



SEANAD ÉIREANN

**AN BILLE AIRGEADAIS, 2013
FINANCE BILL 2013**

**MOLTAÍ COISTE
COMMITTEE RECOMMENDATIONS**

SEANAD ÉIREANN

AN BILLE AIRGEADAIS, 2013 —AN COISTE

FINANCE BILL 2013 —COMMITTEE STAGE

Moltaí Coiste
Committee Recommendations

SECTION 5

1. In page 11, before section 5, but in Chapter 3, to insert the following new section:

“5.—Section 472D of the Principal Act is amended by inserting the following after subsection (9)—

“(9A) This section will only be applicable following a cost-benefit-analysis of the effects of this section on the firm that is making the application so as to indicate superior tax revenues to those foregone as a product of this section via increased economic turnover and/or increased employment. The cost benefit analysis will be accompanied by an assessment by the Irish Fiscal Advisory Council and a Regulatory Impact Assessment.””.

—*Senator Sean D. Barrett.*

[*Acceptance of this amendment involves the deletion of section 5 of the Bill.*]

2. In page 11, before section 5, but in Chapter 3, to insert the following new section:

“5.—The Minister shall within 3 months of the passing of this Act prepare and lay before Dáil Éireann an analysis of the tax increases in this Act, and the total of tax increases and spending cuts of Budget 2013, setting out the continuing impact on people based on their gender, income, age, marital and disability status.”.

—*Senator Kathryn Reilly.*

3. In page 11, between lines 26 and 27, to insert the following:

“(c) the provisions in this section will not be enacted until the passing of a commencement order from the Minister, which will be pending the review of R & D tax credits to be undertaken post March 2013.”.

—*Senator Kathryn Reilly.*

SECTION 8

Section opposed.

—*Senators Darragh O'Brien, Kathryn Reilly.*

[SECTION 10]

SECTION 10

Section opposed.

—*Senator Sean D. Barrett.*

SECTION 11

Section opposed.

—*Senator Darragh O'Brien.*

SECTION 15

4. In page 22, before section 15, to insert the following new section:

“15.—The Principal Act is amended in section 469(1) under paragraph (f) of the definition of “health expenses” by deleting the words “or similar treatment prescribed by a practitioner” after the word “physiotherapy”.”

—*Senator Darragh O'Brien.*

5. In page 22, between lines 36 and 37, to insert the following subsection:

“(2) This section shall not come into effect until the risk equalisation scheme (within the definition of the Health Insurance Act 1994) is under the direction of the Central Bank of Ireland and fully compliant with the Central Bank of Ireland’s regulations.”

—*Senator Sean D. Barrett.*

SECTION 17

6. In page 23, before section 17, to insert the following new section:

“17.—The Minister for Finance shall, as soon as may be after the passing of this Act, prepare and lay before Dáil Éireann a report on the provision of early access to pension benefits in certain limited circumstances including employer paid contributions, regular employee contributions, self-employed personal pensions and Personal Retirement Savings Accounts.”

—*Senator Darragh O'Brien.*

7. In page 26, between lines 46 and 47, to insert the following:

“(c) the administrator shall also deduct the applicable rate of USC and PRSI to the amount transferred.”

—*Senator Kathryn Reilly.*

8. In page 27, lines 8 to 26, to delete subsection (2).

—*Senator Kathryn Reilly.*

9. In page 29, subsection (6)(b)(i), line 40, to delete “€12,700” and substitute “€18,000”.

—*Senator Kathryn Reilly.*

10. In page 30, subsection (6)(b)(ii), line 1, to delete “€12,700” and substitute “€18,000”.

—*Senator Kathryn Reilly.*

[SECTION 17]

11. In page 30, subsection (6)(b)(ii), line 3, to delete “€63,500” and substitute “€119,800”.

—*Senator Kathryn Reilly.*

12. In page 30, subsection (6)(b)(ii)(I), line 6, to delete “€63,500” and substitute “€119,800”.

—*Senator Kathryn Reilly.*

13. In page 30, subsection (6)(b)(ii)(II), line 15, to delete “€63,500” and substitute “€119,800”.

—*Senator Kathryn Reilly.*

SECTION 18

14. In page 32, lines 37 to 40, to delete all words from and including “, unless” in line 37 down to and including “made” in line 40.

—*Senator Sean D. Barrett.*

Section opposed.

—*Senator Sean D. Barrett.*

SECTION 20

15. In page 38, line 5, after “submits” to insert “for approval”.

—*Senator Sean D. Barrett.*

Section opposed.

—*Senator Sean D. Barrett.*

SECTION 21

16. In page 48, line 47, to delete “2020” and substitute “2014”.

—*Senator Sean D. Barrett.*

17. In page 49, between lines 1 and 2, to insert the following subsection:

“(2) This section shall only come into operation following a cost-benefit-analysis by the Minister of Finance indicating superior tax revenues to those foregone as a product of this section as a by-product of increased economic turnover and/or increased employment.”.

—*Senator Sean D. Barrett.*

SECTION 22

Section opposed.

—*Senator Sean D. Barrett.*

SECTION 28

18. In page 57, before section 28, to insert the following new section:

“28.—Section 766 of the Principal Act is amended by inserting the following after subsection (4)—

[SECTION 28]

“(4A) The taxation arrangements permitted under this section shall cease to be applicable after the tax year commencing 1 January 2014.”.

—*Senator Sean D. Barrett.*

[*Acceptance of this amendment involves the deletion of section 28 of the Bill.*]

19. In page 57, after line 40, to insert the following subsection:

“(3) This section shall not come into operation until the cost-benefit-analysis under *section 5** has been completed.”.

—*Senator Sean D. Barrett.*

[**This is a reference to the section proposed to be inserted by amendment No. 1.*]

SECTION 30

20. In page 63, to delete lines 3 to 47, to delete pages 64 and 65 and in page 66, to delete lines 1 to 38.

—*Senator Sean D. Barrett.*

SECTION 31

21. In page 69, subsection (1), lines 17 to 27, to delete paragraphs (*m*) and (*n*) and substitute the following:

“(m) in section 278(6) delete all words after “Any allowance which under subsections (1) to (4) is to be made otherwise than in taxing a trade shall be available primarily against” and substitute “all other income.”.

—*Senator Darragh O'Brien.*

Section opposed.

—*Senators Sean D. Barrett, Kathryn Reilly.*

SECTION 40

Section opposed.

—*Senator Sean D. Barrett.*

SECTION 41

22. In page 90, paragraph (*c*), line 3, to delete “75 per cent” and substitute “85 per cent”.

—*Senator Kathryn Reilly.*

23. In page 90, paragraph (*c*), line 27, to delete “85 per cent” and substitute “90 per cent”.

—*Senator Kathryn Reilly.*

24. In page 90, lines 43 and 44, to delete “three years” and substitute “one year”.

—*Senator Kathryn Reilly.*

25. In page 90, line 51, to delete “three years” and substitute “one year”.

—*Senator Kathryn Reilly.*

26. In page 99, paragraph (*c*), line 35, to delete “85 per cent” and substitute “90 per cent”.

[SECTION 41]

—Senator Kathryn Reilly.

Section opposed.

—Senator Sean D. Barrett.

SECTION 43

27. In page 103, subsection (1)(a), line 39, to delete “substituting “33 per cent” ” and substitute “substituting “40 per cent” ”.

—Senator Kathryn Reilly.

SECTION 47

28. In page 106, line 13, to delete “€3,000,000” and substitute “€1,000,000”.

—Senator Sean D. Barrett.

Section opposed.

—Senator Sean D. Barrett.

SECTION 48

Section opposed.

—Senator Sean D. Barrett.

SECTION 49

Section opposed.

—Senator Kathryn Reilly.

SECTION 51

29. In page 111, between lines 43 and 44, to insert the following:

“(c) a person, other than a person referred to in paragraphs (a) or (b) who engages in own account haulage, that is a person who does not require a road haulage licence under section 2 of the Road Traffic and Transport Act 2006 but who nonetheless operates a heavy goods vehicle with a maximum permissible gross laden weight of not less than 7.5 tonnes and who engages in the carriage or delivery of his or her own goods in his or her own vehicle, driven by himself or herself or his or her employees,”

—Senator Darragh O'Brien.

30. In page 112, between lines 6 and 7, to insert the following:

“(e) a person who holds a Community Licence within the meaning of Regulation (EC) No. 853/2004 of the European Parliament and of the Council of 29 April 2004,

(f) a person who holds a Community Licence within the meaning of Regulation (EC) No. 1/2005 of the European Parliament and of the Council of 22 December 2004;”

—Senator Darragh O'Brien.

31. In page 112, line 25, to delete “€75.00” and substitute “€149.00”.

—Senator Darragh O'Brien.

[SECTION 58]

SECTION 58

Section opposed.

—*Senator Kathryn Reilly.*

SECTION 61

Section opposed.

—*Senators Darragh O'Brien, Kathryn Reilly.*

SECTION 63

Section opposed.

—*Senator Kathryn Reilly.*

SECTION 82

Section opposed.

—*Senator Sean D. Barrett.*

SECTION 83

32. In page 141, to delete lines 36 to 43 and in page 142, to delete lines 1 to 18 and substitute the following:

“(a) in respect of relevant contracts renewed or entered into on or after 1 January 2013 and on or before 30 March 2013, €0 in respect of an insured person;”.

—*Senator Sean D. Barrett.*

SECTION 91

33. In page 146, before section 91, but in Part 6, to insert the following new section:

“91.—The Minister shall commit to examining the introduction of a range of measures to stimulate activity within the market for improvement and maintenance of private dwellings, within the course of 2013.”.

—*Senator Darragh O'Brien.*