



DÁIL ÉIREANN

AN BILLE UM CHEARTAS COIRIÚIL (CUMHACHTAÍ FORFHEIDHMIÚCHÁIN) (COVID-19), 2020 CRIMINAL JUSTICE (ENFORCEMENT POWERS) (COVID-19) BILL 2020

LEASUITHE COISTE COMMITTEE AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM CHEARTAS COIRIÚIL (CUMHACHTAÍ FORFHEIDHMIÚCHÁIN) (COVID-19), 2020 —ROGHCHOISTE

CRIMINAL JUSTICE (ENFORCEMENT POWERS) (COVID-19) BILL 2020 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 3

1. In page 5, to delete line 14.

—Brendan Howlin.

SECTION 4

2. In page 6, between lines 26 and 27, to insert the following:

“(6) Nothing in this Act prevents a licensee from putting in issue or a court from determining, in subsequent legal proceedings to which the question is or may be relevant—

- (a) whether the member who gave the direction in respect of the premises concerned had reasonable cause for suspecting the contravention of a relevant provision in respect of those premises,
- (b) whether the steps which the member directed to be taken were reasonably necessary to ensure compliance with the relevant provision,
- (c) whether the specified person had lawful authority or reasonable excuse for failure to comply with the direction,
- (d) whether the giving of an authorisation under *subsection (2)* was appropriate in the circumstances, or
- (e) any other question related to the lawful validity of the immediate closure order.”

—Brendan Howlin.

SECTION 13

Section opposed.

—Mick Barry, Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith.

[SECTION 14]

SECTION 14

3. In page 13, between lines 17 and 18, to insert the following:

“Repeal of section 43 of Health Act 1947

14. Section 43 of the Health Act 1947 is hereby repealed.”.

—Michael McNamara.

SECTION 17

4. In page 14, lines 31 to 34, to delete all words from and including “, unless” in line 31 down to and including “resolution” in line 34.

—Michael McNamara.