

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.