



DÁIL ÉIREANN

AN BILLE UM BSL (LÍONRAÍ CUMARSÁIDE LEICTREONÁÍ), 2013 ESB (ELECTRONIC COMMUNICATIONS NETWORKS) BILL 2013

LEASUITHE COISTE COMMITTEE AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM BSL (LÍONRAÍ CUMARSÁIDE LEICTREONÁÍ), 2013 —ROGHFHOCHOISTE

ESB (ELECTRONIC COMMUNICATIONS NETWORKS) BILL 2013 —SELECT SUB-COMMITTEE

Leasuithe Amendments

SECTION 2

1. In page 4, between lines 17 and 18, to insert the following:

“2. (1) The Board may engage in all or any of the businesses of—

- (a) developing electronic communications networks and electronic communications services infrastructure,
- (b) leasing, licensing and otherwise providing, making use of an engaging in any service in connection with electronic communications networks and electronic communications services infrastructure, and
- (c) electronic communications networks or electronic communications services, or both, whether on wholesale or retail basis,

in each case either alone or with any other company and shall have all such powers necessary or expedient for that purpose.

(2) When entering into a contract with any other company the Board must support job creation, growth, innovation and regeneration, to assist in the creation of training opportunities, to broaden the supplier base for the works and to avoid excessive concentration of purchasing power by ensuring that 25 per cent of the aggregate of its employees and the employees of the supply chain are persons who meet one of the following criteria, to be broken down as set out below:

- (a) 10 per cent of the employees to be employees of small enterprises, being companies that employ fewer than 50 persons and which have an annual turnover not exceeding €25,000,000 and/or an annual balance sheet total not exceeding €25,000,000,
- (b) 10 per cent of the employees to be people recruited from the unemployment register and,
- (c) 5 per cent to be apprentices or persons who have graduated from third level education or left school in the preceding year prior to their employment,

the contractor must advertise all vacancies locally in addition to any other method of job advertisement.”.

—Michael Colreavy.

[SECTION 2]

[Acceptance of this amendment involves the deletion of section 2 of the Bill.]

SECTION 4

2. In page 4, between lines 32 and 33, to insert the following:

- “4. (1) In circumstances where either the Board or the Board in conjunction with another company, while engaging in the business of providing electronic communications either under *section 2* or *section 3* or both, advertises specific broadband speeds to the consumer, the Board and or the company in question shall be obliged to provide such speeds to the consumer.
- (2) Any person who fails to comply with *subsection (1)* shall be liable to penalty by way of a fine, the amount of which shall be prescribed by the Minister by way of regulation.”.

—Michael Moynihan.

SECTION 5

3. In page 5, between lines 29 and 30, to insert the following:

- “(3) Notwithstanding that as set out in subsections (1), (3), (4) (5) and (9) of section 53 of the Principal Act, any development carried out either under *section 2* or *section 3* or both—
- (a) shall not be carried out in such a manner that would dramatically impact on the property rights of the owner, and
- (b) every effort shall be made to ensure the development shall be carried out in such manner that shall have the least detrimental impact on the property concerned.
- (4) If the Board or a provider fails to comply with *subsection (3)*, it shall be open to the property owner concerned to submit a complaint to the Commission for Energy Regulation, and such complaint shall be dealt with by way of a complaints mechanism in such form as shall be prescribed by the Minister by way of regulation.”.

—Michael Moynihan.