Committee on Remit Oversight shall have the power to make such determinations, and attach such conditions, as it sees fit in relation to requests under paragraph (1). In exercising this power, the Committee may determine that a matter is within the remit of more than one Committee, and, if it considers it necessary to do so, may designate a lead Committee to consider the matter.
- (5) When considering requests under this Standing Order which relate to Joint Committees, the Committee on Remit Oversight shall be joined with a similar Committee of Seanad Éireann, to form the Joint Committee on Remit Oversight.
- (6) Where a member of the Committee on Remit Oversight is also a member of a Committee affected by any request to be considered by the Committee on Remit Oversight, such member shall recuse themselves from all proceedings in respect of that request: Provided that another member may substitute for such member for such proceedings in accordance with Standing Order 106(2).

93B. Instruction may be sought for an extension of Committee orders of reference

- (1) Where a Select, Special or Standing Committee wishes to consider any matter which, in the opinion of the Cathaoirleach, may not be within its remit, the Committee shall make a request to the Committee on Remit Oversight for a determination on the matter; and the request for a determination may also include a request for an extension of the orders of reference of the Committee, if required for the purpose of consideration of the matter.
- (2) A Committee intending to make a request under paragraph (1) shall notify any affected Committee of its intention to make the request, and the affected Committee may make a submission to the Committee on Remit Oversight in respect of the matter. Where a requesting Committee fails to notify an affected Committee in accordance with this Standing Order, the Committee on Remit Oversight shall notify such affected Committee on receipt of the request.
- (3) A request to the Committee on Remit Oversight under paragraph (1) shall include the following:
 - (a) the scope and purpose of the Committee’s proposed consideration of the matter (including the precise matter to be considered, the activity to be engaged in, the power to be exercised, or the function to be discharged);

- (b) the reason the matter ought properly to be the subject of Committee consideration;
 - (c) the manner in which the matter relates to a function of the Dáil;
 - (d) confirmation that the requesting Committee has notified any affected Committee of the intention to make the request (including any response from the affected Committee);
 - (e) where practicable, the witnesses or categories of witnesses with whom the requesting Committee intends to engage.
- (4) The Committee on Remit Oversight may decide to grant, or partially grant, a request under this Standing Order, and may attach such conditions to its decision as it sees fit. In this regard, the Committee may seek such further information from the requesting Committee as it thinks fit, and may consult any other Committee, or any persons or bodies as it considers appropriate.
 - (5) Upon making a decision under paragraph (4) to extend the orders of reference of a Committee, the Committee on Remit Oversight shall table a motion to instruct the Committee in accordance with the terms of its decision. Such motion shall be decided without amendment.
 - (6) The requesting Committee shall not consider the matter unless and until it has been instructed by the Dáil on foot of a motion tabled by the Remit Oversight Committee under paragraph (5).

93C. Instruction by Committee on Remit Oversight to desist

- (1) Where, in the exercise of its functions, the Committee on Remit Oversight determines that a Committee (“the relevant Committee”) has acted, is acting, or intends to act, in breach of its remit, the Committee on Remit Oversight may table a motion for an Order of Dáil Éireann to instruct the relevant Committee in accordance with paragraph (4).
- (2) In deciding whether to table a motion under paragraph (4), the Committee shall consider whether the relevant Committee’s actions have adversely affected, or are likely to adversely affect, any person, within the meaning of Standing Order 71.
- (3) Where the Committee decides to table a motion under paragraph (4), it may also determine that the relevant Committee has abused privilege by acting outside its remit and may report such determination to the Dáil.
- (4) A motion under this Standing Order shall instruct the relevant Committee to desist from considering or further considering the matter and shall be taken by the Dáil at the first practicable opportunity. Such motion shall be decided without amendment. Upon agreement of the motion by Order of the Dáil, the relevant Committee shall desist from considering the matter in accordance with the terms of the Order.
- (5) Pending the taking of a motion under paragraph (4) and subject to paragraph (6), the Committee on Remit Oversight shall give a written instruction to the relevant Committee to desist from considering the matter and shall provide a copy of such instruction to any witness concerned in the proceedings: Provided that a motion shall be taken in the Dáil for the purpose of confirming such written instruction as soon as

is practicable, and provided further that the relevant Committee shall desist, as instructed, unless and until the instruction is reversed by Order of the Dáil.

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

94. Scope and Context of Activities of Select Committees

N.B. [*Please see pg 137 for Dáil Sessional Order affecting this Standing Order*].

- (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 Joint Committee on Public Petitions and the Ombudsmen in the exercise of its functions under Standing Order 125(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 State body within the responsibility of a Government Department, or
 - (iii) the principal office-holder of a non-State body which is partly funded by the State,
- Provided that the Committee 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 to the Business Committee by a Cathaoirleach of one of the Select Committees concerned, waives this instruction.

95. Functions of Departmental Select Committees

- (1) The Dáil may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—
 - (a) legislation, policy, governance, expenditure and administration of—
 - (i) a Government Department, and
 - (ii) State bodies within the responsibility of such Department, and
 - (b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.
- (2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—
 - (a) stand referred to the Committee by virtue of these Standing Orders or statute law, or
 - (b) shall be referred to the Committee by order of the Dáil.
- (3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—
 - (a) for the accountability of the relevant Minister or Minister of State, and
 - (b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.
- (4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—
 - (a) consents to such consideration, or
 - (b) has reported on such accounts or reports.
- (5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: Provided that the Joint Committee shall not consider—
 - (a) the Committee Stage of a Bill,
 - (b) Estimates for Public Services, or
 - (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.
- (6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.
- (7) The Cathaoirleach of the Select Committee appointed pursuant to this Standing Order shall also be Cathaoirleach of the Joint Committee.
- (8) Where a Select Committee proposes to consider—

- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, 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, or
 - (d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings,
- the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:
- (i) members of the European Parliament elected from constituencies in Ireland,
 - (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (iii) at the invitation of the Committee, other members of the European Parliament.
- (9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—
- (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
 - (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 130 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.

96. Powers of Select Committees

Unless the Dáil shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

- (1) power to invite and receive oral and written evidence and to print and publish from time to time—
 - (a) minutes of such evidence as was heard in public, and
 - (b) such evidence in writing as the Committee thinks fit;
- (2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Dáil;
- (3) power to draft recommendations for legislative change and for new legislation;
- (4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to—

- (a) require any Government Department or other instrument-making authority concerned to—
 - (i) submit a memorandum to the Select Committee explaining the statutory instrument, or
 - (ii) attend a meeting of the Select Committee to explain any such statutory instrument: Provided that the authority concerned may decline to attend for reasons given in writing to the Select Committee, which may report thereon to the Dáil, and
 - (b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;
- (5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss—
- (a) policy, or
 - (b) proposed primary or secondary legislation (prior to such legislation being published),
- for which he or she is officially responsible: Provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the 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 or proposed legislation;
- (6) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the attendee, oral briefings in advance of relevant meetings of the Council of the European Union to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;
- (7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;
- (8) power to require that a member of the Government or Minister of State who is officially responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 197;
- (9) subject to any constraints otherwise prescribed by law, power to require that principal office-holders of a—
- (a) State body within the responsibility of a Government Department, or
 - (b) non-State body which is partly funded by the State,
- shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil; and
- (10) power to—

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

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Cathaoirligh under Standing Order 120(4)(a).

96A. Raising matters of order in Committee

- (1) Where, in the course of the proceedings of a Committee appointed by the Dáil, or any sub-Committee thereof, a member or a witness requests a ruling on a matter of order, the Cathaoirleach shall rule on the matter forthwith, or as soon as is practicable.
- (2) Matters of order under paragraph (1) may relate but are not limited to—
 - (a) the relevance of the proceedings to the orders of reference of the Committee,
 - (b) the relevance of questioning to the matter or matters under examination during the proceedings as set out in the invitation to the witness,
 - (c) utterances made in the course of the proceedings,
 - (d) inadequate notice of matters raised during the proceedings, including documents,
 - (e) compliance with any guidelines or protocol adopted by the Committee on Parliamentary Privileges and Oversight in accordance with Standing Order 119, and
 - (f) any other matter related to the general conduct of the proceedings.

97. Compellability direction (ordinary Committee business)

- (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 inquiry²¹) 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.

²¹ See definition in S.O. 137

- (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.

98. Joint Meetings of Select Committees

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 Cathaoirleach of the requesting Committee shall act as Cathaoirleach and, in the unavoidable absence of the Cathaoirleach, the provisions of Standing Order 104(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.

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

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.

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

- (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 101, 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 118A, 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 Standing Orders and Dáil Reform 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 Standing Orders and Dáil Reform), the work programme and minutes of proceedings referred to in paragraphs (3), (4) and (5) respectively of this Standing Order.

101. Messages from Select Committees in relation to Bills or Estimates

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.²²

102. Debating of reports from Committees

- (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 tabled: Provided that any such motion which is not moved within twelve months from the date on which it was first published by the Clerk and notified to members pursuant to Standing Order 35B shall be deemed to have lapsed, but without prejudice to the right to put down such motion again.
- (2) The Cathaoirleach of the Committee 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 has been published by the Clerk and notified to members pursuant to Standing Order 35B: 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.

²² See also S.O.s 100(2), 134(2) and 188

- (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 Cathaoirleach 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;
- (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.

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

The Order of the Dáil setting up a Special Committee to consider a Bill²³ shall if necessary fix a date upon which the Committee shall report back to the Dáil.

104. Cathaoirleach, and Leas-Chathaoirleach and temporary Cathaoirligh

- (1) In every Committee, the Cathaoirleach shall have only one vote.
- (2) A proportion of Cathaoirleach posts shall be allocated to the party or parties in Government and each group in the Dáil (as defined in Standing Order 163). 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 Cathaoirleach 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 post of Cathaoirleach of the Committee of Public Accounts. The House shall appoint each Cathaoirleach, 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 Leas-Chathaoirleach. In the unavoidable absence of the Cathaoirleach, the Leas-Chathaoirleach shall perform the duties devolved upon, and exercise the authority conferred upon, the Cathaoirleach by Standing Orders.
- (3A) Upon first taking the Chair after his or her election, the Cathaoirleach and Leas-Chathaoirleach shall make the following declaration:

²³ S.O. 181

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

- (4) Where the Cathaoirleach of a Committee (and the Leas-Chathaoirleach, 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 Cathaoirleach by Standing Orders for the duration of such absence.
- (5) Where the Cathaoirleach of a Committee which is conducting a Part 2 inquiry²⁴ ceases to be a member of that Committee, the Dáil shall, by Resolution, appoint a Cathaoirleach from amongst the remaining Committee members.²⁵

105. Responsibility of Cathaoirleach of the Committee for compliance with Standing Orders, rules and protocols

- (1) The Cathaoirleach of every Committee appointed by the Dáil shall be responsible for ensuring compliance by his or her Committee with the Standing Orders and rules laid down by the House/s and for the orderly and fair conduct of the proceedings of the Committee, in accordance with Standing Order 72.
- (2) It shall be the responsibility of the Cathaoirleach to—
 - (a) ensure that the Committee acts within the scope of its orders of reference as determined by the House,
 - (b) ensure that the Committee acts within the scope of the terms of any invitation issued to any witness to appear before the Committee,
 - (c) maintain order in the Committee, including ruling on matters of order when requested to do so by a member, witness or third party,
 - (d) balance the rights of persons referred to during proceedings with the rights of members, having regard to such guidelines or protocols as shall be adopted by the Committee on Parliamentary Privileges and Oversight in accordance with Standing Order 119, and
 - (e) ensure compliance with such administrative rules governing Committees as may be determined by the Houses of the Oireachtas Commission.
- (3) Where a Cathaoirleach makes a ruling in respect of adherence by the Committee to its orders of reference under paragraph (2)(a) of this Standing Order, such ruling shall be notified to the Committee, and to the Ceann Comhairle in his or her capacity as Cathaoirleach of the Committee on Remit Oversight.
- (4) Where in the opinion of the relevant Committee, the Cathaoirleach of the Committee has failed to discharge his or her responsibilities as set out in these Standing Orders,

²⁴ See definition in S.O. 137

²⁵ See Part 3 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 in relation to Part 2 inquiries and fair procedures

the Committee may, on substantive motion, censure the Cathaoirleach and report thereon to the Committee on Parliamentary Privileges and Oversight.

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

- (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 95, and shall be entitled to vote in Select Committee proceedings, for the purpose of consideration of the following matters:

- (a) Bills;
- (b) proposals contained in any motion, including any motion within the meaning of Standing Order 220;
- (c) Estimates for Public Services; and
- (d) Scrutiny of Private Members' Bills in accordance with Standing Order 178:

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: Provided that the nominated substitute may not be a member of the Government or a Minister of State.
- (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 163) 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 163).

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

107. Private Meetings of Committees

- (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.²⁶
- (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.

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

- (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.

109. Quorum of Select Committees

- (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.²⁷

²⁶ See also S.O. 145

²⁷ See also S.O. 112 re divisions and quorums in Committees

- (2) A member of Dáil Éireann attending pursuant to Standing Order 106(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 106(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 or, for the purpose of Standing Order 106(4) taking part in proceedings on such specified videoconferencing platform as may be approved and provided by the Houses of the Oireachtas Commission, shall be a member of Dáil Éireann and one a member of Seanad Éireann: Provided further that references in Standing Orders to being present, taking part in proceedings, attending and participating shall be construed accordingly.

110. Absence for witness evidence

- (1) Subject to Standing Order 111, in the event of any member of a Committee which is conducting a Part 2 inquiry²⁸ (where the inquiry has the power to make findings of fact) being absent for any witness evidence at a meeting of the Committee, the Cathaoirleach shall table a motion for a Resolution of Dáil Éireann to remove the member from the Committee in 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 111, 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.

111. Absence for witness evidence due to exceptional circumstances

Where a member of a Committee which is conducting a Part 2 inquiry²⁹ (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 Cathaoirleach will not table the motion (under Standing Order 110) for a Resolution to remove the member from the Committee.

²⁸ See definition in S.O. 137

²⁹ See definition in S.O. 137

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

- (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 Cathaoirleach 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 Cathaoirleach 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.³⁰

113. Disorderly conduct in Committees

- (1) The Cathaoirleach of a Committee appointed by Dáil Éireann, or a sub-Committee thereof, shall order a member of the Committee, a member of Dáil Éireann attending pursuant to Standing Order 106, or any other person present, whose conduct is grossly disorderly, to withdraw immediately from the meeting of the Committee for the remainder of that meeting. The member or other person ordered to withdraw in pursuance of this Standing Order shall forthwith withdraw from the meeting.
- (2) For the purposes of this Standing Order, gross disorder shall include disregarding the authority of the Chair, such as contravening a direction by the Cathaoirleach to cease particular questioning or refusing to withdraw an utterance when directed to do so by the Cathaoirleach.
- (3) If, on any occasion, the Cathaoirleach of a Committee appointed by the Dáil, or any sub-Committee thereof, deems that the powers conferred under paragraph (1) are inadequate to deal with the disorderly conduct of a member, the Cathaoirleach may make a report to the Dáil in the form below, recommending that the member be named for suspension from service with the Committee. The Cathaoirleach shall announce at the meeting at which the disorderly conduct occurs that he or she intends to make the report, and shall send a message in that regard to the Clerk of the Dáil in writing and in the following form:

“I hereby report that Deputy..... *[insert the name of the deputy]* at a meeting of the..... *[insert the name of the Committee]* on..... *[insert the date]* having been grossly disorderly and having disregarded my authority as

³⁰ See also S.O.s 22 and 90 re divisions and quorums in the Dáil

Chair, falls to be named for suspension from the service of the..... [*insert the name of the Committee*] in accordance with Standing Order 74.”

Such a message shall constitute a report under this paragraph.

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

“The..... [*insert the name of the Committee*] hereby reports that Deputy..... [*insert the name of the deputy*] at a meeting on..... [*insert the date*] having been grossly disorderly and having disregarded the authority of the Chair, falls to be named for suspension from the service of the..... [*insert the name of the Committee*] in accordance with Standing Order 74.”

Such a message shall constitute a report under this paragraph.

- (5) On receipt by the Clerk of the Dáil of a report under paragraph (3) or (4), the Ceann Comhairle shall, immediately prior to the Order of Business, or immediately following Questions on Policy or Legislation under Standing Order 35A, on the next sitting day, or as soon as is practicable thereafter, name the member [*having previously notified the Business Committee in that regard*] in accordance with Standing Order 74, and the provisions of that Standing Order shall apply.

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

In the case of great disorder, the Cathaoirleach 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.

115. Perception of bias – responsibility of member

- (1) If a member is a member of a Committee which is conducting or which is to conduct a Part 2 inquiry³¹, 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 Parliamentary Privileges and Oversight 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 117(4).

³¹ See definition in S.O. 137

- (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
 - (c) any other relevant circumstances.

116. Removal from inquiry Committee in relation to perception of bias

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.

117. Procedures re perception of bias

- (1) (a) Any person may make a submission to the Committee on Parliamentary Privileges and Oversight 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 Parliamentary Privileges and Oversight shall inform the person of such, and afford them the opportunity to make the submission in the correct manner.
- (b) The Committee on Parliamentary Privileges and Oversight 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 115(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 Parliamentary Privileges and Oversight in writing, with a reason or reasons why the opinion is being sought.
- (b) The Committee on Parliamentary Privileges and Oversight shall, as soon as is practicable, consider the opinion sought under paragraph (a).
- (3) Where the Committee on Parliamentary Privileges and Oversight 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 Parliamentary Privileges and Oversight 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.

118. Circulation of Documents by Clerk to Committee

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.

118A. Committee on Standing Orders and Dáil Reform

N.B. [*Please see pg 134 for Dáil Sessional Order affecting this Standing Order*].

- (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Committee, which shall be called the Committee on Standing Orders and Dáil Reform (hereinafter referred to in this Standing Order as “the Committee”).
- (2) The functions of the Committee shall be to—
 - (a) consider matters of procedure generally, including procedure in Standing, Select or Special Committees, and make such recommendations on amendments to Standing Orders as it considers necessary and appropriate,
 - (b) consider and make recommendations on the establishment of new Standing, Select or Special Committees, and
 - (c) propose an ordinary routine of Business pursuant to Standing Order 34A, for agreement by the House: Provided that the Business Committee may make recommendations to the Committee in this regard.
- (3) The Committee shall have the following powers:
 - (a) power to appoint sub-Committees as defined in Standing Order 96(2);
 - (b) power to engage consultants as defined in Standing Order 96(10), other than as defined in the proviso thereto;
 - (c) power to travel as defined in Standing Order 96(10), other than as defined in the proviso thereto;

- (d) power to print and publish reports and to authorise sub-Committees to report directly to the Dáil as defined in Standing Order 100(1).
- (4) The Committee shall consist of the Ceann Comhairle, who *ex officio* shall be Cathaoirleach, 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-Cheann Comhairle may act as Cathaoirleach. The Committee shall be constituted so as to be impartially representative of the Dáil.
- (5) In the absence of a member nominated to serve on the 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.
- (6) The Committee is a continuation in being of the sub-Committee which, under the Standing Orders of Dáil Éireann relative to Public Business, was previously titled the sub-Committee on Dáil Reform.

119. Committee on Parliamentary Privileges and Oversight

N.B. [*Please see pg 134 for Dáil Sessional Order affecting this Standing Order*].

- (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 Parliamentary Privileges and Oversight (hereinafter referred to in this Standing Order as "the Committee").
- (2) The functions of the Committee shall be to—
 - (a) consider matters relating to the parliamentary privileges attaching to membership of Dáil Éireann and its Committees, including reporting to the Dáil on abuse of privilege and considering submissions or referrals in relation to parliamentary utterances pursuant to Standing Order 71A,
 - (b) oversee procedure generally, including procedure in Standing, Select and Special Committees and in particular to—
 - (i) consider and where appropriate make determinations on submissions or referrals in relation to parliamentary utterances in Committees pursuant to Standing Order 71A,
 - (ii) adopt and publish guidelines in accordance with Standing Order 71A(7),
 - (iii) act as the Committee on Remit Oversight pursuant to Standing Orders 93A to 93C inclusive,
 - (iv) adopt and publish a protocol for persons giving evidence to Committees of the Houses of the Oireachtas,
 - (v) consider a report from a Committee on censure of a Cathaoirleach pursuant to Standing Order 105(4),
 - (c) perform functions in relation to Part 2 inquiries as follows:
 - (i) to act as the designated Committee in relation to any proposals for a Part 2 inquiry as set out in Standing Orders 136 to 141 inclusive, and
 - (ii) to consider matters relating to perception of bias in respect of a Part 2 inquiry as set out in Standing Orders 115 to 117 inclusive,

- (d) issue such guidelines as it considers appropriate in relation to—
 - (i) Part 2 inquiries, and
 - (ii) other Committee business where a power to send for persons, papers and records has been conferred,
 in accordance with sections 19 and 79 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013,
 - (e) perform functions relating to the protection of the official documents of the Dáil and the private papers of its members under Article 15.10 of the Constitution, as conferred by Standing Orders 153 and 154,
 - (f) perform the functions as the Part 10 committee and the Part 11 committee under the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, as conferred by Standing Orders 155 and 156.
- (3) The Committee shall have the following powers:
- (a) power to appoint sub-Committees as defined in Standing Order 96(2);
 - (b) power to engage consultants as defined in Standing Order 96(10), other than as defined in the proviso thereto;
 - (c) power to travel as defined in Standing Order 96(10), other than as defined in the proviso thereto;
 - (d) power to print and publish reports and to authorise sub-Committees to report directly to the Dáil as defined in Standing Order 100(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.
- (4) The Committee shall consist of the Ceann Comhairle, who *ex officio* shall be Cathaoirleach, 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-Cheann Comhairle may act as Cathaoirleach. The Committee shall be constituted so as to be impartially representative of the Dáil.
- (5) The Committee is a continuation in being of the Committee which, under the Standing Orders of Dáil Éireann relative to Public Business, was previously titled the Committee on Procedure, and prior to that, the Committee on Procedure and Privileges.

120. Working Group of Committee Cathaoirligh

- (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 Cathaoirligh, which shall consider the operation of Committees generally.
- (2) The membership of the Committee shall be the Cathaoirleach of each Standing, Select, Special and Joint Committee, with the exception of the Committee on Parliamentary Privileges and Oversight, the Committee on Standing Orders and Dáil Reform and the Business Committee, and the quorum of the Committee shall be six.

- (2A) The Leas-Chathaoirleach of the Standing, Select, Special or Joint Committee which is chaired by the Cathaoirleach of the Working Group may attend and take part in proceedings of the Committee without having the right to vote or to move motions.
- (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 Cathaoirligh 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 Parliamentary Privileges and Oversight, the Committee on Standing Orders and Dáil Reform 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 Parliamentary Privileges and Oversight, the Committee on Standing Orders and 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 163) which has been allocated the most posts under the d'Hondt system, pursuant to Standing Order 104(2), shall nominate one of its Cathaoirligh for appointment by the House as Cathaoirleach of the Committee.
- (9) The Committee shall have the powers defined in Standing Order 96(1), (2), (5)(a) and (10).

121. Committee on Members' Interests of Dáil Éireann

- (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 power, as defined in Standing Order 96(10), to engage consultants and to travel.
- (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: Provided that, Standing Order 106 shall apply for the purposes of consultation provided in section 5(1) and issuance of guidelines pursuant to section 12(1)(c) of the Ethics in Public Office Acts 1995 and 2001.

[Note: Standing Order 122 has been deleted]

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

- (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 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 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 Raidió Teilifís Éireann and the Broadcasting Authority of Ireland in relation to the Irish language,
 - (i) matters relating to Irish language broadcasters, including TG4, Raidió na Gaeltachta, Raidió na Life and Raidió Rí-Rá, and

- (j) any other matters relating to the Irish language, Gaeltacht and the Irish-speaking Community.
- (3) The Dáil Standing Committee shall consider such—
 - (a) Bills relating to the Irish language, Gaeltacht and the Irish-speaking Community,
 - (b) other related matters, as shall be referred to it by the Dáil, and
 - (c) 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 and the Irish-speaking Community as the Committee may select.
 - (4) The Dáil Standing Committee shall consist of nine 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 Cathaoirleach of the Dáil Standing Committee shall also be the Cathaoirleach of the Joint Committee.
 - (5) The Dáil Standing Committee shall perform the functions set out in Standing Order 95 in respect of all matters relating to the Gaeltacht within the responsibility of the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media and shall have the powers defined in Standing Order 96.
 - (6) The Joint Committee shall, in respect of its remit, have the powers defined in Standing Order 96, other than paragraph (6).
 - (7) The Joint Committee may consider—
 - (a) the general scheme or draft heads of any Bill relating to the Irish language, Gaeltacht, and the Irish-speaking Community pursuant to Standing Order 174A,
 - (b) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill relating to the Irish language, Gaeltacht and the Irish-speaking Community enacted by the Houses of the Oireachtas pursuant to Standing Order 197, and
 - (c) provided the relevant sectoral committee has consented thereto.
 - (8) The provisions of Standing Orders 98, 100 and 106 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.

124. Consideration of European Affairs

- (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 95 and 96 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 95.

- (2) 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.
- (3) 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 and the Ombudsmen

125. Joint Committee on Public Petitions and the Ombudsmen

- (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 and the Ombudsmen, to consider—
 - (a) public petitions addressed to the Houses of the Oireachtas which shall stand referred to the Committee in accordance with Standing Orders 126 to 129, inclusive;
 - (b) such other matters as may be referred to the Committee by the Houses of the Oireachtas; and
 - (c) any other related matters.
- (2) 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 Cathaoirleach of the Joint Committee shall consult with the relevant Committee established pursuant to Standing Order 95.
- (3) 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 Cathaoirleach of the Joint Committee shall be a member of Dáil Éireann.
- (4) The Joint Committee shall have the following powers:
 - (a) the powers defined in Standing Order 96, other than paragraphs (4), (6) and (7) 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 95 for further consideration and report back to the Committee.
- (5) The provisions of Standing Order 106, other than paragraph (1) thereof, shall apply to the Joint Committee.

- (6) The Joint Committee may engage with the Committee on Petitions of the European Parliament, the European Ombudsman and International ombudsman offices, including in relation to the European Citizens' Initiative.
- (7) 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 218 and/or the Comptroller and Auditor General (Amendment) Act 1993.
- (8) The Joint Committee shall prepare an annual work programme and an annual report as outlined in Standing Order 100, which shall be laid before both Houses of the Oireachtas.

126. Lodging of petitions

- (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 and the Ombudsmen (referred to in this Standing Order and Standing Orders 127, 128 and 129 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.

127. Admissibility of petitions

- (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 69;
 - (d) contains language which is offensive or in the nature of being defamatory;
 - (e) 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;

- (f) is frivolous, vexatious or otherwise constitutes an abuse of the petitions system; and
 - (g) 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.

128. Actions in relation to petitions

- (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).

129. Closing of petitions

- (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.

130. Consideration of Ombudsman report

Where a Select Committee does not under Standing Order 95(9)(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)

131. Transitional arrangements

- (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 133, 134 and 135.
- (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 96.

132. Instructions to certain Select Committees

- (1) A Select Committee on which powers have been conferred under Standing Orders 133, 134 or 135 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 133, 134 or 135 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 133, 134 or 135 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 Cathaoirleach of the requesting Committee shall act as Cathaoirleach and, in the unavoidable absence of the Cathaoirleach, the provisions of Standing Order 104(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.

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

- (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 Cathaoirleach shall forthwith table a motion thereon under section 7(3) of the European Union Act 2009;

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 Cathaoirleach 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.

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

- (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 Cathaoirleach shall forthwith table a motion thereon under section 7(1) or 7(2) of the European Union Act 2009, as appropriate; 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 101.
- (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.

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

- (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 Cathaoirleach shall forthwith table a motion thereon under section 7(4) of the European Union Act 2009.
- (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

136. Part 2 inquiries

- (1) The Dáil shall approve the conducting of Part 2 inquiries³² 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 137, 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 140, 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 reports³³ of a Committee conducting a Part 2 inquiry shall be approved by the Dáil in accordance with Standing Order 142.

137. Committee on Parliamentary Privileges and Oversight to receive notice of relevant proposal

- (1) The Committee on Parliamentary Privileges and Oversight shall be the designated Committee under Standing Order 136(2) to receive notice of a relevant proposal from any Committee which proposes to conduct a Part 2 inquiry.
- (2) The Committee on Parliamentary Privileges and Oversight 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.
- (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.

138. Relevant proposal

A relevant proposal under Standing Order 136(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;

³² See definition in S.O. 137

³³ 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

- (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 Parliamentary Privileges and Oversight considers appropriate.

139. Committee on Parliamentary Privileges and Oversight consideration of relevant proposal

When considering a relevant proposal made pursuant to Standing Orders 136(2) and 138, the Committee on Parliamentary Privileges and Oversight 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 Parliamentary Privileges and Oversight considers appropriate.

140. Relevant report and Terms of Reference Resolution

- (1) The Committee on Parliamentary Privileges and Oversight shall cause to be prepared a relevant report under Standing Order 136(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 Parliamentary Privileges and Oversight 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 139, 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 Parliamentary Privileges and Oversight, 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 136(4) in relation to the relevant proposal until such consideration has been given.

141. Subsequent inquiry

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 Parliamentary Privileges and Oversight, to which additional relevant proposal the provisions of Standing Orders 136 to 140, inclusive, shall apply.

142. Part 2 inquiry reports

Notwithstanding the generality of Standing Orders 99 and 100³⁴, 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.

143. Duty of member to uphold integrity of inquiry

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.

144. Discharge from Committee

- (1) Where a member of a Committee which is conducting a Part 2 inquiry contravenes a direction given to him or her by the Cathaoirleach 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, 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 Cathaoirleach 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 142 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.

³⁴ See Part 3 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013 in relation to Part 2 inquiries and fair procedures

Visitors

145. Introduction of visitors by members: Press

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.³⁵

146. Exclusion of visitors and Press representatives in emergency

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.³⁶

Office of Clerk and Records of the Dáil

147. Journal of the Dáil

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.

148. Custody of records and documents

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.

149. Control over Parliamentary staff

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.

150. Absence of Clerk

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.

³⁵ See also S.O. 107

³⁶ See Article 15.8.2° of the Constitution

151. Absence of Clerk and Clerk-Assistant

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

152. Official documents and private papers

- (1) Unless the context otherwise requires:
 - (a) an “official document” in Standing Order 153 means an official document for the purposes of that Standing Order, and in Standing Order 155 means an official document as defined in section 112(1) of the 2013 Act;
 - (b) any reference to Standing Order 153 includes a reference to Schedule 1 to these Standing Orders;
 - (c) a “private paper” in Standing Order 154 means a private paper for the purposes of that Standing Order;
 - (d) the “2013 Act” in this Standing Order and in Standing Orders 155 and 156 means the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013; and
 - (e) in Standing Order 154 and Schedule 1 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 153 or 154 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 Schedule 1 to these Standing Orders, an “officer of the Dáil” means the Ceann Comhairle, the Leas-Cheann Comhairle, any temporary Cathaoirleach, the Cathaoirleach or Leas-Chathaoirleach 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 153 or a private paper for the purposes of Standing Order 154, must be treated as confidential, and is required by these Standing Orders to be kept confidential.
- (5) In Standing Orders 153 and 154 “document” imports the definition contained in section 2(1) of the 2013 Act, and extends to a copy of the document at any remove.

153. Official documents and the Constitution

- (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 Schedule 1 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 Parliamentary Privileges and Oversight 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 Parliamentary Privileges and Oversight 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 Parliamentary Privileges and Oversight 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 Parliamentary Privileges and Oversight, the Dáil, or the Ceannt 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 148, 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 148 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.

154. Private papers and the Constitution

- (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.

155. Official documents and the 2013 Act

- (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 Parliamentary Privileges and Oversight 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.

156. Private papers, confidential communications and the 2013 Act

- (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 Parliamentary Privileges and Oversight 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

157. Issue under supervision of Ceann Comhairle

- (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.
- (3) 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.

- (4) 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 Parliamentary Privileges and Oversight to the Ceann Comhairle who shall make a determination on such recommendation, except that the editions to which paragraph (6) applies shall be in both forms.
- (5) Notwithstanding paragraph (4), 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.
- (6) 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.
- (7) 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.
- (8) Without prejudice to the generality of paragraph (5) and notwithstanding their exclusion from the unrevised edition of the Official Report of Debates in accordance with paragraph (4), the standing of the text of, and answers to, all Questions which have been distinguished by an asterisk in accordance with Standing Order 50(2) or in respect of which an answer shall be provided in the Official Report of Debates in accordance with Standing Order 50(3) shall be that which would have applied had they not been so excluded.

Broadcasting of Proceedings

158. Conditions on broadcasting of proceedings

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 Ceannt Comhairle on behalf of Dáil Éireann and its Committees.

Private Members' Business

159. Allocation of time between Government business and private members' business

N.B. [*Please see pgs 136 and 137 for Dáil Sessional Orders affecting this Standing Order*].

- (1) Government business or Private Business, as the case may be, shall be interrupted to take private members' business for two hours and 2 minutes on Tuesdays and on Wednesdays, in accordance with the ordinary routine of Business as defined by Standing Order 34A.
- (2) In accordance with the ordinary routine of Business as defined by Standing Order 34A, one of the following items of business (having been selected by the Business Committee pursuant to Standing Orders 102, 160 or 180) 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.

160. Private members' Bills on alternate Thursdays

- (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 is 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.

[Note: Standing Orders 161 and 162 have been deleted]

Groups

163. Groups

- (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.

164. Rights of groups: members may not benefit “on the double”

- (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.

165. Recognition of groups: writing to the Ceann Comhairle

- (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.

166. Joining a group

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.

167. Cessation of membership of a group

- (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.

168. Cessation of group status

- (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.

169. Presentation of Bills and moving of motions by members of groups

N.B. [*Please see pg 136 for Dáil Sessional Order affecting this Standing Order*].

- (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) 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.

Private Members' Business: Time limits to debate

170. Time limits to debate

N.B. [*Please see pg 135 for Dáil Sessional Order affecting this Standing Order*].

- (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 and two minutes 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 159, 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 time limits and sequence of speakers on a motion proposed by a private member which is limited to two hours and 2 minutes, save as otherwise provided for in these Standing Orders, shall be in accordance with the speaking slots contained in a sessional Order approved by the Committee on Standing Orders and Dáil Reform;

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.

Bills, Resolutions and Orders

171. Matters dealt with by motion for Resolution or Order, or by Bill

- (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-Ceann 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

172. Expressions of sympathy

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 31.

[Note: Standing Order 173 has been deleted]

Passing of Bills

First Stage

174. Initiation of Bills

N.B. *[Please see pg 138 for Dáil Sessional Order affecting this Standing Order].*

- (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 be published by the Clerk and notified to members pursuant to Standing Order 35B, subject to paragraph (4).
- (2) Any member may move for leave to introduce a Bill, subject to paragraph (4). The Ceann Comhairle shall permit that member to make an explanatory statement thereon not exceeding five minutes in length.
- (2A) If a motion for leave to introduce a Bill be opposed, following the statement by the member seeking leave, the Ceann Comhairle shall permit an explanatory statement not exceeding five minutes in length from the member who opposes the motion before putting the question thereon.
- (2B) If leave to introduce a 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 169(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 (4).
- (4) 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.

174A. Pre-legislative consideration and publication of Government Bills

- (1) A member of the Government or a Minister of State shall give the draft heads or general scheme of a proposed Bill (in this Standing Order referred to as the “heads/scheme”) to the Committee empowered under Standing Order 95 to consider Bills published by that Minister (the “relevant Committee”) for the purposes of pre-legislative scrutiny (“scrutiny”).
- (2) Where the heads/scheme are not provided pursuant to paragraph (1), and the Minister wishes to initiate the proposed Bill pursuant to Standing Order 174, they shall table a motion on notice in the following terms, and the proposed Bill may be initiated where the Dáil agrees the motion:

“That initiation of the [insert short title of Bill] may proceed pursuant to Standing Order 174 notwithstanding that the draft heads or general scheme of the Bill have not been given to the Committee empowered under Standing Order 95 to consider Bills published by the [insert title of Minister].”

Provided that the requirement to give the heads/scheme to the relevant Committee shall not apply to the following Bills:

- (a) the Finance Bill giving effect to Financial Resolutions made pursuant to the Provisional Collection of Taxes Act 1927 on Budget day,
 - (b) the Social Welfare Bill giving effect to Budget day measures, and
 - (c) the Appropriation Bill.
- (3) Where a Minister gives the heads/scheme to a relevant Committee pursuant to paragraph (1), the proposed Bill may not be initiated pursuant to Standing Order 174 until eight weeks have elapsed from the date the heads/scheme were given, save where—
- (a) the relevant Committee has completed scrutiny and has reported on the outcome,
 - (b) the relevant Committee has decided that it does not wish to conduct scrutiny, and has advised the Minister accordingly, or
 - (c) the Minister has received a waiver pursuant to paragraph (4).
- (4) Having given the heads/scheme to the relevant Committee, and where the exceptions contained in subparagraphs (a) and (b) of paragraph (3) do not apply, a Minister may request a waiver to allow the proposed Bill to be initiated before the eight weeks required by paragraph (3) have elapsed. Subject to paragraph (6), such a request for a waiver shall be made to the relevant Committee.
- (5) Where a relevant Committee declines a request for a waiver made pursuant to paragraph (4), the Minister may request the Business Committee to make a determination on the matter: Provided that where the Business Committee determines that scrutiny should not be waived, the Minister may table a motion on notice in the following terms, and the proposed Bill may be initiated before the eight weeks have elapsed where the Dáil agrees the motion:
- “That initiation of the [insert short title of Bill] may proceed pursuant to Standing Order 174 notwithstanding that pre-legislative scrutiny of the Bill pursuant to Standing Order 174A has not been waived.”*
- (5A) For the purposes of this Standing Order, Christmas, Easter and summer recess periods shall not be reckoned in the calculation of the period of eight weeks.
- (6) Where a proposed Bill is of an omnibus nature, encompassing the policy areas of two or more Government departments, a request for a waiver pursuant to paragraph (4) may be made to the Business Committee in the first instance.

Explanatory Memoranda

175. Provision of explanatory memoranda for Bills

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

176. Second Reading

N.B. [*Please see pg 137 for Dáil Sessional Order affecting this Standing Order*].

- (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 163, and
 - (iii) a member who is the Cathaoirleach or Leas-Chathaoirleach 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 31(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 Cathaoirleach or Leas-Chathaoirleach 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 174A. 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

177. Where a private member's Bill has passed its second reading

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 95 (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.

178. Scrutiny by Committees of private members' Bills which have passed their second reading

(1) Where—

- (a) the notification that a private member's Bill has been read a second time has been circulated to the relevant Committee³⁷ 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 30, 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 Committee on Standing Orders and 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.

³⁷ See definition of 'relevant Committee' in Standing Order 177

- (2) Scrutiny 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
 - (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

179. Consultation with ECB on private members' Bills, pursuant to Treaty on the Functioning of the European Union

- (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 scrutiny³⁸.
- (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: 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 178, and any recommendations arising from consideration of the Bank's opinion shall be included in the report.

³⁸ Pursuant to Standing Order 178

Private members' Bills: Order for Committee Stage

180. Private Members' Bills: Order for Committee Stage

- (1) The Committee Stage consideration of a private member's Bill shall take place in a Select Committee appointed pursuant to Standing Order 95.
- (2) Such Committee Stage consideration may only be ordered following scrutiny of the Bill by the relevant Committee³⁹, 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 Policy or Legislation under Standing Order 35A, and such motion shall be taken without debate.
- (3) Where the relevant Committee's recommendation⁴⁰ 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 95] 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 95]."
- (4) The motion under paragraph (3) may be moved—
 - (a) during a private members' time slot under Standing Order 169(3),
 - (b) on a Thursday pursuant to Standing Order 159(2) and in accordance with the ordinary routine of Business as defined by Standing Order 34A, 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

181. When a Government Bill is read a second time

- (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.

³⁹ Pursuant to Standing Order 178

⁴⁰ i.e., the recommendation under Standing Order 178(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 103 and 104 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.

182. Notice and arrangement of amendments

- (1) 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 Cathaoirleach 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 106(2).

- (2) The Clerk shall arrange for the publication and notification to members of all amendments proposed pursuant to this Standing Order as soon as practicable following their receipt.

Explanatory Memorandum following substantial amendment

183. Provision of revised Explanatory Memorandum in relation to Bills

Where Bills are to be substantially amended at Committee or Report Stage the Ceann Comhairle or Cathaoirleach of the Committee 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

184. Consideration of a Bill section by section

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.

185. Offering and disposal of amendments: consideration of preamble and title

- (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.

186. Adjournment of Standing, Select or Special Committees: report of progress by Committee of the whole Dáil

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 Cathaoirleach to be dilatory or obstructive shall not be accepted.

187. Power of Committee to amend Bills: instruction to Committee: amendments of title

- (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.

188. Printing of Bills by Select or Special Committees and Order for Report

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.⁴¹

Fourth (Report) Stage

189. Consideration of Bill on Report

- (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.

190. Motion for recommittal

- (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.

191. Amendments on Fourth Stage

Amendments may be moved on the Fourth Stage, but no amendments previously rejected in Committee of the whole Dáil shall be in order.

192. Amendments creating charges on the public revenue or upon the people

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.

193. Order for Fifth Stage

When any amendments have been disposed of an Order appointing a day for its Fifth Stage shall be made.

⁴¹ See also S.O.s 100(2) and 101

Fifth Stage

194. Motion for passage of Bill: verbal amendments

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.

Orders fixing date for next Stage of Bills

195. Orders fixing date for next Stage of Bills

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.

Corrections in Bills

196. Corrections in Bills

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. Versional, and all other corrections, shall be made by way of motion, and dealt with as any other amendment.

Post-enactment report

197. Post-enactment report

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.

Lapsing of business items and restoration of lapsed Bills

198. Lapsing of business items and restoration of lapsed Bills

- (1) Upon dissolution of Dáil Éireann, all business items before the Dáil at that time, and any item referred by the Dáil to a Committee of the Houses of the Oireachtas, shall be deemed to have lapsed.
- (2) Any Bill, which has lapsed by reason of the dissolution of the Dáil, may be proceeded with on the reassembly of the Dáil at the stage it had reached prior to the dissolution, upon a Resolution to restore it.

Hybrid Bills

199. Definition

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.

Consolidation Bills

200. Definition and introduction

- (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 published by the Clerk and notified to members pursuant to Standing Order 35B at the same time that notice is given to members 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.

201. Second Stage

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.

202. Bill referred to Standing Joint Committee

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 Bills⁴². In the absence of such concurrence the Bill may be referred to a Standing Committee of the Dáil.

⁴² S.O. 205

203. Permissible amendment to motion concurring in reference to Standing Joint Committee

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.

204. Committal of Bill to Committee

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 Committee shall be made by both Houses for a date not earlier than fourteen days after the passage of the Resolution of concurrence.

205. Standing Joint Committee on Consolidation Bills

- (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;
 - (b) power to take oral and written evidence as defined in Standing Order 96(1); and
 - (c) power to print and publish reports as defined in Standing Order 100(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.

206. Permissible amendments in the Committee

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.

207. Messages from Standing Joint Committee on Consolidation Bills

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 101. Notwithstanding the generality of Standing Order 205(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.

208. Fourth Stage

On the Report Stage, amendments shall be restricted similarly as in the Standing Joint Committee⁴³ and the Fifth Stage shall be fixed for a date not earlier than fourteen days thereafter.

209. Waiver of Stages

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

210. Estimates and Financial Resolutions to be considered in Committee

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.

211. Bills involving the imposition of charges upon the people

- (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.

⁴³ S.O. 206

- (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.

212. Bills involving the appropriation of revenue or other public moneys

- (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 such Message shall be published by the Clerk and notified to members pursuant to Standing Order 35B.⁴⁴
- (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.

213. Grants for public service

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.

214. Initiation of Bills implementing Resolutions voting money or imposing taxation

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.

215. Presentation to the Dáil and Referral of Estimates to Committees

- (1) The ordinary yearly Estimates for Public Services shall, unless the Dáil shall otherwise order, be presented to the Dáil and circulated to members during the period commencing seven days prior to Budget day (being the day on which the ordinary yearly Resolutions imposing taxation are moved) and ending on the first Wednesday in December prior to the year to which the Estimates relate: 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) An Estimate or Estimates, including supplementary and additional Estimates, shall, on being presented to the Dáil and circulated to members, stand referred to the appropriate Committee or Committees for consideration: Provided that, where the Dáil enters into consideration of any motion under Standing Order 213 in respect of

⁴⁴ See Article 17.2 of the Constitution

such Estimate or Estimates, the referral of that Estimate to that Committee shall stand rescinded.

215A. Consideration of Estimates by Committees: Report of Committee on Estimate

- (1) Subject to Standing Order 215(2) and unless the Dáil shall otherwise order, Committees shall complete their consideration of Estimates referred to them pursuant to that Standing Order not later than 80 days after such Estimates have been so referred.
- (2) Any report that a Committee proposes to make arising from its consideration of an Estimate shall be made within a further period of 30 days.

216. Debate on Supplementary Estimates

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.

217. Time limit on speeches on Financial Resolutions and Estimates

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 163) 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.

218. Committee of Public Accounts

- (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 each year 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 on an annual basis, 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) In considering particular accounts pursuant to paragraph (1)(a), the Committee shall examine whether, having regard to changes in—

- (a) the volume or quality of services or other outputs delivered, and
 - (b) associated expenditure,over time, it can be demonstrated that value for money has or has not been achieved.
- (3) The Committee shall bring conclusions and recommendations reported to the Dáil pursuant to paragraph (1)(a) in relation to particular accounts to the attention of the relevant Committee established pursuant to Standing Order 95.
- (4) The Committee may suggest alterations and improvements in the form of the Estimates submitted to the Dáil and shall bring any such suggestions as reported to the Dáil to the attention of the Committee on Budgetary Oversight.
- (5) 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.
- (6) The Committee shall have the power to send for persons, papers and records.
- (7) Paragraphs (4) to (9) inclusive of Standing Order 96 shall not apply to the Committee.
- (8) 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.
- (9) The Committee shall present an annual progress report to Dáil Éireann on its activities and plans.
- (10) Notwithstanding the provisions of paragraph (1) of this Standing Order, the Committee shall have the power to examine and report upon a specific matter of general public interest relating to the appropriation of public moneys, which is not comprehended by appropriation accounts or reports of the Comptroller and Auditor General within the meaning of paragraph (1), subject to—
 - (a) a positive determination having been made by the Committee on Remit Oversight under Standing Order 93A pursuant to a request by the Committee of Public Accounts under Standing Order 93B for an extension to its orders of reference for the purpose of examining the matter; and
 - (b) the approval of the Dáil by way of an appropriate motion under Standing Order 93B to instruct the Committee in conducting its examination of the matter.
- (11) 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; or
 - (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.
- (12) 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.

- (13) 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.

219. Committee on Budgetary Oversight

- (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;
 - (iv) general fiscal governance including the application of fiscal rules and risks to the fiscal position; and
 - (v) matters arising from the introduction of a supplementary Estimate or Estimates that, in its opinion, have or may have significant budgetary implications: Provided that the Committee shall advise the appropriate Committee or Committees of any decision on its part to undertake such consideration and the reason or reasons therefor;
 - (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;
 - (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; and
 - (iii) the adequacy of planned and actual aggregate levels of capital expenditure and the policies and practices in relation to capital expenditure, including public procurement policy and public private partnership policy, intended to ensure the achievement of value for money;
 - (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 Cathaoirleach of the Committee shall consult with the relevant sectoral Committee established pursuant to Standing Order 95.
- (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 Committee on Standing Orders and Dáil Reform for

that Committee's consideration under Standing Order 118A(2)(a): Provided that, in so doing, the Committee shall consult with—

- (a) the Committees established pursuant to Standing Order 95 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 Committee on Standing Orders and Dáil Reform.

- (4) The Committee shall have the following powers:
 - (a) power to send for persons, papers and records;
 - (b) power to take oral and written evidence as defined in Standing Order 96(1);
 - (c) power to appoint sub-Committees as defined in Standing Order 96(2);
 - (d) power to engage consultants as defined in Standing Order 96(10);
 - (e) power to travel as defined in Standing Order 96(10).
- (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 106 shall apply to the Committee.

220. Approval of International Agreements involving Charges on Public Funds

- (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

221. Certificate as to Money Bills

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

Cathaoirleach of the Seanad, informing him or her of the certification of any such Bill.⁴⁵

Communication between the Dáil and the Seanad

Messages

222. Messages to the Seanad

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.

223. Messages from the Seanad

- (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 published by the Clerk and notified to members pursuant to Standing Order 35B, and shall be considered by the Business Committee as soon as practicable.

Bills

224. Vouching of Bills passed by the Dáil

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.

225. Transmission of Bills to the Seanad

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 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.

226. Bills initiated in the Seanad

A Bill, which has been initiated in and passed by the Seanad, shall, after its receipt from the Seanad, be deemed to have passed its First Stage in the Dáil, shall be set down for its Second Stage, and shall be published by the Clerk and notified to members pursuant to Standing Order 35B.

⁴⁵ See Article 22.2 of the Constitution

227. Consideration of amendments or recommendations of the Seanad

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.

228. Powers of House in relation to Seanad amendments: amendments to Seanad amendments

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

229. Business undisposed of

All business undisposed of at the adjournment of the Dáil, shall stand postponed until next scheduled to be taken in accordance with a report of the Business Committee pursuant to Standing Order 31.

Resignation of Members

230. Procedure for resignation of member, and date of taking effect

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

231. Issue of and returns to Writs, etc.

- (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

232. Method of laying documents before the Dáil: considered public

- (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

233. Suspension or modification in effect of Standing Orders

- (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 187 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.

234. Duration of Standing Orders

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 153(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 153(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) Drafts not intended for publication of official documents.
- (o) In respect of a document falling outside Standing Order 153(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.

- (p) 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.
- (q) 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.

SCHEDULE 3

Ordinary routine of business

TUESDAY	Start 2 p.m.
Leaders' Questions	2.00 p.m. – 2.34 p.m.
Order of Business	2.34 p.m. – 3.04 p.m.
Any motions for introduction of Bills pursuant to Standing Order 174	<i>Up to 5 minutes of speeches per Bill</i>
Any motions listed on the report of the Business Committee under 'Motion(s) without debate'	
Any motions for referral of Bills to Select Committee pursuant to Standing Order 180(2)	
PQs - Oral Taoiseach	3.04 p.m. – 3.49 p.m. <i>approx.</i>
Government Business	3.49 p.m. – 6.12 p.m. <i>approx.</i>
Private notice questions (if allowed)	<i>No set time</i>
Private Members' Business	6.12 p.m. – 8.14 p.m. <i>approx.</i>
PQs – Oral Minister (1)	8.14 p.m. – 9.44 p.m. <i>approx.</i>
Topical issues	9.44 p.m. – 10.32 p.m. <i>approx.</i>
	Dáil adjourns 10.32 p.m. approx.
WEDNESDAY	Start 9.10 a.m.
Topical Issues	9.10 a.m. – 9.58 a.m.
Private Members' Business	9.58 a.m. – 12 noon
Leaders' Questions	12 noon – 12.34 p.m.
Questions on Policy or Legislation	12.34 p.m. – 1.04 p.m.
Any motions for introduction of Bills pursuant to Standing Order 174	<i>Up to 5 minutes of speeches per Bill</i>
Any motions listed on the report of the Business Committee under 'Motion(s) without debate'	
Any motions for referral of Bills to Select Committee pursuant to Standing Order 180(2)	
PQs - Oral Taoiseach	1.04 p.m. – 1.49 p.m. <i>approx.</i>
SOS for 60 minutes	1.49 p.m. – 2.49 p.m. <i>approx.</i>
Government Business	2.49 p.m. – 8.45 p.m. <i>approx.</i>
Private notice questions (if allowed)	<i>No set time</i>
Voting block	8.45 p.m. – 9.30 p.m. <i>approx.</i>

	Dáil adjourns 9.30 p.m. approx.
THURSDAY	Start 9 a.m.
PQs – Oral Minister (2)	9.00 a.m. – 10.30 a.m.
PQs – Oral Minister (3)	10.30 a.m. – 12 noon
Leaders’ Questions	12 noon – 12.34 p.m.
Questions on Policy or Legislation	12.34 p.m. – 1.04 p.m.
Any motions for introduction of Bills pursuant to Standing Order 174	<i>Up to 5 minutes of speeches per Bill</i>
Any motions listed on the report of the Business Committee under ‘Motion(s) without debate’	
Any motions for referral of Bills to Select Committee pursuant to Standing Order 180(2)	
SOS for 40 minutes	1.04 p.m. – 1.44 p.m. <i>approx.</i>
Government Business	1.44 p.m. – 7.24 p.m. <i>approx.</i>
Private notice questions (if allowed)	<i>No set time</i>
Topical Issues	7.24 p.m. – 8.12 p.m. <i>approx.</i>
Second Stage of Private Member’s Bill or Committee report (alternating weekly)	8.12 p.m. – 9.27 p.m. <i>approx.</i>
	Dáil adjourns 9.27 p.m. approx.

APPENDIX

Matters to be published by the Clerk and notified to members pursuant to Standing Order 35B

The business before the House and other matters to be notified by the Clerk to members pursuant to Standing Order 35B shall include the following:

1. Private Business and any reports thereon, pursuant to the Standing Orders relative to Private Business;
2. Public Business, including—
 - a. special items taken on the reassembly of the Dáil following a general election or following a bye-election to the Dáil, including—
 - i. the reading by the Clerk of the Proclamation summoning Dáil Éireann,
 - ii. the report of the Clerk as to issue of a writs or writs for election of members and announcement of names of members returned;
 - b. notice of the election of a Ceann Comhairle pursuant to Standing Order 6;
 - c. notice of—
 - i. the nomination of a Taoiseach,
 - ii. the nomination by the Taoiseach of other members of the Government, for appointment by the President, pursuant to Article 13 of the Constitution;
 - d. other Public Business including—
 - i. initiation of Bills,
 - ii. Bills from the Seanad,
 - iii. amendments from the Seanad to Dáil Bills,
 - iv. notices of motions and of amendments to motions,
 - v. any statement which a member of the Government intends to make pursuant to Standing Order 55,
 - vi. any business undisposed of, including any adjourned business;
3. Messages from the Government pursuant to Article 17.2 of the Constitution;
4. Questions to a member of the Government pursuant to Standing Order 43 (other than Questions relating to matters of urgent public importance), published pursuant to Standing Order 42A;
5. documents laid before the Dáil;
6. other special items, including—
 - a. the Certificate by the Attorney General in relation to a Consolidation Bill pursuant to Standing Order 200,
 - b. special addresses; and
7. any other item or information which in the opinion of the Clerk, and subject to the direction of the Ceann Comhairle, requires to be notified to members.

Table Showing Dates at which Standing Orders of 2020 were Passed and Amended

Number of Standing Order in 2020 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; 12 January, 1938 and 10 March, 2021 (P) .
6	24 July, 1923; 21 July, 1926; 28 January, 2016; 21 July, 2016 and 10 March, 2021 (P) .
7	28 January, 2016.
8	28 January, 2016.
9	24 July, 1923; 21 July, 1926 and 10 March, 2021 (P) .
10	15 October, 1996.
11	24 July, 1923; 21 July, 1926; 29 October, 1963; 15 October, 1996 and 30 June, 2016.
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; 23 October, 1974 and 10 March, 2021 (P) .
19	23 October, 1974 and 10 March, 2021 (P) .
20	26 September, 1922; 21 July, 1926; 12 January, 1938; 23 October, 1974; 6 February, 2007 and 5 April, 2022 (P) .
21	26 September, 1922; 21 July, 1926; and 2 May, 2017.

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
22	26 September, 1922; 21 July, 1926; 30 October, 1962; 23 October, 1974; 9 June, 2016; 12 February, 2019 and 10 March, 2021 (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; 25 October, 2016; 17 January, 2017; 14 November, 2017; 15 May, 2018; 12 February, 2019; 15 October, 2019 and 5 April, 2022 (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; 17 January, 2017; 14 November, 2017 and 5 April, 2022 (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.
28	9 June, 2016; 7 July, 2020 (P) and 10 March, 2021 (P) .
29	9 June, 2016 and 5 April, 2022 (P) .
30	18 December, 2018; 5 March, 2020 (P) and 14 September, 2022 (P) .
31	9 June, 2016; 18 December, 2018 and 5 April, 2022 (P) .
32	9 June, 2016.
33	9 June, 2016 and 5 April, 2022 (P) [<i>Note: Standing Order 33 has been deleted</i>].
34	9 June, 2016; 10 March, 2021 (P) ; 21 April, 2021 (P) and 17 May, 2022 (P) .
34A	5 April, 2022 (P) .
35	26 September, 1922; 24 July, 1923; 21 July, 1926; 29 October, 1963; 15 October, 1996; 20 February, 2001; 24 October, 2002; 9 June, 2016; 28 June, 2016; 17 January, 2017; 15 May, 2018; 12 February, 2019 and 5 April, 2022 (P) .
35A	5 April, 2022 (P) .

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
35B	5 April, 2022 (P).
36	24 October, 2002; 9 June, 2016; 10 September, 2020 (P) and 5 April, 2022 (P).
37	9 June, 2016; 14 November, 2017; 12 February, 2019; 10 September, 2020 (P) and 5 April, 2022 (P).
38	23 October, 1974; 15 October, 1996; 25 November, 2010; 7 May, 2013; 9 June, 2016 and 5 April, 2022 (P) [Note: Standing Order 38 has been deleted].
39	21 July, 1926 and 23 October, 1974.
40	26 September, 1922; 24 July, 1923; 21 July, 1926; 29 October, 1963 and 5 April, 2022 (P).
41	26 September, 1922; 21 July, 1926; 13 November, 1986 and 5 April, 2022 (P) [Note: Standing Order 41 has been deleted].
42	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.
42A	5 April, 2022 (P).
43	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.
44	26 September, 1922; 21 July, 1926; 15 October, 1996 and 28 June, 2016.
45	26 September, 1922; 8 March, 1923; 21 July, 1926; 13 November, 1986; 15 October, 1996 and 9 June, 2016.
46	23 October, 1974; 13 November, 1986; 15 October, 1996; 30 September, 1999; 3 April, 2001; 18 April, 2002; 24 October, 2002; 9 June, 2016; 25 October, 2016; 14 November, 2017 and 5 April, 2022 (P).
47	13 November, 1986; 15 October, 1996; 9 June, 2016; 28 June, 2016; 2 November, 2016; 17 January, 2017 and 5 April, 2022 (P).

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
48	13 November, 1986; 30 September, 1999; 18 April, 2002; 9 June, 2016; 28 June, 2016 and 5 April, 2022 (P) .
49	13 November, 1986; 15 October, 1996; 30 September, 1999; 18 April, 2002; 24 October, 2002; 7 May, 2013; 9 June, 2016 and 5 April, 2022 (P) .
50	26 September, 1922; 21 July, 1926; 29 October, 1963; 23 October, 1974; 13 November, 1986; 15 October, 1996; 25 March, 1997; 18 April, 2002 and 5 April, 2022 (P) .
51	28 June, 2016 and 5 April, 2022 (P) .
52	28 June, 2016 and 5 April, 2022 (P) .
53	26 September, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 13 November, 1986; 30 September, 1999; 18 April, 2002 and 5 April, 2022 (P) .
54	9 June, 2016.
55	23 October, 1974.
56	25 March, 1997.
57	26 September, 1922; 8 March, 1923; 21 July, 1926 and 23 October, 1974.
58	26 September, 1922; 21 July, 1926 and 23 October, 1974.
59	26 September, 1922; 21 July, 1926 and 23 October, 1974.
60	15 October, 1996.
61	26 September, 1922; 21 July, 1926; 29 October, 1963 and 23 October, 1974.
62	21 July, 1926 and 29 October, 1963.
63	20 October, 1988 and 5 April, 2022 (P) .
64	21 July, 1926 and 29 October, 1963.
65	26 September, 1922 and 21 July, 1926.
66	26 September, 1922 and 21 July, 1926.

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
67	3 October, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996; 13 November, 1997 and 5 April, 2022 (P) .
68	3 October, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974; 25 March, 1997 and 13 November, 1997.
69	15 October, 1996 and 9 June, 2016.
70	26 September, 1922; 24 July, 1923; 21 July, 1926 and 23 October, 1974.
71	15 October, 1996; 25 March, 1997, 13 November, 1997 and 10 July, 2018; 16 December, 2020 (P) ; 10 March, 2021 (P) and 17 May, 2022 (P) .
71A	16 December, 2020 (P) ; 10 March, 2021 (P) ; 5 April, 2022 (P) and 17 May, 2022 (P) .
71B	16 December, 2020 (P) and 10 March, 2021 (P) .
72	23 October, 1974; 13 November, 1997; 10 July, 2018; 16 December, 2020 (P) and 10 March, 2021 (P) .
73	26 September, 1922; 8 March, 1923; 21 July, 1926 and 23 October, 1974.
74	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; 10 July, 2018; 16 December, 2020 (P) ; 10 March, 2021 (P) ; 5 April, 2022 (P) and 17 May, 2022 (P) .
74A	16 December, 2020 (P) and 10 March, 2021 (P) .
75	21 July, 1926.
76	3 October, 1922; 21 July, 1926; 12 January, 1938; 29 October, 1963 and 31 January, 1978.
77	2 June, 2004; 10 March, 2021 (P) and 5 April, 2022 (P) .
78	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996; 13 November, 1997; 7 March, 2000 and 10 March, 2021 (P) .
79	29 October, 1963; 23 October, 1974 and 31 January, 1978.
79A	14 July, 2022 (P) .

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
80	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996; 7 March, 2002; 9 June, 2016; 28 June, 2016; 21 July, 2016; 12 February, 2019 and 5 April, 2022 (P) .
81	21 July, 1926; 23 October, 1974; 24 October, 1989; 9 June, 2016; 21 November, 2017 and 5 April, 2022 (P) .
82	21 July, 1926; 29 October, 1963; 23 October, 1974; 22 June, 1994; 15 October, 1996 and 9 June, 2016.
83	7 March, 2002 and 9 June, 2016.
84	8 July, 1983 and 7 March, 2002.
85	21 July, 1926 and 23 October, 1974.
86	15 October, 1996 and 7 March, 2002.
87	26 September, 1922; 21 July, 1926; 29 October, 1963 and 9 June, 2016.
88	26 September, 1922; 21 July, 1926 and 5 April, 2022 (P) .
89	21 July, 1926.
90	21 July, 1926; 30 October, 1962; 23 October, 1974 and 10 March, 2021 (P) .
91	26 September, 1922; 3 October, 1922; 8 March, 1923; 21 July, 1926; 23 October, 1974; 13 November, 1997 and 16 June, 2016.
92	15 October, 1996; 13 November, 1997 and 10 March, 2021 (P) .
93	13 November, 1997 and 10 March, 2021 (P) .
93A	16 December, 2020 (P) .
93B	16 December, 2020 (P) and 10 March, 2021 (P) .
93C	16 December, 2020 (P) .
94	21 July, 1926; 23 October, 1974; 13 November, 1997; 18 April, 2002; 16 June, 2016; 12 July, 2016; 28 March, 2017; 28 July, 2020 (P) ; 10 March, 2021 (P) and 17 May, 2022 (P) .

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
95	16 June, 2016; 12 July, 2016; 21 July, 2016; 17 January, 2017; 18 December, 2018; 28 July, 2020 (P) and 10 March, 2021 (P) .
96	13 November, 1997; 2 July, 1999; 6 February, 2007; 16 June, 2016; 28 June, 2016; 28 July, 2020 (P) ; 10 March, 2021 (P) and 17 May, 2022 (P) .
96A	16 December, 2020 (P) and 10 March, 2021 (P) .
97	10 June, 2014.
98	13 November, 1997 and 10 March, 2021 (P) .
99	21 July, 1926.
100	13 November, 1997; 5 March, 2020 (P) and 17 May, 2022 (P) .
101	13 November, 1997.
102	15 October, 1996; 13 November, 1997; 9 June, 2016; 18 December, 2018; 10 March, 2021 (P) and 5 April, 2022 (P) .
103	26 September, 1922 and 21 July, 1926.
104	21 July, 1926; 13 November, 1997; 28 January, 2014; 28 January, 2016; 9 June, 2016; 21 July, 2016; 16 December, 2020 (P) and 10 March, 2021 (P) .
105	25 March, 1997; 13 November, 1997; 6 February, 2007; 16 December, 2020 (P) and 10 March, 2021 (P) .
106	29 October, 1963; 23 October, 1974; 31 January, 1978; 15 October, 1996; 25 March, 1997; 9 October, 1997; 13 November, 1997; 9 June, 2016; 16 June, 2016; 21 July, 2016; 2 November, 2016; 18 December, 2018; 21 April 2021 (P) ; 1 June, 2021 (P) and 17 May, 2022 (P) .
107	13 November, 1997; 28 July, 2020 (P) and 1 June, 2021 (P) .
108	21 July, 1926; 29 October, 1963; 23 October, 1974; 15 October, 1996 and 13 November, 1997.
109	16 June, 2016; 28 July, 2020 (P) and 17 May, 2022 (P) .
110	27 November, 2014 and 10 March, 2021 (P) .
111	27 November, 2014 and 10 March, 2021 (P) .

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
112	15 October, 1996; 13 November, 1997 and 10 March, 2021 (P).
113	15 October, 1996, 13 November, 1997; 16 December, 2020 (P); 10 March, 2021 (P); 5 April, 2022 (P) and 17 May, 2022 (P).
114	15 October, 1996; 13 November, 1997 and 10 March, 2021 (P).
115	28 January, 2014.
116	28 January, 2014.
117	28 January, 2014.
118	13 November, 1997.
118A	5 March, 2020 (P); 5 March, 2020 (T); 10 March, 2021 (P); 5 April, 2022 (P) and 17 May, 2022 (P).
119	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 January, 2014; 27 November, 2014; 17 December, 2015; 28 June, 2016; 21 July, 2016; 5 March, 2020 (T); 16 December, 2020 (P); 10 March, 2021 (P) and 17 May, 2022 (P).
120	25 March, 1997; 13 November, 1997; 28 April, 1998; 6 February, 2007; 28 January, 2016; 12 July, 2016; 28 March, 2017; 5 March, 2020 (P); 16 December, 2020 (P); 10 March, 2021 (P); 5 April, 2022 (P) and 17 May, 2022 (P).
121	13 November, 1997; 28 January, 1998 and 7 March, 2002; 28 July, 2020 (P) and 17 May, 2022 (P).
122	14 November, 2007 and 28 July, 2020 (P) [Note: Standing Order 122 has been deleted].
123	28 June, 2016; 14 November, 2017; 22 September, 2020 (P); 10 March, 2021 (P); 21 April 2021 (P) and 14 September, 2022 (P).
124	7 May, 2013 and 28 July, 2020 (P).
125	12 July, 2016; 28 March, 2017; 10 March, 2021 (P); 5 April, 2022 (P) and 17 May, 2022 (P).
126	12 July, 2016 and 17 May, 2022 (P).

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
127	12 July, 2016 and 5 April, 2022 (P).
128	12 July, 2016.
129	12 July, 2016.
130	17 January, 2017 and 17 May, 2022 (P).
131	25 November, 2010.
132	25 November, 2010 and 10 March, 2021 (P).
133	25 November, 2010; 16 June, 2016; 10 March, 2021 (P) and 5 April, 2022 (P).
134	25 November, 2010; 10 March, 2021 (P) and 5 April, 2022 (P).
135	25 November, 2010; 10 March, 2021 (P) and 5 April, 2022 (P).
136	28 January, 2014.
137	28 January, 2014.
138	28 January, 2014.
139	28 January, 2014.
140	28 January, 2014.
141	28 January, 2014.
142	28 January, 2014.
143	28 January, 2014.
144	5 March, 2015 and 10 March, 2021 (P).
145	26 September, 1922; 21 July, 1926; 23 October, 1974 and 13 November, 1997.
146	26 September, 1922; 8 March, 1923 and 21 July, 1926.
147	26 September, 1922; 21 July, 1926; 23 October, 1974 and 15 October, 1996.
148	21 July, 1926 and 17 December, 2015.
149	21 July, 1926 and 23 October, 1974.

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
150	21 July, 1926.
151	29 October, 1963.
152	17 December, 2015 and 10 March, 2021 (P).
153	17 December, 2015.
154	17 December, 2015.
155	17 December, 2015.
156	17 December, 2015.
157	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.
158	15 October, 1996; 13 November, 1997; 28 April, 1998; 14 November, 2007 and 7 July, 2010.
159	26 September, 1922; 3 October, 1922; 21 July, 1926; 5 June, 1936; 30 October, 1962; 23 October, 1974; 13 November, 1986; 9 June, 2016; 17 January, 2017; 14 November, 2017; 15 May, 2018; 18 December, 2018; 15 October, 2019; 5 April, 2022 (P) and 20 September, 2023 (T).
160	9 June, 2016 and 5 April, 2022 (P).
161	26 September, 1922; 21 July, 1926; 5 June, 1936; 19 July, 2016; 25 October, 2016 and 10 September, 2020 (P) [Note: Standing Order 161 has been deleted].
162	26 September, 1922; 8 March, 1923; 21 July, 1926 and 5 April, 2022 (P) [Note: Standing Order 162 has been deleted].
163	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.
164	26 May, 2016.
165	26 May, 2016.
166	26 May, 2016.
167	26 May, 2016 and 9 June, 2016.

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
168	26 May, 2016.
169	26 May, 2016 and 9 June, 2016.
170	27 November, 1940; 18 June, 1953; 11 June, 1959; 23 October, 1974; 25 March, 1997; 15 December, 1998; 9 June, 2016; 15 May, 2018; 10 September, 2020 (P) and 20 September, 2023 (T) .
171	26 September, 1922; 8 March, 1923; 24 July, 1923; 21 July, 1926; 23 October, 1974; 9 October, 1997 and 13 November, 1997.
172	15 October, 1996 and 17 January, 2017.
173	28 June, 2016; 19 July, 2016; 18 December, 2018; 5 March, 2020 (P) and 14 September, 2022 (P) [<i>Note: Standing Order 173 has been deleted</i>].
174	26 September, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974; 31 January, 1978; 15 October, 1996; 28 June, 2016; 13 July, 2017 and 5 April, 2022 (P) .
174A	14 September, 2022 (P) and 10 July, 2024 (P) .
175	18 December, 2018.
176	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996; 24 October, 2002; 17 July, 2014; 28 June, 2016; 15 November, 2016; 18 December, 2018; 10 March, 2021 (P) and 14 September, 2022 (P) .
177	18 December, 2018.
178	18 December, 2018; 5 March, 2020 (P) and 17 May, 2022 (P) .
179	18 December, 2018 and 17 May, 2022 (P) .
180	18 December, 2018; 5 April, 2022 (P) and 17 May, 2022 (P) .
181	26 September, 1922; 8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974; 21 July, 2016 and 18 December, 2018.
182	26 September, 1922; 21 July, 1926; 15 October, 1996; 6 July, 2006; 28 June, 2016; 10 March, 2021 (P) and 5 April, 2022 (P) .
183	7 July, 2010 and 10 March, 2021 (P) .

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
184	26 September, 1922; 8 March, 1923 and 21 July, 1926.
185	26 September, 1922; 21 July, 1926; 23 October, 1974; 15 October, 1996 and 17 July, 2014.
186	26 September, 1922; 8 March, 1923; 24 July, 1923; 21 July, 1926; 13 November, 1997 and 10 March, 2021 (P) .
187	24 July, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974 and 7 November, 2006.
188	26 September, 1922; 8 March, 1923; 21 July, 1926 and 13 November, 1997.
189	23 October, 1974; 30 April, 1997 and 17 January, 2017.
190	23 October, 1974 and 15 October, 1996.
191	26 September, 1922; 8 March, 1923 and 21 July, 1926.
192	21 July, 1926 and 23 October, 1974.
193	26 September, 1922; 21 July, 1926 and 23 October, 1974.
194	26 September, 1922; 24 July, 1923 and 21 July, 1926.
195	15 October, 1996; 18 December, 2018 and 5 April, 2022 (P) .
196	21 July, 1926.
197	28 June, 2016.
198	8 March, 1923; 21 July, 1926; 29 October, 1963; 23 October, 1974 and 5 April, 2022 (P) .
199	21 July, 1926.
200	28 May, 1946; 29 October, 1963 and 5 April, 2022 (P) .
201	28 May, 1946 and 10 September, 2020 (P) .
202	28 May, 1946 and 13 November, 1997.
203	28 May, 1946.
204	28 May, 1946.

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
205	28 May, 1946; 29 October, 1963; 23 October, 1974; 31 January, 1978; 9 October, 1997; 13 November, 1997; 10 September, 2020 (P) and 17 May, 2022 (P) .
206	28 May, 1946.
207	28 May, 1946; 29 October, 1963 and 13 November, 1997.
208	28 May, 1946.
209	28 May, 1946.
210	15 October, 1996 and 25 March, 1997.
211	23 October, 1974; 31 January, 1978 and 15 October, 1996.
212	23 October, 1974; 31 January, 1978; 15 October, 1996 and 5 April, 2022 (P) .
213	23 October, 1974.
214	8 March, 1923; 21 July, 1926; 12 January, 1938 and 15 October, 1996.
215	8 March, 1923; 21 July, 1926; 29 October, 1963; 26 March, 1968; 23 October, 1974, 13 November, 1997 and 6 July, 2021 (P) .
215A	6 July, 2021 (P) and 10 July, 2024 (P) .
216	24 July, 1923; 21 July, 1926; 29 October, 1963 and 23 October, 1974.
217	23 October, 1974 and 31 January, 1978.
218	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; 16 June, 2016; 5 July, 2016 and 28 July, 2020 (P) .
219	15 December, 2016; 5 March, 2020 (P) ; 10 March, 2021 (P) ; 6 July, 2021 (P) and 17 May, 2022 (P) .
220	14 February, 2001.
221	8 March, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938; 23 October, 1974 and 10 March, 2021 (P) .
222	8 March, 1923; 21 July, 1926; 5 June, 1936 and 11 May, 1938.

Table showing dates at which Standing Orders of 2020 were passed and amended — *continued*

Number of Standing Order in 2020 Edition	Dates at which each Standing Order was passed and amended
223	8 March, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938 and 5 April, 2022 (P) .
224	8 March, 1923; 21 July, 1926; 5 June, 1936 and 11 May, 1938.
225	8 March, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938 and 29 October, 1963.
226	8 March, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938 and 5 April, 2022 (P) .
227	8 March, 1923; 24 July, 1923; 21 July, 1926; 5 June, 1936; 11 May, 1938 and 23 October, 1974.
228	7 May, 1924; 21 July, 1926; 5 June, 1936 and 11 May, 1938.
229	26 September, 1922; 8 March, 1923; 21 July, 1926 and 5 April, 2022 (P) .
230	26 September, 1922; 21 July, 1926 and 22 June, 1994.
231	24 July, 1923; 21 July, 1926; 12 October, 1933; 29 October, 1963 and 23 October, 1974.
232	8 March, 1923; 21 July, 1926; 29 October, 1963 and 7 July, 2010.
233	8 March, 1923; 6 March, 1924; 21 July, 1926; 29 October, 1963; 23 October, 1974; 15 October, 1996 and 7 November, 2006.
234	26 September, 1922; 24 July, 1923 and 21 July, 1926.
Schedule 1	17 December, 2015; 28 January, 2016, 21 July, 2016 and 16 December, 2020 (P) .
Schedule 2	28 January, 2016.
Schedule 3	5 April, 2022 (P) ; 17 May, 2022 (P) and 20 September, 2023 (T) .
Appendix	5 April, 2022 (P) .

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” wherever it occurred throughout the Standing Orders, and substitution therefor of “Committee on Parliamentary Privileges and Oversight” was agreed in the House on 16 December, 2020.

The Oireachtas Library & Research Rules were not included in this edition, as they have been replaced by a service level agreement.

The deletion of the phrase “Chairman” wherever it occurred throughout the Standing Orders, and the substitution therefor of “Cathaoirleach” was agreed in the House on 10 March, 2021.

(T) = Temporary amendment; (P) = Permanent amendment.

Sessional Orders in 33rd Dáil affecting weekly schedule, speaking times, and other procedural matters

Order	Effect
<p>Number of members and quorum of Committee on Standing Orders and Dáil Reform</p> <p>That ... notwithstanding anything in Standing Orders and until further notice in the 33rd Dáil—</p> <p>(a) the parties and groups shall appoint sixteen members to the Committee on Standing Orders and Dáil Reform standing established under Standing Order 118A ('the Committee'), as follows:</p> <p>(i) three members each appointed by Fine Gael, Fianna Fáil, and Sinn Féin, and</p> <p>(ii) one member each appointed by the Green Party, the Labour Party, Social Democrats, [People Before Profit-Solidarity], the Regional Group, the Rural Independent Group, and the Independent Group,</p> <p>(b) the Ceann Comhairle shall announce the names of the members appointed under paragraph (a) for the information of the Dáil on the first sitting day of the Dáil following their appointment; and seven members of the Committee shall constitute a quorum...</p> <p><i>[Done on 5th March, 2020]</i></p> <p><i>* See also Standing Order 118A</i></p>	<p>Provides for the number of members (16, excl. Chair) and the quorum (7) of the Committee on Standing Orders and Dáil Reform</p>
<p>Number of members and quorum of Committee on Parliamentary Privileges and Oversight</p> <p>That—</p> <p>(a) notwithstanding anything in Standing Orders, and until further notice in the 33rd Dáil, the membership of the Committee on Procedure shall consist of the Ceann Comhairle as <i>ex officio</i> chair and not more than 16 other members, appointed by parties and groups as follows:</p> <p>(i) Fine Gael, Fianna Fáil, and Sinn Féin – three members each; and</p>	<p>Provides for the number of members (16, excl. Chair) and the quorum (7) of the Committee on Parliamentary Privileges and Oversight</p> <p><i>[Note: the Committee on Procedure was renamed, with effect from 16th</i></p>

Order	Effect
<p>(ii) all other parties and groups – one member each, and seven members shall constitute a quorum of the Committee, and</p> <p>(b) the Ceann Comhairle shall announce the names of the members appointed under paragraph (a) for the information of the Dáil on the first sitting day following their appointment.</p> <p>[Done on 30th April, 2020]</p> <p>* See also Standing Order 119</p>	<p><i>December, 2020, as the Committee on Parliamentary Privileges and Oversight]</i></p>
<p>Speaking arrangements for private members’ time</p> <p>That, notwithstanding anything in Standing Orders...</p> <p>(b) the following sequence and times shall apply in relation to the speaking arrangements on private members’ time for the month of July 2020 only:</p> <p>(i) where Sinn Féin is the sponsor—</p> <p style="padding-left: 40px;">Sinn Féin – 20 minutes</p> <p style="padding-left: 40px;">Government – 10 minutes</p> <p style="padding-left: 40px;">Sinn Féin – 10 minutes</p> <p style="padding-left: 40px;">all other parties and groups in Opposition – 10 minutes each</p> <p style="padding-left: 40px;">Non-aligned members – 2 minutes</p> <p style="padding-left: 40px;">Government – 10 minutes</p> <p style="padding-left: 40px;">Sinn Féin – 10 minutes</p> <p>(ii) where any other party or group in Opposition is the sponsor—</p> <p style="padding-left: 40px;">Sponsor – 20 minutes</p> <p style="padding-left: 40px;">Government – 10 minutes</p> <p style="padding-left: 40px;">Sponsor – 10 minutes</p> <p style="padding-left: 40px;">Sinn Féin – 20 minutes</p> <p style="padding-left: 40px;">all other parties and groups in Opposition – 8 minutes each</p>	<p>Provides for the breakdown of speaking arrangements over the two hours of private members’ time on Tuesdays and Wednesdays</p> <p>[Note: on 8th September 2020, the Committee on Standing Orders and Dáil Reform (CSODR) agreed that the speaking arrangements for private members’ time which had been agreed by Order of the Dáil of 9th July, 2020, to apply for the month of July only, would be continued until further notice. CSODR could agree this, pursuant to the change to DSO 170 agreed on 10th September 2020.</p> <p>Note: on 20th September 2023, the Dáil approved a motion on foot of a</p>

Order	Effect
<p>Non-aligned members – 2 minutes</p> <p>Government – 10 minutes</p> <p>Sponsor – 10 minutes.</p> <p>[Done on 9th July, 2020]</p> <p>* See also Standing Order 170</p>	<p><i>report of the Committee on Standing Orders and Dáil Reform which had the effect of adding two minutes for non-aligned members to private members' time on Tuesdays and Wednesdays.]</i></p>
<p>Rotas for private members' time and oral Parliamentary Questions</p> <p>That, notwithstanding anything in Standing Orders, and unless the Dáil shall otherwise order, the rotas and arrangements recommended in the Report of the Committee on Standing Orders and Dáil Reform titled 'Rotas and arrangements for Leaders' Questions, Private Members' Time, and Parliamentary Questions', and dated 29th July, 2020, for—</p> <p>(a) Leaders' Questions,</p> <p>(b) private members' time, and</p> <p>(c) Parliamentary Questions under Standing Orders 47, 49 and 52,</p> <p>be adopted with effect from 30th July, 2020, until further notice in the 33rd Dáil.</p> <p>[Done on 30th July, 2020]</p> <p>* See also Standing Orders 36, 159 and 169</p>	<p>Rotas for private members' time and oral Parliamentary Questions adopted</p> <p>Also, Sinn Féin given increased time on Leaders' Questions, up from 8 to 10 minutes, with the initial question and reply not to exceed 4 minutes each</p> <p>[Note: on 29th March 2023, the Dáil approved a motion setting out the rota in which Questions to members of the Government are to be asked.]</p> <p>[see Appendix 1 (private members' time rota), Appendix 2 (oral Parliamentary Questions rota) and Appendix 3 (Priority Questions rota)]</p>

Order	Effect
<p>Speaking arrangements for Second Stage of Government Bills and certain fixed-time debates</p> <p>That, notwithstanding anything in Standing Orders, and unless the Dáil shall otherwise order, the speaking arrangements recommended in the Appendices to the Report of the Committee on Standing Orders and Dáil Reform titled ‘Speaking time arrangements on the first round of Second Stage of a Bill, and on fixed-time debates’, dated 29th July, 2020, be adopted and shall have effect from September, 2020, and such arrangements shall be reviewed by the Committee no later than 22nd December, 2020.</p> <p>[Done on 30th July 2020]</p> <p>* See also Standing Order 176</p>	<p>Arrangements in relation to Second Stage of a Bill, and 100-minute, 135-minute and 200-minute fixed-time debates [see Appendix 4]</p>
<p>Change of time allowed for Thursday evening business</p> <p>That, in relation to the report of the Committee of Standing Orders and Dáil Reform dated 8th September, 2020—</p> <p>(a) notwithstanding anything in Standing Orders...</p> <p>(ii) business on Thursday evenings pursuant to Standing Order 159(2) shall, until [<i>further notice</i>] conclude within 75 minutes...</p> <p>[Done on 10th September, 2020]</p> <p>* See also Standing Order 159</p>	<p>Business on Thursday evenings pursuant to DSO 159(2) (e.g., Second Stages of private members’ Bills, or motions to take note of Committee reports) to conclude within 75 minutes</p> <p>[Note: Schedule 3 adopted on 5th April, 2022, allows 75 minutes for the Thursday evening business]</p>
<p>Parliamentary Precincts and privilege</p> <p>That, for the avoidance of doubt, office premises ordinarily occupied by staff of the Houses of the Oireachtas Commission shall be considered to form part of the parliamentary precincts for the purpose of the giving of evidence by witnesses, by means of such specified videoconferencing platform as may be approved and provided by the Houses of the Oireachtas Commission, to any</p>	<p>Office premises considered part of parliamentary precincts for the purposes of witnesses giving evidence</p>

Order	Effect
<p>Committee appointed by Dáil Éireann or by both Houses of the Oireachtas.</p> <p><i>[Done on 20th October, 2020]</i></p> <p><i>* See also Standing Order 94</i></p>	
<p>Quorum of the Dáil</p> <p>... With effect from <i>[21st January, 2021]</i>, and notwithstanding the Order of the Dáil of 30th April 2020, or the Order of the Dáil of <i>[20th January, 2021]</i>, where Standing Orders 21 and 22 require either a quorum of 20 or of 10, that quorum shall at all times be reduced to five, until further notice in the 33rd Dáil.</p> <p><i>[Done on 21st January, 2021]</i></p> <p><i>* See also Standing Orders 21 and 22</i></p>	<p>Provides that, until further notice, the quorum of the Dáil is 5, whether for the commencement of a sitting, or where a quorum is called at any time during a sitting</p>
<p>Order for second reading</p> <p>That, notwithstanding anything in Standing Orders and until further notice in the 33rd Dáil, where a Bill has been presented by a member of the Government pursuant to Standing Order 174, the listing of that Bill in the report of the Business Committee supersedes the requirement for an Order for second reading under paragraph (3) of the Standing Order.</p> <p><i>[Done on 28th April, 2021]</i></p> <p><i>* See also Standing Order 174</i></p>	<p>Provides that, until further notice, the listing of a Bill on the Business Committee Report, presented by a member of the Government, does not require an Order for second reading</p>
<p>Deadline for submission of topical issues for Wednesdays</p> <p>It is proposed, notwithstanding anything in Standing Orders, and until further notice in the 33rd Dáil, that topical issues submitted for Wednesdays shall reach the Clerk not later than 1 p.m. the day before, save where Wednesday is the first sitting day of the week, in which case the normal deadline of 10 a.m. that morning will apply.</p> <p><i>[Done on 6th May, 2021]</i></p> <p><i>* See also Standing Order 37</i></p>	<p>Provides for, until further notice, the deadlines that apply for topical issues submitted for Wednesdays</p>

Order	Effect
<p>Rota for oral Parliamentary Questions nominated for priority</p> <p>That notwithstanding anything in the report adopted by Order of the Dáil of 30th July, 2020, the sequence of allocation to parties and groups of Parliamentary Questions nominated for priority pursuant to Standing Order 49, shall be in accordance with the rotas contained in the report of the Committee on Standing Orders and Dáil Reform dated 8th December, 2021, entitled 'Rota for Leaders' Questions pursuant to Standing Order 36 and rota for Priority Parliamentary Questions pursuant to Standing Order 49', a copy of which was laid before the Dáil on 10th December, 2021.</p> <p>[Done on 14th December, 2021]</p> <p>* See also Standing Order 49</p>	<p>Rota for oral Parliamentary Questions nominated for priority adopted</p> <p>[see Appendix 3 (Priority Questions rota)]</p>
<p>Order of the Dáil to provide for a fixed amount of time for any debate on a motion, statements or Second Stage of a Bill</p> <p>That ... in relation to the allocation of speaking time to non-aligned members—</p> <p>(i) where an Order of the Dáil is made on the Order of Business or in a "Sittings and Business" motion to provide for a fixed amount of time for any debate on a motion, statements or Second Stage of a Bill (with the exception of any Order made for business to be taken pursuant to Standing Order 159(2))—</p> <p>(I) subject to subparagraph (II), a single speaking slot of two minutes shall be afforded for use by non-aligned members immediately following the last of all other speaking slots as set out in the arrangement, and</p> <p>(II) any Ministerial response provided for shall take place immediately following the two minutes as provided for in subparagraph (I).</p> <p>[Done on 20th September, 2023]</p> <p>* See also Standing Order 35</p>	<p>Provides for the addition of two minutes for non-aligned members to any statements, or to any debate on a motion (including a motion for the second reading of a Government Bill), where an agreed arrangement on the Order of Business puts a restriction on the time for those statements or debate (i.e., provides for point at which the statements or the debate on the motion will end), save where the arrangement applies to Thursday evening business.</p>

Appendix 1: Private Members' Time rota

Week 1	Sinn Féin	Labour Party
Week 2	Sinn Féin	Social Democrats
Week 3	Sinn Féin	People Before Profit-Solidarity
Week 4	Sinn Féin	Regional Group
Week 5	Sinn Féin	Rural Independent Group
Week 6	Sinn Féin	Independent Group

Appendix 2: Oral Parliamentary Questions rota

1. Minister for Foreign Affairs
2. Minister for the Environment, Climate and Communications
3. Minister for Defence
4. Minister for Transport
5. Minister for Finance
6. Minister for Public Expenditure, National Development Plan Delivery and Reform
7. Minister for Enterprise, Trade and Employment
8. Minister for Education
9. Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media
10. Minister for Housing, Local Government and Heritage
11. Minister for Social Protection
12. Minister for Justice
13. Minister for Agriculture, Food and the Marine
14. Minister for Children, Equality, Disability, Integration and Youth
15. Minister for Health
16. Minister for Further and Higher Education, Research, Innovation and Science
17. Minister for Rural and Community Development.

Appendix 3: Priority Questions rota

(a) Priority Questions rota for 2-day sitting weeks WEF 19th January, 2022

	PQ session 1	PQ session 2
1	Sinn Féin	Sinn Féin
2	Labour	Regional Group
3	Sinn Féin	Sinn Féin
4	Social Democrats	Ind Group
5	PBP-Solidarity	Rural Ind Group

(b) Priority Questions rota for 3-day sitting weeks WEF 25th January, 2022

	PQ session 1	PQ session 2	PQ session 3
1	Sinn Féin	Sinn Féin	Sinn Féin
2	Labour	PBP-Solidarity	Labour
3	Sinn Féin	Sinn Féin	Sinn Féin
4	Social Democrats	Regional Group	Social Democrats
5	Sinn Féin	Rural Ind Group	Ind Group
	PQ session 4	PQ session 5	PQ session 6
1	Sinn Féin	Sinn Féin	Sinn Féin
2	PBP-Solidarity	Labour	Regional Group
3	Sinn Féin	Sinn Féin	Sinn Féin
4	Regional Group	Social Democrats	Rural Ind Group
5	Rural Ind Group	Sinn Féin	Ind Group
	PQ session 7	PQ session 8	PQ session 9
1	Sinn Féin	Sinn Féin	Sinn Féin
2	Labour	PBP-Solidarity	Labour
3	Sinn Féin	Sinn Féin	Sinn Féin
4	Ind Grp	Regional Group	Social Democrats
5	Rural Ind Grp	Sinn Féin	Sinn Féin
	PQ session 10	PQ session 11	PQ session 12
1	Sinn Féin	Sinn Féin	Sinn Féin

2	Labour	Regional Group	PBP-Solidarity
3	Sinn Féin	Sinn Féin	Sinn Féin
4	Social Democrats	Rural Ind Group	Regional Group
5	Sinn Féin	Ind Group	Ind Group
	PQ session 13	PQ session 14	PQ session 15
1	Sinn Féin	Sinn Féin	Sinn Féin
2	PBP-Solidarity	Labour	Regional Group
3	Sinn Féin	Sinn Féin	Sinn Féin
4	Regional Group	Social Democrats	Regional Group
5	Ind Group	Sinn Féin	Rural Ind Group
	PQ session 16	PQ session 17	PQ session 18
1	Sinn Féin	Sinn Féin	Sinn Féin
2	Regional Group	PBP-Solidarity	Labour
3	Sinn Féin	Sinn Féin	Sinn Féin
4	Rural Ind Group	Regional Group	Social Democrats
5	Sinn Féin	Ind Group	Sinn Féin

Appendix 4: Speaking time arrangements

Second Stage of a Bill, first-round debate

	Gov	SF	Labour	Gov	SF	SD	Gov	SF	PBP/Sol	Gov
Minutes	20	20	20	7	3	20	7	3	20	7
	SF	Reg	Gov	SF	RIG	Gov	SF	IND		Total
Minutes	3	20	7	3	20	7	3	20		210

Speaking time for fixed-time debates – 100 minutes, 135 minutes, and 200 minutes

100 minute debate

	Gov	SF	Labour	Gov	SF	SD	Gov	SF
Minutes	15	10	5	9	3.5	5	8	3.5
	PBP/Sol	Gov	SF	Reg	Gov	RIG	Ind	Total
Minutes	5	8	3.5	6.5	8	5	5	100

135 minute debate

	Gov	SF	Labour	Gov	SF	SD	Gov	SF
Minutes	20	15	6.5	11.5	5	6.5	11	5
	PBP/Sol	Gov	SF	Reg	Gov	RIG	Ind	Total
Minutes	6.5	11	4.5	8.5	11	6.5	6.5	135

200 minute debate

	Gov	SF	Labour	Gov	SF	SD	Gov	SF	PBP/ Sol
Minutes	30	22.5	10	13	5	10	13	5	10
	Gov	SF	Reg	Gov	SF	RIG	GOV	IND	Total
Minutes	13	5	12.5	13	5	10	13	10	200

