

SEANAD REFORM

PROPOSALS TO WORKING GROUP FROM LABOUR SENATORS

22nd January 2015

Constitutional Change

The Labour Senators group believes in the need for fundamental reform of the Seanad through constitutional change and recommends that the Constitutional Convention should be re-convened to consider substantial changes through Constitutional amendment, such as changes to the Taoiseach's power to nominate 11 Senators; or to the existence of the five vocational panels.

Legislative Change

Pending any decision on constitutional change, the Labour Senators believe that other fundamental changes can be made to reform the Seanad through legislation alone. This should be done without delay.

Labour Senators welcome the establishment of the Seanad Reform Working Group, and would recommend that any legislation that this group recommends should cover four key points:

1. Expansion of Electorate for the University Panel

Labour Senators note the publication in February 2014 of the General Scheme of the Seanad Electoral (University Members) (Amendment) Bill 2014, and welcome the inclusion of the Bill itself on the Government 'C' List on the Legislative Programme for Spring/Summer 2015. Labour Senators believe that in this Bill as finally drafted, amendments to the Seanad Electoral (University Members) Acts 1937- 2006 should be introduced to provide in accordance with Article 18.4.2 of the Constitution for the establishment of one six-person University panel, the electorate for which would comprise the graduates of every third-level institution in the State who are Irish citizens. The principle of representation for graduates who are citizens resident outside the State should be retained

2. Universal Suffrage to the Five Vocational Panels

Amendments to the Seanad Electoral (Panel Members) Act 1947-2006 should be introduced to provide for the composition of the electorate for those five panels, in accordance with Article 18.7 of the Constitution.

All those entitled to be on the local election register should also be entitled to vote in the Seanad general election.

Each person entitled to vote would have a separate vote for candidates on each of the five panels. University graduates could opt for a vote on the University panel instead of the National language, culture, literature, art and education panel.

In accordance with Article 19 of the Constitution, one of the panels –the Public Administration panel would be the most appropriate - could be reserved for election by city and county council members, to preserve the existing link with local government.

Some provision should be made for gender balance in the panels, for example by reserving 50% of the seats in each panel for each gender or by extending the model used in the Electoral (Amendment) (Political Funding) Act to require nominating bodies to select at least 30% of their candidates from each gender.

3. Extension of Powers of Nomination to the Panels

Amendments to the Seanad Electoral (Panel Members) Act 1947-2006 should be introduced to provide for the process of nominations to the five vocational panels, in accordance with Article 18.7 of the Constitution. Nomination should be possible either through the existing nominating bodies; or by local authorities; or by popular nomination by 500 persons whose names are on the Seanad electoral register.

Those bodies or individuals who nominate candidates to the Seanad would be required to have satisfied themselves that those nominated would be qualified in accordance with Article 18.7.1 (knowledge and practical experience of relevant interests and services).

4. Seanad Election to take place on same day as Dáil Election

Article 18.8 of the Constitution provides that a Seanad election must take place not later than 90 days after the dissolution of the Dáil. Legislation could provide that the Seanad election takes place on the same day as a Dáil election, on a PR-STV basis by secret postal ballot. Legislation could also prohibit a candidate from running in both elections. This would break the direct link between Dáil and Seanad elections.