



SEANAD ÉIREANN

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

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

SEANAD ÉIREANN

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

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

*Leasuithe
Amendments*

**Government amendments are denoted by an asterisk*

SECTION 2

1. In page 5, between lines 8 and 9, to insert the following:

“(2) This Act shall not apply to a residential unit within a licenced premises or a residential unit in the same building occupied by a specified person.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Eileen Flynn.*

SECTION 3

2. In page 5, to delete line 14.

—*Senators Ivana Bacik, Annie Hoey, Rebecca Moynihan, Marie Sherlock, Mark Wall.*

3. In page 5, line 14, to delete “or otherwise” and substitute “or in relation to such regulations that have been made under section 31A of the Act of 1947 previous to the date of the passing of this Act”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Eileen Flynn.*

4. In page 5, line 14, to delete “or otherwise” and substitute “or in relation to provisions under section 31A of the Act of 1947”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Eileen Flynn.*

SECTION 4

5. 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,

[SECTION 4]

(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.”.

—*Senators Ivana Bacik, Annie Hoey, Rebecca Moynihan, Marie Sherlock, Mark Wall.*

SECTION 17

6. In page 14, line 34, after “such date” to insert “, which must not be later than the 9th day of November 2021”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Eileen Flynn.*