



# SEANAD ÉIREANN

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**AN BILLE UM SHAOIRE DO THUISMITHEOIRÍ (LEASÚ)  
2004**

**PARENTAL LEAVE (AMENDMENT) BILL 2004**

**LEASUITHE A RINNE AN DÁIL  
AMENDMENTS MADE BY THE DÁIL**

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*[The page and line references in this list of amendments are to the  
text of the Bill as passed by Seanad Éireann.]*

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# SEANAD ÉIREANN

## AN BILLE UM SHAOIRE DO THUISMITHEOIRÍ (LEASÚ) 2004 [BILLE SEANAID ARNA LEASÚ AG AN DÁIL]

### PARENTAL LEAVE (AMENDMENT) BILL 2004 [SEANAD BILL AMENDED BY THE DÁIL]

*Leasuithe a rinne an Dáil  
Amendments made by the Dáil*

#### SECTION 3

1. In page 6, before section 3, the following new section inserted:

“Amendment of  
section 6 of  
Principal Act.

3.—Section 6 of the Principal Act is amended in subsection (7) by—

- (a) inserting “and where they are both employed by the same employer” after “child” where it secondly occurs, and
- (b) substituting “either parent” for “neither of the parents”.

#### SECTION 7

2. In page 9, before section 7, the following new section inserted:

“Amendment of  
section 13 of  
Principal Act.

7.—Section 13 of the Principal Act is amended—

(a) in subsection (2), by substituting the following for paragraph (f):

“(f) a person other than one specified in any of paragraphs (a) to (e), who resides with the employee in a relationship of domestic dependency.”,

and

(b) by inserting the following after subsection (2):

“(2A) For the purposes of subsection (2)(f)—

(a) a person who resides with an employee is taken to be in a relationship of domestic dependency with the employee if, in the event of injury or illness, one reasonably relies on the other to make arrangements for the provision of care, and

(b) the sexual orientation of the persons concerned is immaterial.

(2B) Paragraph (b) of subsection (2A) is not to be taken to limit in any way the classes of persons in respect of whom an employee is entitled to *force majeure* leave by virtue of subsection (2)(f).”.

[ SECTION 7 ]

3. In page 9, before section 7, the following new section inserted:

“Amendment of  
section 15 of  
Principal Act.

8.—Section 15(1) of the Principal Act is amended by substituting the following for paragraph (c):

“(c) under the contract of employment under which the employee was employed immediately before the commencement of the period or, where a change of ownership such as is referred to in paragraph (a) has occurred, under a contract of employment with the successor that is identical to the contract under which the employee was employed immediately before such commencement, and (in either case) under terms or conditions—

(i) not less favourable than those that would have been applicable to the employee, and

(ii) that incorporate any improvement to the terms or conditions of employment to which the employee would have been entitled,

if he or she had not been so absent from work.””.

*[Acceptance of this amendment involved the deletion of section 7 of the Bill.]*

SECTION 9

4. In page 10, line 17, “2001” deleted and “2005” substituted.

5. In page 10, line 28, “2001” deleted and “2005” substituted.