



DÁIL ÉIREANN

AN BILLE SLÁINTE POIBLÍ (ALCÓL), 2015 PUBLIC HEALTH (ALCOHOL) BILL 2015

LEASUITHE TUARASCÁLA REPORT AMENDMENTS

DÁIL ÉIREANN

AN BILLE SLÁINTE POIBLÍ (ALCÓL), 2015 —AN TUARASCÁIL

PUBLIC HEALTH (ALCOHOL) BILL 2015 —REPORT

Leasuithe Amendments

1. In page 7, between lines 7 and 8, to insert the following:

“ “Audiovisual Media Services Directive” means Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services;

“audiovisual media service” has the same meaning as it has in Article 1 of the Audiovisual Media Services Directive;”.

—Louise O'Reilly.

2. In page 7, between lines 19 and 20, to insert the following:

“ “information society service” has the same meaning as it has in Article 1 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services;”.

—Louise O'Reilly.

3. In page 7, between lines 27 and 28, to insert the following:

“ “media service provider” has the same meaning as it has in Article 1 of the Audiovisual Media Services Directive;”.

—Louise O'Reilly.

4. In page 8, line 19, to delete “and”.

—Louise O'Reilly.

5. In page 8, line 20, to delete “profit);” and substitute the following:

“profit),

(e) supply for the purpose of promoting the use of another service, and

(f) supply in the purchase of another good or service;”.

—Louise O'Reilly.

6. In page 10, line 5, after “20(1),” to insert “21(4),”.*

—Louise O'Reilly.

[*This is a reference to the section proposed to be inserted by amendment 24.]

7. In page 12, between lines 16 and 17, to insert the following:

“(d) data from health services relating to alcohol related presentations at health facilities,”.

—Louise O'Reilly.

8. In page 13, line 31, after “form” to insert “, in both the English and Irish language”.

—Stephen S. Donnelly.

9. In page 13, to delete lines 36 and 37.

—Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick, Declan Breathnach, Kevin O'Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins, Tony McLoughlin, Pat Deering, Peter Burke.

10. In page 14, line 13, after “form” to insert “, in both the English and Irish language”.

—Stephen S. Donnelly.

11. In page 14, to delete lines 18 and 19.

—Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick, Declan Breathnach, Kevin O'Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins, Tony McLoughlin, Pat Deering, Peter Burke.

12. In page 14, to delete lines 28 and 29.

—Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick, Declan Breathnach, Kevin O'Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins, Tony McLoughlin, Pat Deering, Peter Burke.

13. In page 14, line 35, after “displayed” to insert “, in both the English and Irish language,”.

—Stephen S. Donnelly.

14. In page 15, between lines 37 and 38, to insert the following:

“(d) data from health services relating to alcohol related presentations at health facilities,”.

—Louise O'Reilly.

15. In page 16, between lines 28 and 29, to insert the following:

“(17) (a) This section shall not apply to the sale of alcohol products in a tax-free shop to travellers departing the State.

(b) “Tax-free shop” means a tax-free shop within the meaning of Article 14 of Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC.

- (c) A tax-free shop shall, in the prescribed manner, inside the premises, display a notice or notices in the prescribed form, which shall include in the prescribed form, in both the English and Irish language—
 - (i) a warning that is intended to inform the public of the danger of alcohol consumption,
 - (ii) a warning that is intended to inform the public of the danger of alcohol consumption when pregnant,
 - (iii) a warning that is intended to inform the public of the direct link between alcohol and fatal cancers,
 - (iv) details of a website, to be established and maintained by the Executive, providing public health information in relation to alcohol consumption, and
 - (v) confirmation that a document specifying the matters set out in *paragraph (d)* is available for inspection on request at the premises concerned.
- (d) The document referred to in *paragraph (c)(v)* shall specify the following:
 - (i) the quantity in grams of alcohol of each quantity, measure or unit of every alcohol product that is for sale in the licensed premises concerned, and
 - (ii) the energy value expressed in kilojoules and kilocalories of each quantity, measure or unit of every alcohol product that is for sale in the licensed premises concerned.”.

—Stephen S. Donnelly.

16. In page 17, line 5, to delete “or” where it secondly occurs.

—Sean Sherlock, Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick,
Declan Breathnach, Kevin O’Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins,
Tony McLoughlin, Pat Deering, Peter Burke.

17. In page 17, to delete line 7 and substitute the following:

“products,

- (a) directional signage, an advertisement, or any other commercial communication, relating to the promotion of a visitor centre owned by a licenced manufacturer of alcohol products which may or may not attach to a premises licensed for the manufacture of alcohol products,
- (b) special interest and trade publications, or
- (c) airside travel retail.”.

—Sean Sherlock, Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick,
Declan Breathnach, Kevin O’Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins,
Tony McLoughlin, Pat Deering, Peter Burke.

18. In page 17, to delete lines 14 and 15.

—Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick, Declan Breathnach,

Kevin O'Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins, Tony McLoughlin,
Pat Deering, Peter Burke.

19. In page 19, line 34, to delete “or”.

—Sean Sherlock, Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick,
Declan Breathnach, Kevin O'Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins,
Tony McLoughlin, Pat Deering, Peter Burke.

20. In page 19, between lines 35 and 36, to insert the following:

“(iii) airside travel retail,

(iv) a park or open space owned or maintained by a local authority, which is the
subject of an Occasional Licence granted under the Intoxicating Liquor Act
1962, while that licence is in operation, or

(v) any premises provided it takes the form of directional signage, an
advertisement, or any other commercial communication, relating to the
promotion of a visitor centre owned by a licenced manufacturer of alcohol
products which may or may not attach to a premises licensed for the
manufacture of alcohol products.”.

—Sean Sherlock, Noel Grealish, Eamon Scanlon, Bobby Aylward, Peter Fitzpatrick,
Declan Breathnach, Kevin O'Keeffe, Carol Nolan, Michael Fitzmaurice, Michael Collins,
Tony McLoughlin, Pat Deering, Peter Burke.

21. In page 20, between lines 13 and 14, to insert the following:

“Prohibition of sports sponsorship

15. (1) Alcohol sponsorship will be phased out by 31 December 2023.

(2) In this section—

“sponsorship” means any form of public or private contribution to any sports event,
sports area, association or person with the aim or direct or indirect effect of promoting
an alcohol product or brand or alcohol consumption;

“sports area” means an area, whether indoors or outdoors, where participants
participate in sporting activities, or competitors compete in sporting competitions, and
includes a playing pitch or area, a swimming pool, an athletics track, a dog or horse
racing track or a motor racing track.”.

—Louise O'Reilly.

22. In page 20, to delete lines 14 to 28.

—Louise O'Reilly.

23. In page 20, to delete lines 29 to 38, and in page 21, to delete lines 1 to 3.

—Louise O'Reilly.

24. In page 22, between lines 30 and 31, to insert the following:

“Advertising on the internet

21. (1) A person shall not advertise, or cause to be advertised, an alcohol product by means of an information society service unless all reasonable steps are taken to ensure that the advertising cannot be viewed by children.
- (2) In determining whether a person has taken all reasonable steps to ensure that advertising cannot be viewed by children the court or the jury, as the case may be, shall have regard to—
- (a) whether age verification controls have been used to prevent access by children to the advertisement,
 - (b) whether demographic targeting has been used to ensure that the advertisement is not displayed to children,
 - (c) whether the advertisement has been labelled or registered in a way which permits it to be blocked by parental filtering software,
 - (d) whether the advertisement invites users to share it with others, and
 - (e) the cost of implementing the measures and the state of technological development.
- (3) *Subsection (1)* shall not apply to advertising by means of an audiovisual media service unless the media service provider is established in the State in accordance with Article 2(3) of the Audiovisual Media Services Directive or under the jurisdiction of the State in accordance with Article 2(4).
- (4) A person who contravenes *subsection (1)* shall be guilty of an offence.”.

—Louise O'Reilly.

25. In page 23, line 10, to delete “not less than 1.2 metres” and substitute “not less than 1.8 metres”.

—Maureen O'Sullivan.