



Tithe an
Oireachtais
Houses of the
Oireachtas

A Brief Guide To How Your Parliament Works

Introduction

The language used by our Parliament should help the public to understand its work and relevance to our everyday lives. The public are often confused by the jargon used every day in the Parliament. This brief guide to the Houses of the Oireachtas seeks to make the Parliament more accessible to those that matter most – the public.

This guide explains how the Houses of the Oireachtas works, including Dáil Éireann, Seanad Éireann and the Committees. It offers a very useful glossary that explains key terms in everyday language. This brief guide is part of our communications strategy. The strategy seeks to build greater engagement between the Houses of the Oireachtas and the public. We hope this guide helps achieve this.

Welcome to Leinster House.



Seán Barrett, TD

Ceann Comhairle



Senator Paddy Burke

Cathaoirleach



Glossary

Amendment	A change to the detail of a proposed law
Bill	A draft of a new law that has not yet been passed by the Oireachtas
Budget	The Government's annual financial plan
Bunreacht na hÉireann	The Irish Constitution
Cathaoirleach	Chairperson of Seanad Éireann (Senate)
Ceann Comhairle	The Chairperson of Dáil Éireann who chairs the proceedings and makes sure that all TDs are treated fairly and that the rules of the house are followed
Comptroller and Auditor General	The person selected by Dáil Éireann to provide independent assurance that public money is properly managed and spent to good effect
Council of State	The group of past Taoisigh (Prime Ministers), Presidents, Chief Justices, the Ceann Comhairle, the Cathaoirleach of Seanad Éireann, the Attorney General and people appointed by the President which advises the President
Dáil Éireann	Known as the Dáil for short. The Dáil is the House of Representatives
Dissolution	An action by the President to end the current term of the Dáil so a general election can be held
Green Paper	A discussion document which sets out the Government's ideas and invites comment and views from individuals and relevant organisations

Glossary

Joint Committee	A select committee from the Dáil and Seanad who meet together
Junior Minister/ Minister of State	A Member appointed by the Taoiseach to help a Minister of a Government Department. Officially called a Minister of State
Member	A Member of either House of the Oireachtas
Minister	A member of the Government who manages a Department
Oireachtas	The national parliament of Ireland which consists of the President, Dáil Éireann and Seanad Éireann
Order Paper	Document which sets out the business before each House
Seanad Éireann	Known as the Seanad for short or the Senate
Select Committee	A committee consisting of only members of the Dáil or the Seanad only
Senator	A Member of Seanad Éireann
Standing Orders	Rules of either Dáil Éireann or Seanad Éireann
TD (or Deputy)	Teachta Dála, directly translates as messenger to the Dáil
Tánaiste	Irish Deputy Prime Minister
Taoiseach	The head of the Irish Government (Prime Minister of Ireland)

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What is the Oireachtas?

Ireland is a parliamentary democracy, which is a system of representative Government. The Oireachtas is the National Parliament of Ireland. It consists of:

- The President
- Dáil Éireann (the House of Representatives)
- Seanad Éireann (the Senate)

Who decides the powers and functions of the Oireachtas?

The Irish Constitution (which is called Bunreacht na hÉireann) outlines the powers and functions of the Oireachtas. The Constitution states that only the Oireachtas can make laws and that the Government must answer to Dáil Éireann. The Constitution allows each House to make its own rules (these are known as Standing Orders).

How are people elected to the Houses of the Oireachtas?

Dáil Éireann

The people of Ireland directly elect the members of Dáil Éireann (who are called Deputies or TDs). Citizens aged 18 years and over may vote. By law, a general election to Dáil Éireann must be held at least every five years. The country is divided into areas known as constituencies. The size of these constituencies varies and they may elect either three, four or five TDs. According to the Constitution, there must be at least one TD for every 20,000 to 30,000 people. A TD may be a member of a political party, or be an independent.

Seanad Éireann

The 60 Members of Seanad Éireann are chosen in different ways:

- 43 Senators are elected from five panels representing culture and education, agriculture, labour, industry and commerce, and public administration;
- 3 Senators are elected by the graduates of the National University of Ireland (NUI);
- 3 Senators are elected by the graduates of the University of Dublin (Trinity College);
- 11 Senators are nominated by the Taoiseach.

In theory, Seanad Éireann does not recognise political party membership. In practice, however, the make-up of the Seanad generally reflects the strength of the parties in Dáil Éireann. This is because the people who elect the Senators are made up of Members of the incoming Dáil, the outgoing Seanad, County and City Councils.

What do TDs and Senators do?

The main parliamentary function of TDs and Senators is to pass laws. They also take part in debates and make representations on behalf of members of the public, interest groups and in the case of TDs, their constituents. In addition, TDs may ask parliamentary questions (this is explained below in the section dealing with 'Question Time').

What happens in Dáil Éireann after a general election?

- Each TD signs the roll of Members before taking their seat.
- The Clerk reads the proclamation convening Dáil Éireann and announces the name and constituency of each Member.
- The Members elect the Ceann Comhairle.
- The process of forming a Government begins. Each political party or coalition of political parties may nominate a Member to be Taoiseach. The TDs vote on each nomination. Usually, the TD with the support of the majority of members wins and becomes Taoiseach.
- The Taoiseach nominates the other members of the Government (the Ministers) and assigns Government Departments to them.
- The Dáil votes to approve the Government.
- The President formally appoints the Taoiseach and Ministers and gives them their seals of office.

Who can be a member of the Government?

The Government consists of a minimum of seven and a maximum of 15 members. The Taoiseach, the Tánaiste and the Minister for Finance must be Members of Dáil Éireann. The Constitution also allows two Senators to be members of the Government. However, this rarely happens.

How does the Government make decisions?

The Government meets and acts as a collective authority. This means that the Government as a whole, rather than individual members of the Government, makes all decisions. Ministers of State (also known as Junior Ministers) are also appointed by the Taoiseach to assist with the work of Government.

Who is the Government responsible to?

The Government is formed from the Dáil and is responsible to it. If the Government loses the support of the Dáil, the result will be either:

- the ending of the current Dáil term by the President (this is called a dissolution) and a general election is called; or
- the formation of a replacement Government.

What is the role and function of the Houses of the Oireachtas?

Each House:

- introduces and debates Bills;
- debates issues of public concern;
- examines and oversees Government policy and administration; and
- approves the funding of Government departments

The Houses also have the power to:

- make laws;
- remove from office the President, the Comptroller and Auditor General or a judge of the High Court or Supreme Court; and
- declare or end a state of emergency.

Only the Dáil can introduce financial legislation and Bills to amend the

Constitution. In addition, the Seanad can:

- make recommendations (but not amendments) to financial Bills. These must be made within 21 days;
- make amendments to non-financial Bills within 90 days; and
- shorten the time within which the President may sign a Bill into law - this is called an 'earlier signature motion'.

How Dáil Éireann works

What is the 'Order Paper'?

The Order Paper outlines the business of the Dáil. It is prepared under the direction of the Ceann Comhairle. The Taoiseach decides the order in which Government business is taken. In some situations, the Taoiseach may propose that the Dáil sits late until Government business has been completed.

What is 'Question Time'?

Dáil Éireann sets aside a specific time on Tuesdays, Wednesdays and Thursdays when TDs may ask Ministers about issues connected with their Departments or for which they are officially responsible. This is known as 'Question Time' and is one way that TDs use to make the Government accountable to the Dáil. The Taoiseach answers questions every Tuesday while Ministers answer questions in turn on an agreed daily rota. This rota is repeated so that TDs can question each Minister regularly. Each member is allowed to ask the Minister two questions. On the day, five questions are given priority to make sure that they are answered on that day. TDs must give three days' notice for priority oral questions and four days' notice for other questions.

What are Leaders' Questions?

At the start of business on Tuesdays and Wednesdays, the Ceann Comhairle allows each Opposition party leader to ask the Taoiseach a brief question about a matter of public importance. On Thursdays, the Tánaiste can be asked a brief question about a matter of public importance.

These are called 'Leaders' Questions' and the following rules apply:

- the question must not take longer than two minutes to ask;
- the Taoiseach's or Tánaiste's reply may be no longer than three minutes;
- the Opposition leader who asked the question may ask a brief follow-up question that is no longer than one minute; and
- the Taoiseach or Tánaiste will give a final reply that is no longer than one minute.

How do TDs ask questions?

Before a question can appear on the Order Paper, it is checked to make sure it complies with the Standing Orders (rules) of the House.

What happens when a TD asks a question?

The Ceann Comhairle may allow some follow-up questions. Questions on the Order Paper that are not reached may either receive a written reply or be held until the next time the relevant Minister answers questions in the Dáil.

What are written questions?

Members can also submit questions for written reply. There is no limit to the number of written questions a Member can ask; however, the Member must give three days' notice. In 2010, Ministers answered over 35,000 written questions.

What about urgent questions?

Sometimes TDs may want to ask questions on matters of urgent public importance which have arisen suddenly. Under Standing Orders, the Ceann Comhairle is allowed to accept these questions at very short notice. These are known as 'private notice' questions. If the Ceann Comhairle accepts these questions, they are taken at the end of question time.

Members may raise these urgent questions on a Tuesday, Wednesday or Thursday by giving notice in writing to the Ceann Comhairle at least 45 minutes before the Dáil sits. The notice must state – briefly – what the question is about and why the Member is raising it.

Are there other ways that TDs can raise issues in the Dáil?

Topical Issues Debate

These are where TDs have the opportunity to raise issues of concern to them. To do this, they must give notice to the Ceann Comhairle of the issues they want to raise. The Ceann Comhairle then selects four issues for debate. In each case the TD concerned makes a four-minute statement and the Minister has a right to make a four-minute statement in reply. The TD is then allowed to make a further two-minute statement and the Minister is allowed a further two minutes to reply

Private Members' Business

Each week the Dáil sets aside three hours, between 7.30 – 9.00 pm on Tuesdays and Wednesdays. During this time the opposition parties and groups can bring forward their own Private Members' Bills and motions for discussion. These usually concern major political issues of the day.

On the first Friday of each month the Dáil sits to consider legislation introduced by any member of the Dáil except for a Minister or Minister of State. This debate happens at the second stage. This is a general debate on the principles of the Bill and what else could be put into the Bill or what should be taken out. If more than one Bill is submitted for consideration then a lottery takes place to decide which Bill will be discussed.

How Seanad Éireann works

Seanad Éireann works in a similar way to Dáil Éireann but with some differences. Each sitting of the Seanad is governed by an Order Paper, which is prepared under the direction of the Cathaoirleach. The Order Paper contains the motions and amendments which the Seanad will deal with that day (except those which are allowed under Standing Orders without notice).

Government business in the Seanad is organised by the Leader of the House, who is a member of the main Government party and is appointed by the Taoiseach.

At the start of business each day, Senators may raise issues with the Leader of the House, such as the need to hold a debate on a matter of national importance or to get answers from a Minister on something relevant to the Minister's Department.

Matters on the Adjournment

Senators can raise issues of concern to them at the end of each sitting day – these are known as Matters on the Adjournment. To do this, they must give notice to the Cathaoirleach of the issues they want to raise. The Cathaoirleach then selects four matters and the Senator concerned may make a four-minute speech. In each case, the Minister has the right to make a four-minute speech in reply.

Public Engagement

Seanad Éireann can also allow people in public and civil life to address the Seanad on their areas of expertise. A Public Petitions Committee will invite submissions on selected areas of public policy and allow members of the public to address policy concerns with the Seanad.

Legislation

How are laws made?

All laws start as Bills. Bills are proposals for legislation. There are three types:

- Public Bills, which are proposed by the Government. Most Bills fall into this category.
- Private Bills, which are promoted by local authorities, private organisations or individuals. These are rare and there are special procedures to deal with them; and
- Private Members' Bills, which are put forward by opposition parties and independent TDs and individual TDs.

A proposal for a new law or a change to an existing law may be made in either the Dáil or the Seanad. Legislation will effect changes to the way the country is run. For example, following the budget, which is the Government's annual financial proposals, a Finance Bill will be published. This in turn becomes the Finance Act which implements the Government's recommendations once they have been passed by both Houses

Is there any consultation with the public?

Before a Bill is introduced, there will be consultation meetings and discussions with the Government Departments and groups likely to be affected by the Bill. Sometimes the Government will publish a Green Paper. This is a discussion document which sets out the Government's ideas and invites comment and views from individuals and relevant organisations.

How does a Bill become law?

There are five stages. The second and third stages are often considered the most important as they offer the best chance to Members to discuss and change the Bill.

- First Stage: The Bill is introduced to one of the Houses - Dáil or Seanad.
- Second Stage: This is a general debate on the principles of the Bill and what else could be put into the Bill or what should be taken out.
- Third Stage: This is also known as Committee Stage. Members of the House where the Bill is being discussed, examine the Bill section by section and may suggest changes (known as amendments) to the Bill. However, only a Minister can propose an amendment that would cost money.
- Fourth Stage: This is known as 'Report Stage'. New amendments may be proposed.
- Fifth Stage: A final discussion on the Bill. No more changes can be made. Where a Bill passes all stages in one House, it goes to the other House where the process begins again from the second Stage.

What happens when both Houses pass a Bill?

Once the Dáil and Seanad both pass the Bill, the Taoiseach presents a copy to the President to sign and declare it as law. The signed law then goes to the Registrar of the Supreme Court where it is enrolled and kept on record.

Can the President refuse to sign a Bill into law?

Under the Constitution, there are two situations where the President may decide not to sign a Bill.

- 1 If the President, after consulting with the Council of State, thinks any part of a Bill is unconstitutional, they may refer it to the Supreme Court. If the Supreme Court finds it unconstitutional, the President cannot sign the Bill.
- 2 The majority of the Seanad and at least one-third of the Dáil can ask the President not to sign a bill if they believe it contains a proposal of such national importance that the people should vote on it. The President may agree to their request after consulting with the Council of State. In these cases, the President will not sign the Bill until it has been approved either by the people in a referendum or by a new Dáil after the current Dáil has been dissolved and a general election held

What happens if the President is absent?

The Ceann Comhairle of Dáil Éireann, the Cathaoirleach of Seanad Éireann and the Chief Justice of the Supreme Court form a commission which acts if the President is absent.

What is the Council of State?

The Council of State advises the President. It is a group of:

- current and past Taoisigh (Prime Ministers);
- Presidents;
- Chief Justices;
- the Ceann Comhairle;
- the Cathaoirleach of Seanad Éireann;
- the Attorney General; and
- people appointed by the President.

Committees

What are the different types of committees?

Each House of the Oireachtas has the power to form committees. There are four types of committees:

- 1 Standing committees: These are set up automatically in each new Dáil or Seanad. An example is the Committee of Public Accounts.
- 2 Select committees: These comprise of Members of one House, either the Dáil or Seanad.
- 3 Joint committees: These are Select committees from both Houses which sit and discuss particular matters.
- 4 Special committees: These are occasionally set up to examine a specific Bill.

Why does the Oireachtas need committees?

A committee system allows Members to deal with an ever-increasing volume of parliamentary business while also giving them more opportunities to take part in the work of parliament. Committees play a vital role in the examination of the estimates for each Government department. It is also the only forum where Members of the parliament can interact with the public.

How are committee members chosen?

Each House decides the membership, powers and terms of reference of its committees. Usually, committee membership reflects the relative strength of political parties and independents in the House which sets it up.

Who may chair a committee?

Committee chairpersons may be members of the Government or opposition parties and are elected by the committee members.

Are committee meetings open to the public?

Most committees meet in public and are televised. Journalists and members of the public may attend. Proceedings can also be viewed via the Oireachtas web-site www.oireachtas.ie

What happens with committee decisions?

Committee reports are published. It is up to each House to decide on any follow-up action.

How often do committees meet?

Committees meet on a regular basis, normally weekly, except in August.

Do committees have a budget?

Committees have a secretariat administration office and, where necessary, a budget for specialist or technical help.

Suggested Reading

For more detailed information about the Houses of the Oireachtas and our political system you may wish to read the following texts:

- The Houses of the Oireachtas : Parliament in Ireland / Muiris MacCarthaigh and Maurice Manning (2010).
- The Dáil in the 21st century / Anthony O'Halloran (2010).
- Accountability in Irish Parliamentary Politics / Muiris MacCarthaigh (2005).
- Politics in the Republic of Ireland / edited by John Coakley and Michael Gallagher (2010).
- Irish Government Today / Sean Dooney, John O'Toole (2009).

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For further information about the Houses of the Oireachtas please contact the Communications Unit:

Communications Unit
Houses of the Oireachtas
Kildare Street
Dublin 2

Tel: + 353 (0)1 618 3066/3166

Email: communications@oireachtas.ie

Web: www.oireachtas.ie

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