

# SEANAD ÉIREANN

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24<sup>th</sup> SEANAD

EIGHTH REPORT

OF THE

COMMITTEE ON PROCEDURE AND PRIVILEGES

ON

STANDING ORDERS 16, 19, 20, 29, 65, 119 AND 123

## REPORT

### Amendments to Standing Orders 16, 19, 20, 29, 65, 119 and 123

In pursuance of its functions under Standing Order 90 of considering matters of procedure generally, the Committee on Procedure and Privileges recommends the amendments to Standing Orders 16, 19, 20, 29, 65, 119 and 123 to take effect from 1 January, 2015.

The proposed amendments make provision for—

- (i) Replacement of adjournment matters by commencement matters to be taken at the start of sittings on Tuesdays, Wednesdays and Thursdays;
- (ii) Consequential deferral to a later time on those days of the Order of Business;
- (iii) Changing the quorum requirements for a sitting at which commencement matters are being taken and for the Order of Business;
- (iv) Enshrining current practice in relation to the nature of amendments to a motion at Second Stage of a bill;
- (v) Simplifies procedure for disposal of amendments to the motion for second reading of a Government bill;
- (vi) Simplifies the question on a section of a bill at Committee Stage.

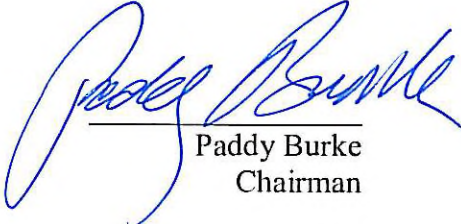
#### SCHEDULE

Leader of the House	<p>In Standing Order 16, the insertion before “at the commencement of public business” of “at 3.30 p.m. on Tuesdays, at 12 noon on Wednesdays and Thursdays and, on any other day,”.</p> <p><i>NOTES:</i></p> <p>(i) <i>Changes the time at which the Order of Business is taken on Tuesdays, Wednesdays and Thursdays.</i></p> <p>(ii) <i>The reference to “public business” is to business listed on the Order Paper.</i></p>
Quorum required	<p>The substitution for Standing Order 19 of the following:</p> <p>“19. (1) The quorum necessary to constitute a meeting of the Seanad shall be six Senators.</p> <p>(2) The quorum necessary to constitute a meeting of the Seanad to which Standing Order 29 does not apply or for the purpose of considering business other than that comprehended by Standing Order 29 shall be twelve Senators.</p> <p>(3) The Leader of the House shall not commence making a proposal comprehended by Standing Order 16 unless a quorum of twelve Senators is present.</p> ”

	<p><i>NOTES:</i></p> <ul style="list-style-type: none"> <li>(i) <i>Provides for a quorum of six to begin a sitting where commencement matters are being taken.</i></li> <li>(ii) <i>As with any other business, a quorum may be called for at any time during commencement matters.</i></li> <li>(iii) <i>Continues the requirement for a quorum of twelve for all other business and for sittings at which commencement matters are not being taken.</i></li> <li>(iv) <i>Requires a quorum of twelve to begin the Order of Business.</i></li> </ul>
<p>Procedure if no quorum at hour fixed for meeting</p>	<p>In Standing Order 20 –</p> <ul style="list-style-type: none"> <li>(i) after “quorum present” to insert “and at the hour appointed for a proposal under Standing Order 16 or as soon thereafter as there shall be a quorum present”; and</li> <li>(ii) after “after the hour appointed” to insert “in either case”.</li> </ul> <p><i>NOTES:</i></p> <ul style="list-style-type: none"> <li>(i) <i>Continues current procedure in the absence of a quorum at the start of a sitting (a) to sittings which begin with commencement matters and (b) to the Order of Business.</i></li> </ul>
<p>Matter for discussion at the commencement of sittings</p>	<p>In Standing Order 29, the substitution of the following paragraph for paragraph (1), as amended by the order of the Seanad of 9 June, 2011:</p> <p>“(1) (a) Subject to subparagraph (b), when the Prayer has been read at the commencement of each sitting of the Seanad in accordance with Standing Order 18, any Senator may, on Tuesdays, Wednesdays and Thursdays, bring forward for discussion a matter of which he has given notice in writing to the Cathaoirleach not later than 12 noon on the preceding day, not reckoning a Saturday, Sunday or public holiday: Provided that in the absolute discretion of the Cathaoirleach a matter may exceptionally be brought forward at shorter notice.</p> <p>(b) Immediately after the Prayer has been read in accordance with Standing Order 18, the Cathaoirleach shall inform the House of notice given in accordance with subparagraph (a) and shall thereupon rule as to the suitability of such matter for discussion. The Cathaoirleach may select four matters ruled suitable and they shall be discussed forthwith. Where no notice has been given or no matter has been ruled suitable the Cathaoirleach shall inform the House of that fact.</p> <p>(c) When discussion of matters under this Standing Order has concluded or when the Cathaoirleach has informed the House that no notice has been given or no</p>

	<p>matter has been ruled suitable, the Seanad, unless it shall otherwise order, shall stand suspended on a Tuesday, Wednesday or Thursday until the hour appointed for a proposal under Standing Order 16.”.</p> <p><i>NOTES:</i></p> <ul style="list-style-type: none"> <li>(i) <i>Matters for discussion taken on the adjournment will now be taken at the commencement of sittings.</i></li> <li>(ii) <i>Matters for discussion not to be taken at sittings on Mondays or Fridays.</i></li> <li>(iii) <i>Notice, selection and suitability of matters for discussion to be announced by Cathaoirleach at the start of a sitting.</i></li> <li>(iv) <i>When discussion of matters has concluded, sitting to stand suspended until Order of Business.</i></li> <li>(v) <i>Where no notice received or no matter ruled suitable, the Cathaoirleach informs the House which then stands suspended until the Order of Business.</i></li> </ul>
<p>Quorum of Committee of whole Seanad</p>	<p>In Standing Order 65, to add, ”after “quorum of the Seanad”, “in accordance with Standing Order 19(2)”.</p> <p><i>NOTES:</i></p> <ul style="list-style-type: none"> <li>(i) <i>Continues requirement for a quorum of twelve to Committee of the whole Seanad.</i></li> </ul>
<p>Procedure on Second Stage</p>	<p>In Standing Order 119 –</p> <ul style="list-style-type: none"> <li>(a) the insertion of the following paragraph after paragraph (1B):</li> </ul> <p>“(1C) Amendments may be made to the motion:- ‘That the Bill be now read a second time’-</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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.”.</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>(b) the deletion of paragraphs (2) and (3).</li> </ul> <p><i>NOTES:</i></p> <ul style="list-style-type: none"> <li>(i) <i>Enshrines in Standing Orders current practice in relation to the nature of amendments which may be proposed to motion for second reading of a bill; wording reflects that of Dáil Standing Orders.</i></li> </ul>

	<p>(ii) <i>Simplifies procedure for disposal of amendments to the motion for second reading of a Government bill. The decision on the amendment no longer also to be taken as the decision on the bill, i.e. the question on the amendment and the question on the bill to be put separately.</i></p>
<p>New section, Disposal of amendments, Preamble and title</p>	<p>In Standing Order 123, the substitution of the following paragraph for paragraph (2):</p> <p>“(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’.”.</p> <p>NOTES:</p> <p>(i) <i>Simplifies the question on a section of a bill at Committee Stage so that the House can decide that the section be deleted. This usually arises where the logic of an amendment accepted by the House involves deletion of a section. The right of the House to make separate decisions on the amendment and section is unaffected.</i></p>



Paddy Burke  
Chairman

15 December, 2014