



DÁIL ÉIREANN

**AN BILLE UM BEARTA ÉIGEANDÁLA AR MHAITHE LE
LEAS AN PHOBAIL (COVID-19), 2020
EMERGENCY MEASURES IN THE PUBLIC INTEREST
(COVID-19) BILL 2020**

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

DÁIL ÉIREANN

AN BILLE UM BEARTA ÉIGEANDÁLA AR MHAITHE LE LEAS AN PHOBAIL (COVID-19), 2020 —AN CHOISTE

EMERGENCY MEASURES IN THE PUBLIC INTEREST (COVID-19) BILL 2020 —COMMITTEE

Leasuithe Amendments

SECTION 1

1. In page 6, lines 24 and 25, to delete “such day as the Minister for Housing, Planning and Local Government may by order appoint” and substitute “the 30th day of March 2020”.

—Darragh O'Brien.

2. In page 6, between lines 30 and 31, to insert the following:

“(e) The amendments effected by *Part 10** shall be deemed to have come into operation on the 13th day of March 2020.”.

—Jim O'Callaghan.

*[*This is a reference to the Part proposed to be inserted by amendment No. 75.]*

3. In page 6, between lines 30 and 31, to insert the following:

“(e) The amendments to the Companies Act 2014 effected by *Part 10** shall be deemed to have come into operation on the 13th day of March 2020.”.

—Jim O'Callaghan, Robert Troy.

*[*This is a reference to the Part proposed to be inserted by amendment No. 76.]*

4. In page 6, between lines 30 and 31, to insert the following:

“(3) The amendments and other modifications of the Health (Regulation of Termination of Pregnancy) Act 2018 effected by *Part 5**—

(a) subject to *paragraph (b)*, continue in operation until the 9th day of November 2020, and

(b) may be continued in operation by a resolution passed by each House of the Oireachtas before the date referred to in *paragraph (a)* until such date as may be specified in the resolutions.”.

—Eoin Ó Broin.

*[*This is a reference to the Part proposed to be inserted by amendment No. 50.]*

[SECTION 3]

SECTION 3

5. In page 7, between lines 10 and 11, to insert the following:

“PART 2

OPERATION OF STATUTES OF LIMITATION

Reckoning of limitation periods during Covid-19 outbreak

3. (1) In reckoning a period of time for the purpose of a limitation period specified by the Statutes of Limitations, the period beginning on 9 March 2020 and ending on the day that this section ceases to be in operation shall be disregarded.
- (2) This section ceases to be in operation on 9 November 2020, unless a resolution has been passed by each House of the Oireachtas before its expiry resolving that it should continue in operation for such further period as may be specified in the resolutions.”.

—Brendan Howlin, Alan Kelly, Gerald Nash, Sean Sherlock, Aodhán Ó Ríordáin,
Duncan Smith.

6. In page 7, lines 16 to 18, to delete all words from and including “means—” in line 16 down to and including line 18 and substitute the following:

“means a period that shall commence on the enactment of this Act and shall end on a resolution being passed in Dáil Éireann to that effect, the period shall be a minimum of 12 months in duration commencing on the enactment of this Act.”.

—Mick Barry.

7. In page 7, line 17, to delete “3 months” and substitute “12 months”.

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

SECTION 4

8. In page 7, line 32, to delete “Health, and” and substitute the following:

“Health,

- (b) subject to a vote of approval by both Houses of the Oireachtas, and”.

—Darragh O'Brien.

9. In page 8, to delete lines 3 to 6 and substitute the following:

- “(i) the nature and potential impact of Covid-19 on individuals, society and the State,
(ii) the capacity of the State to respond to the risk to public health posed by the spread of Covid-19,
(iii) the policies and objectives of the Government to protect the health and welfare of members of the public,
(iv) the need to mitigate the economic effects of the spread of Covid-19, and
(v) the need to ensure the provision of adequate housing, in the interest of the

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common good, for public health purposes.”.

—Neasa Hourigan.

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

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

11. In page 8, line 6, to delete “population,” and substitute the following:

“population, or

(iv) the need to tackle the housing emergency in the State.”.

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

12. In page 8, between lines 6 and 7, to insert the following:

“(iv) the financial hardship on tenants caused as a result of the Covid-19 crisis,”.

—Mick Barry.

13. In page 8, to delete lines 8 to 12.

—Darragh O'Brien.

SECTION 5

14. In page 8, between lines 12 and 13, to insert the following:

“5. (1) All Notices of Termination of tenancy which fall to be served during or after the enactment of this Act are hereby deemed invalid and no notice of eviction on any grounds may be served on any tenant until this Act is repealed.

(2) All subsequent Notices of Termination shall comply with the minimum notice periods applicable and date from the date they are served after the repeal of Covid-19 Emergency Measures in the Public Interest.”.

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

15. In page 8, line 15, after “period” to insert “and any notice so served shall be null and void.”.

—Francis Noel Duffy.

16. In page 8, line 15, after “period.” to insert the following:

“This provision shall also apply to a room rented in a landlord’s home and informal arrangements where there is no tenancy agreement in writing.”.

—Marian Harkin, Michael McNamara.

17. In page 8, to delete lines 16 to 18.

—Cian O'Callaghan, Paul Murphy, Richard Boyd Barrett, Bríd Smith, Gino Kenny,
Eoin Ó Broin.

18. In page 9, between lines 12 and 13, to insert the following:

“(7) During the duration of the emergency period licensees in owner occupied homes shall be entitled to a notice to quit period of at least 28 days.”.

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—Cian O'Callaghan.

19. In page 9, between lines 12 and 13, to insert the following:

- “(7) (a) Notwithstanding any of the provisions in this section, all proposed evictions in all tenancies in the State, including those not covered by the Act of 2004, are prohibited during the operation of the *Emergency Measures in the Public Interest (Covid-19) Act 2020*.
- (b) For the avoidance of doubt, this section applies to all Local Authority and Approved Housing body dwellings.
- (c) For the avoidance of doubt, all Travellers who are currently resident in any location should not during this crisis be evicted from that location except where movement is required to ameliorate hardship and provide protection and subject to consultation with the Travellers involved.”.

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

SECTION 6

20. In page 9, between lines 12 and 13, to insert the following:

- “6. Section 67(1) of the Act of 2004 is amended by the insertion of “subject to *section 5(1)* of the *Emergency Measures in the Public Interest (Covid-19) Act 2020* after “tenancy” where it secondly occurs.”.

—Francis Noel Duffy.

21. In page 9, line 17, after “period” to insert “and for a further period of 3 months after the end of the emergency period”.

—Cian O'Callaghan.

22. In page 9, between lines 18 and 19, to insert the following:

- “(2) For the avoidance of any doubt, no period of months during which this Act is in operation can be subsequently added into the formula $(R \times (1 + 0.04 \times t/m))$ used for calculating any subsequent rent increase in a Rent Pressure Zone.”.

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

SECTION 7

23. In page 9, between lines 18 and 19, to insert the following:

“Prohibition on penalisation of tenants

7. Section 14(1) of the Act of 2004, is amended by the addition of the following new paragraph:

- “(e) the non-payment of rent during the period covered by the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020.”.

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

[SECTION 8]

SECTION 8

24. In page 9, line 24, after “served” to insert “or who themselves served notice of termination”.

—Francis Noel Duffy.

25. In page 9, lines 33 to 38, to delete all words from and including “notice,” in line 33 down to and including line 38 and substitute “notice.”.

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

26. In page 10, between lines 2 and 3, to insert the following:

“(3) For the sole purpose of this section, tenancy under this section also applies to licensees as defined under the Residential Tenancies Act 2004.”.

—Darragh O'Brien.

27. In page 10, between lines 2 and 3, to insert the following:

“(3) The obligations of landlords under section 12 of the Act of 2004 shall be maintained in full during the emergency period.”.

—Neasa Hourigan.

SECTION 9

28. In page 10, between lines 2 and 3, to insert the following:

“9. All Housing Assistance top-up payments shall be compensated by the Minister for Housing, Planning and Local Government to tenants affected by Covid-19.”.

—Darragh O'Brien.

29. In page 10, between lines 2 and 3, to insert the following:

“9. All relevant payments for accommodation provided under section 13(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016 shall be refunded within three months for the relevant period if the accommodation has been vacated by the licensee due to the suspension of higher education activity due to Covid-19.”.

—Darragh O'Brien.

30. In page 10, between lines 2 and 3, to insert the following:

“9. The Residential Tenancies Board shall issue a report assessing the effectiveness of the measures contained in this Part and *Part 1* after a three month period. Said report shall be laid before both Houses of the Oireachtas. The report shall cover—

- (a) adherence to this Part and *Part 1*,
- (b) complaints and disputes arising under this Part and *Part 1*,
- (c) impact on rental unit supply, and
- (d) any other relevant matters.”.

—Darragh O'Brien.

[SECTION 9]

31. In page 10, between lines 2 and 3, to insert the following:

- “9. All fees under section 137 of the Residential Tenancies Act 2004, as amended by the Residential Tenancies (Amendment) Act 2019, are suspended for a 12 month period effective from the 30th day of March 2020.”.

—Darragh O'Brien.

32. In page 10, between lines 2 and 3, to insert the following:

- “9. The Minister shall publish regulations setting out payment break criteria for all mortgages under the Re-Building Ireland Home Loan Scheme.”.

—Darragh O'Brien.

33. In page 10, between lines 2 and 3, to insert the following:

- “9. The Minister shall publish regulations setting out payment break criteria for all mortgages under credit servicing firms as defined by the Consumer Protection (Regulation of Credit Servicing Firms) Act 2018.”.

—Darragh O'Brien.

34. In page 10, between lines 2 and 3, to insert the following:

- “9. Within 2 weeks of the passing of this Act, the Minister shall produce a report on what legislative changes and arrangements are required to ensure that tenants in student accommodation are able to leave their contracts early without an obligation to pay rent for the remainder of the academic year.”.

—Mick Barry.

35. In page 10, between lines 2 and 3, to insert the following:

- “9. Within 2 weeks of the passing of this Act, the Minister shall produce a report on a scheme that would ensure the following:
- (a) that those landlords who benefit from forbearance from the financial institutions are obliged to pass on the benefit of such forbearance to their tenants;
 - (b) the waiving of rent for tenants who suffer a loss of income during the emergency period;
 - (c) any arrears accrued by tenants who have suffered a loss in income in the emergency period can not be used as a reason to terminate a tenancy;
 - (d) the additional protections in this Act are extended to those with a licence to reside.”.

—Mick Barry.

36. In page 10, between lines 2 and 3, to insert the following:

“Rent freeze

9. Rents on all rental units, including student accommodation and 1 bedroom units, shall be frozen for a period of 3 months, which the Minister for Housing, Planning and Local

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Government may extend for a further 5 months.”.

—Michael Fitzmaurice, Marian Harkin, Michael McNamara.

37. In page 10, between lines 2 and 3, to insert the following:

“9. The Minister may, following consultation with the Minister for Health and the Minister for Public Expenditure and Reform and Members of the Oireachtas, make regulations to prohibit the issuing of Notices to Quit, evictions or rent increases to people renting under licence or with informal rent-a-room arrangements during the emergency period.”.

—Eoin Ó Broin.

38. In page 10, between lines 2 and 3, to insert the following:

“9. The Minister may, within one month of the passing of this Bill and following consultation with the Minister for Health, the Minister for Public Expenditure and Reform, Members of the Oireachtas and organisations representing landlords, tenants and mortgage lenders, publish a report outlining measures that would provide for rent reductions or waivers for those in the private rented sector who due to loss of income arising from Covid-19 restrictions have accumulated significant rent arrears debt during the emergency period.”.

—Eoin Ó Broin.

39. In page 10, line 14, after “Act” to insert the following:

“, with the exception of periods specified in or pursuant to subsection (3)(b), paragraphs (b), (c), and (e) of subsection (5), and subsection (6) of section 154”.

—Francis Noel Duffy.

40. In page 10, line 17, to delete “2016.” and substitute the following:

“2016;

(f) the Minister instructs immediately to give substitute consent to Bord na Móna to carry out their works for 2020.”.

—Michael Fitzmaurice, Marian Harkin, Michael McNamara.

41. In page 11, lines 19 and 20, to delete all words from and including “and” on line 19 down to and including “(g) the need” on line 20 and substitute the following:

“(g) the capacity to ensure proper public consultation and engagement in the interests of fair process and sustainable planning while ensuring the protection of public health,

(h) the capacity of municipal districts and local area committees to meet and give input to planning applications as part of the Strategic Housing Development process, and

(i) the need”.

—Cian O’Callaghan.

[SECTION 10]

SECTION 10

42. In page 13, line 20, to delete “application.”” and substitute the following:

“application.

- (10) A person living in direct provision who has qualified and practiced as a dentist outside of this jurisdiction may also apply for registration.””.

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

43. In page 13, line 20, to delete “application.”” and substitute the following:

“application.

- (10) All persons who are currently seeking to be registered shall have their application decided upon within 72 hours and if not they shall be deemed to be automatically registered for a 12 week period.””.

—Michael Fitzmaurice, Marian Harkin, Michael McNamara.

SECTION 11

44. In page 15, line 12, to delete “application.”” and substitute the following:

“application.

- (9) A person living in direct provision who has qualified and practiced as the relevant designated profession outside of this jurisdiction may also apply for registration.””.

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

SECTION 12

45. In page 16, line 38, to delete “application.”” and substitute the following:

“application.

- (9) A person living in direct provision who has qualified and practiced as a pharmacist outside of this jurisdiction may also apply for registration.””.

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

SECTION 13

46. In page 18, line 19, to delete “application.”” and substitute the following:

“application.

- (9) A person living in direct provision who has qualified and practiced as a medical practitioner outside of this jurisdiction may also apply for registration.””.

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

SECTION 14

47. In page 20, lines 31, to delete “application.”” and substitute the following:

“application.

[SECTION 14]

- (9) A person living in direct provision who has qualified and practiced as a nurse or midwife outside of this jurisdiction may also apply for registration.”.”.

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

SECTION 15

48. In page 20, between lines 31 and 32, to insert the following:

“15. Within 7 days of the passing of this Act, the Minister may propose emergency amendments to the Health (Regulation of Termination of Pregnancy) Act 2018 to allow those seeking abortions to have access to tele-medicine consultations with doctors and for medication and/or prescriptions to be sent through the postal system.”.

—Mick Barry.

49. In page 20, between lines 31 and 32, to insert the following:

“Amendment of Nurses and Midwives Act 2011

15. The Nurses and Midwives Act 2011 is amended by the insertion of the following section after section 107:

“108. (1) A nurse or midwife resident in the State who has qualified or practised in Northern Ireland, Scotland, England or Wales may make an application to the Board to be registered in the register of nurses and midwives pursuant to this section.

(2) Subject to subsections (3) to (7), the provisions of this Act shall, with all necessary modifications, apply to—

(a) a section 108 registration as they apply to a registration in the register of nurses and midwives effected by another section of this Act, and

(b) a section 108 registrant as they apply to a registered nurse or registered midwife, as appropriate, who is not a section 108 registrant.

(3) No fee shall be charged for, or relating to—

(a) a section 108 application, or

(b) a section 108 registration or the retention of such registration.

(4) Where a nurse or midwife’s name is entered in the register of nurses and midwives pursuant to a section 108 registration, the Board shall enter in that register, or cause to be entered in that register, the term ‘(section 108 registration)’ immediately after the name to indicate that his or her registration arises from the operation of this section.

(5) (a) Nothing in this section shall be construed to prevent a nurse or midwife’s name from being entered in the register of nurses and midwives pursuant to the operation of another section of this Act,

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whether or not his or her name is already entered in that register pursuant to a section 108 registration.

- (b) Where a nurse or midwife's name is entered in the register of nurses and midwives pursuant to the operation of this Act (other than this section) when his or her name is already entered in that register pursuant to a section 108 registration, the Board shall remove from that register, or cause to be removed from that register, the latter entry at the same time as the first-mentioned entry is made.
 - (c) The refusal of a section 108 registration for a nurse or midwife shall not prevent that registrant from making an application under another section of this Act to be registered in the register of nurses and midwives.
- (6) (a) Subject to subsection (7), each section 108 registration that is still in force on the 31st day of July 2020, shall, on and after that date, cease to have effect.
- (b) The Board shall remove from the register of nurses and midwives, or cause to be removed from that register, on the date referred to in paragraph (a), or as soon as is practicable thereafter, each name that was entered in that register pursuant to a section 108 registration.
- (7) (a) The Minister may, by order, specify a different date for the purposes of subsection (6) (including a different date for a previous different date specified in an order made under this paragraph), and if the Minister so specifies, that subsection shall be construed, with all necessary modifications, to take account of that first-mentioned date.
- (b) Section 3(3) shall, with all necessary modifications, apply to an order made under paragraph (a) as that section applies to a regulation made under this Act.

(8) In this section—

‘nurse or midwife’ means a nurse or midwife, as appropriate, who is resident in the State but has practiced in another state;

‘section 108 application’ means an application under subsection (1);

‘section 108 registrant’ means a registered nurse or registered midwife, as appropriate, who is such pursuant to—

- (a) the Board's determination of a section 108 application, or
- (b) a decision (howsoever called) of the Court arising from the Board's determination of a section 108 application;

‘section 108 registration’ means registration in the register of nurses and midwives pursuant to—

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- (a) the Board’s determination of a section 108 application, or
- (b) a decision (howsoever called) of the Court arising from the Board’s determination of a section 108 application.”.”.

—Stephen S. Donnelly.

50. In page 20, between lines 31 and 32, to insert the following:

“PART 5

AMENDMENT TO HEALTH (REGULATION OF TERMINATION OF PREGNANCY) ACT 2018

Definition (Part 5)

15. In this Part, “Act of 2018” means the Health (Regulation of Termination of Pregnancy) Act 2018.

Amendment of section 12 of Act of 2018

16. Section 12 of the Act of 2018 is amended by the substitution of the following for section 12—

- “12. (1) A termination of pregnancy may be carried out in accordance with this section by a medical practitioner, a nurse, or a midwife where, having examined the pregnant woman in person, he or she is of the reasonable opinion formed in good faith that the pregnancy concerned has not exceeded 12 weeks of pregnancy.
- (2) A termination of pregnancy shall not be carried out under this section unless the medical practitioner, nurse, or midwife referred to in subsection (1) has certified his or her opinion as to the matter referred to in that subsection.
- (3) Other than where, in the reasonable opinion formed in good faith, of a medical practitioner, nurse or midwife, there is a risk to public health, the termination of pregnancy shall not be carried out by a medical practitioner unless a period of not less than 3 days has elapsed from—
- (a) the date of certification under subsection (2) by that medical practitioner, or
 - (b) where a certification was previously made in respect of the pregnancy by another medical practitioner for the purposes of subsection (2), the date of that previous certification.
- (4) A termination of pregnancy to which the certification referred to in subsection (2) relates shall be carried out as soon as may be after the period referred to in subsection (3)(a) or (b), as the case may be, has elapsed but before the pregnancy has exceeded 12 weeks of pregnancy.
- (5) For the purposes of this section, ‘12 weeks of pregnancy’ shall be

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construed in accordance with the medical principle that pregnancy is generally dated from the first day of a woman's last menstrual period.

- (6) For the purposes of this section, 'examined' shall be construed as including in-person and remote consultation as deemed appropriate in the reasonable opinion formed in good faith of a medical practitioner, nurse or midwife.
- (7) In this section—

'Act of 2011' means the Nurses and Midwives Act 2011;

'midwife' means a person whose name is for the time being registered in the midwives division of the register of nurses and midwives, or the midwife candidate division of the candidate register, established under section 46 of the Act of 2011;

'nurse' means a person whose name is for the time being registered in the nurses division of the register of nurses and midwives, or a division (other than the midwife candidate division) of the candidate register, established under section 46 of the Act of 2011.”.

—Eoin Ó Broin.

SECTION 16

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

“16. (1) The Government shall not commence this Part without a request from the Minister for Health, following a resolution of Dáil Éireann or where that is not feasible, following consultation with and the approval of, all party and group leaders of Dáil Éireann, or their nominees.

- (2) This Part shall continue in operation for no more than 30 days without, a request from the Minister for Health, following a further resolution of Dáil Éireann or where that is not feasible, following consultation with and the approval of, all party and group leaders of Dáil Éireann, or their nominees.”.

—Denis Naughten, Cathal Berry.

52. In page 21, line 15, after “Covid-19” to insert “in accordance with World Health Organisation criteria”.

—Róisín Shortall.

SECTION 17

53. In page 21, line 30, after “concerned” to insert “in person or by remote consultation”.

—Eoin Ó Broin.

Section opposed.

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

[SECTION 20]

SECTION 20

54. In page 24, line 7, after “appointment” to insert the following:

“and one member who shall be either a consultant psychiatrist or a member who is registered at the level of clinical nurse specialist in psychiatry, or above”.

—Eoin Ó Broin.

SECTION 24

55. In page 25, between lines 9 and 10, to insert the following:

“24. Section 12 of the Health (Regulation of Termination of Pregnancy) Act 2018 is amended by the insertion of the following new subsection:

“(6) Notwithstanding any other provision in this section, a medical practitioner may, if he or she is of the reasonable opinion formed in good faith that a physical examination of the pregnant women is not safe or practical to conduct because of the Covid-19 crisis, examine and treat the pregnant women by means of telehealth practices such as phone or video conferencing for the duration of the period in which the Covid-19 related emergency measures in the public interests operate.”.

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

SECTION 25

56. In page 25, between lines 19 and 20, to insert the following:

“Interpretation

25. In this Part, “Act of 1954” means the Defence Act 1954, as amended, extended and continued by subsequent enactments.”.

—Cathal Berry, Denis Naughten.

57. In page 26, between lines 12 and 13, to insert the following:

(e) in section 4(4), by the substitution of “each House of the Oireachtas” for “Dáil Éireann”.

(f) in section 4(5), by the substitution of “either House of the Oireachtas” for “Dáil Éireann”.

(g) the amendments to section 4 of the Defence Act 1954 shall lapse when the Covid-19 emergency is over.”.

—Eoin Ó Broin.

SECTION 26

58. In page 26, between lines 12 and 13, to insert the following:

“Provisions governing return of reservists to employment

26. (1) Where a member of the Reserve Defence Force as defined in the Act of 1954, (in this section referred to as the “reservist”) is called out on permanent service or in aid to the civil power, under the provisions of the Act of 1954, and such reservist was, at the time he or she was so called out, employed by another person (in this section referred to as the “former employer”) the following provisions shall apply:
- (a) on the expiry of the period during which the reservist was absent from work while called out on such permanent service or in aid to the civil power, the reservist shall be entitled to return to work as soon as reasonably practicable—
 - (i) with the employer with whom he or she was working immediately before the start of that period or, where during the reservist’s absence from work there was a change of ownership of the undertaking in which he or she was employed immediately before her or his absence, with the owner (in this section referred to as the “successor”) of the undertaking at the expiry of the period of the absence,
 - (ii) in the job which the reservist held immediately before the start of that period, and
 - (iii) under the contract of employment under which the reservist was employed immediately before the start of that period, or, where a change of ownership such as is referred to in *subparagraph (i)* has occurred, under a contract of employment with the successor which is identical to the contract under which the reservist was employed immediately before the start of that period and (in either case) under terms and conditions—
 - (I) not less favourable than those that would have been applicable to the reservist, and
 - (II) that incorporate any improvement to the terms or conditions of employment to which the reservist would have been entitled,if he or she had not been so absent from work.
 - (2) Where a reservist is entitled to return to work in accordance with *subsection (1)* but it is not reasonably practicable for the employer or the successor to permit the reservist to return to work in accordance with that subsection, the reservist shall, subject to provisions of this section, be entitled to be offered by the employer, the successor or an associated employer suitable alternative work under a new contract of employment.
 - (3) Work under a new contract of employment constitutes suitable alternative work for the purposes of this section if—
 - (a) the work required to be done under the contract is of a kind which is suitable in relation to the reservist concerned and appropriate for the reservist to do in the circumstances, and
 - (b) the terms or conditions of the contract—
 - (i) relating to the place where the work under it is required to be done, the

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capacity in which the reservist concerned is to be employed and any other terms or conditions of employment are not less favourable to the reservist than those of his or her contract of employment immediately before the start of the period of absence from work while on protective leave, and

- (ii) incorporate any improvement to the terms or conditions of employment to which the reservist would have been entitled if he or she had not been so absent from work during that period.
- (4) During a period of absence from work by a reservist who is called up on such permanent service or in aid to the civil power, the reservist shall be deemed to have been in employment of the employer or successor and, accordingly, while so absent, the reservist shall be treated as if he or she had not been so absent and such absence shall not affect any right, whether conferred by statute, contract or otherwise, and related to the reservist's employment.
- (5) Entitlement to return to work in accordance with *subsection (1)* or to be offered suitable alternative work under *subsection (2)* shall be subject to a reservist who has been absent from work as a result of being called out on permanent service or in aid to the civil power having, as soon as reasonably practicable, notified in writing (or caused to be so notified) the employer or, where the reservist is aware of a change of ownership of the undertaking concerned, the successor or his or her intention to return to work and the date on which he or she expects to return to work.
- (6) Where, because of an interruption or cessation of work at a reservist's place of employment, existing on the date specified in a notification under *subsection (4)* given by the reservist, it is unreasonable to expect the reservist to return to work on the date specified in the notification, the reservist may return to work instead when work resumes at the place of employment after the interruption or cessation, or as soon as reasonably practicable after such resumption.”.

—Cathal Berry, Denis Naughten.

59. In page 26, to delete lines 18 to 20 and substitute the following:

“ “applicable period” means—

- (a) the period of 12 weeks commencing on 26 March 2020, and
- (b) such other period (if any) as may be specified by order under *subsection (20)**.”.

—Michael McGrath.

[*This is a reference to the subsection proposed to be inserted by amendment No. 68.]

60. In page 27, line 10, to delete “and” and substitute the following:

- “(c) the business, or class of business, of an employer has not been requested to close by the Minister for the purpose of preventing, limiting, minimising or slowing the spread of Covid-19 or to deal with public health risks arising from the spread of Covid-19, and where an exception has not been made for that employer by the Minister, and”.

—Eoin Ó Broin.

[SECTION 26]

61. In page 27, line 11, to delete “*subsection (4).*” and substitute the following:

“*subsection (4),*

- (d) the employee being a person who must remain at home in order to avoid possibly transmitting Covid-19 to a person with whom they share their home and who has an underlying medical condition that would increase the risk of mortality or serious illness if infected with Covid-19.”

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

62. In page 27, line 16, after “commerce” to insert the following:

“they are unable to pay to a specified employee 70 per cent of the net weekly emoluments that would have otherwise been payable, or some lower percentage as considered appropriate by the Minister or”.

—Eoin Ó Broin.

63. In page 27, between lines 28 and 29, to insert the following:

“(d) the employer has demonstrated that income has been redistributed from high to low wage employees where possible as a means of continuing to pay salaries through the emergency period.”.

—Neasa Hourigan.

64. In page 29, line 6, to delete “70 per cent” and substitute “100 per cent”.

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

65. In page 29, lines 11 to 14, to delete all words from and including “be” in line 11 down to and including “Reform” in line 14 and substitute the following:

“not exceed a weekly amount equivalent to 100 per cent of the net weekly emoluments that would otherwise have been so payable”.

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

66. In page 29, between lines 17 and 18, to insert the following:

“(7) Any period of time during which the wage subsidy provided for by this section is in payment shall not be considered a break in the employee’s service.”.

—Eoin Ó Broin.

67. In page 30, between lines 19 and 20, to insert the following:

“(16) Where an employer fails to retain a specified employee for a period of 12 months after 30 June 2020 for reasons related to the temporary wage subsidy, the employer shall be liable for penalty.”.

—Eoin Ó Broin.

68. In page 31, to delete lines 9 to 13 and substitute the following:

“(20) The Minister may, subject to a vote of approval in advance by both Houses of the Oireachtas, from time to time, by order extend the applicable period* for such period

[SECTION 26]

as he or she considers appropriate.”.

—Michael McGrath.

*[*This is a reference to the definition proposed to be inserted by amendment No. 59.]*

69. In page 31, between lines 18 and 19, to insert the following:

“(23) Any employer availing of wage subsidy provisions under this section shall not be eligible for tax relief for high income earners.”.

—Neasa Hourigan.

SECTION 27

70. In page 31, between lines 18 and 19, to insert the following:

“Covid-19 Pandemic Unemployment Payment rate

27. The Minister shall set the rate of Pandemic Unemployment Payment at 100 per cent of the applicants former net pay, or income from self-employment, up to a maximum of €525 per week.”.

—Eoin Ó Broin.

71. In page 31, to delete lines 24 to 28 and substitute the following:

“ **12A.**(1)(a) Section 12 shall not have effect during the emergency period in respect of an employee who has been laid off or kept on short-time due to the effects of measures required to be taken by his or her employer in order to comply with, or as a consequence of, Government policy to prevent, limit, minimise or slow the spread of infection of Covid-19.

(b) Where an employee’s period of service is interrupted for any period by reason of the employee having been laid off or kept on short-time for the reasons referred to in paragraph (a), continuity of employment shall not be broken by such interruption.”.

—Brendan Howlin, Alan Kelly, Gerald Nash, Sean Sherlock, Aodhán Ó Ríordáin,
Duncan Smith.

72. In page 31, between lines 28 and 29, to insert the following:

“(2) Any time spent laid off or on short time as a result of measures referenced in subsection (1) shall not be considered a break in service for the purposes of calculating redundancy entitlements in the future.”.

—Eoin Ó Broin.

73. In page 31, line 35, after “that is” to insert “not more than 3 months”.

—Willie O'Dea.

[SECTION 30]

SECTION 30

74. In page 35, line 21, after “specify.” to insert “An tArd-Chláraitheoir shall produce and publish those requirements within a period of 28 days from the passing of this Act.”.

—Willie O’Dea.

NEW SECTION

75. In page 37, after line 35, to insert the following:

“PART 10

AMENDMENT TO STATUTE OF LIMITATIONS 1957

Amendment to Statute of Limitations 1957

32. The Statute of Limitations 1957 is amended by the insertion of the following after section 80:

“81. (1) In reckoning any period of time for the purposes of any limitation period in relation to a relevant claim specified by this Act, the period beginning on 13 March 2020 and ending on 5 June 2020 shall be disregarded.

(2) The date of 5 June 2020 may be extended by order of the Minister for Justice and Equality.”.

—Jim O’Callaghan.

76. In page 37, after line 35, to insert the following:

“PART 10

AMENDMENT TO PART 10 OF COMPANIES ACT 2014 - EXAMINERSHIP

Amendment of section 520 of Companies Act 2014

32. Section 520 of the Companies Act 2014 is amended by the insertion of the following new subsection after subsection (2):

“(2A) The period specified in subsection (2) may be extended to a date no later than 30 October 2020 if the court hearing the petition is satisfied that the company’s inability to pay its debts arises from the emergency caused by virtue of the spread of the disease known as Covid-19.”.

Amendment of section 534 of Companies Act 2014

33. Section 534 of the Companies Act 2014 is amended by the insertion of the following new subsection after subsection (3):

“(3A) Where, on the application of the examiner, the court is satisfied that

[NEW SECTION]

the examiner would be unable to report under subsection (2) to the court within the period specified under section 520(2A) because of the emergency caused by virtue of the spread of the disease known as Covid-19 but that he or she would be able to report under subsection (2) to the court if that period were extended, the court may by order extend that period as the court thinks appropriate to enable him or her to do so.”.”.

—Jim O’Callaghan, Robert Troy.

77. In page 37, after line 35, to insert the following:

“PART 10

AMENDMENTS TO THE LANDLORD AND TENANT (AMENDMENT) ACT 1980

32. The Landlord and Tenant (Amendment) Act 1980 is amended by the insertion of the following new section after section 88:

“89. (1) In this section—

‘emergency period’ means the period beginning on 26 March 2020 and ending on 31 May 2020.

- (2) Any provision of a lease requiring a tenant to keep a premises open for a specified period or specified hours shall be dis-applied during the emergency period.
- (3) A landlord shall not be entitled to rely on any failure on the part of a tenant to keep a premises open during the emergency period as constituting a breach of the relevant lease or tenancy pursuant to which the said premises is occupied.
- (4) Any failure on the part of a tenant to keep a premises open during the emergency period shall not constitute a breach of the relevant lease or tenancy pursuant to which the said premises is occupied.”.”.

—James Lawless.

78. In page 37, after line 35, to insert the following:

“PART 10

AMENDMENTS TO THE NON-FATAL OFFENCES AGAINST THE PERSON ACT, 1997

32. Section 6(2)(a) of the Non-Fatal Offences Against the Person Act, 1997 is amended by the deletion of the words “resembling blood”.”.

—James Lawless.

[NEW SECTION]

79. In page 37, after line 35, to insert the following:

“PART 10

AMENDMENT TO LOCAL GOVERNMENT RATES AND OTHER MATTERS ACT 2019

Amendment of section 4 of Local Government Rates and Other Matters Act 2019

32. The Local Government Rates and Other Matters Act 2019 is amended by the insertion of the following new section after section 4:

“4A. (1) In this section—

‘relevant property’ has the same meaning as it has in the Valuation Act 2001;

‘emergency period’ means the period beginning on 26 March 2020 and ending on 31 May 2020.

(2) Where a relevant property is occupied by a person engaged in a business and the business of that person has been adversely affected by Covid-19 to a significant extent, the emergency period shall not be reckonable in the calculation of the rate levied by a rating authority in the local financial year.

(3) When calculating the amount of the rate to be levied in accordance with the formula provided for in section 4(2) the rating authority shall deduct from the amount calculated as ordinarily payable a sum equivalent to that proportion of the rate attributable to the emergency period.”.”.

—Robert Troy, Darragh O'Brien, Marc MacSharry.

80. In page 37, after line 35, to insert the following:

“PART 10

AMENDMENT OF LANDLORD AND TENANT (AMENDMENT) ACT 1980

Amendment of section 88 of Landlord and Tenant (Amendment) Act 1980

32. The Landlord and Tenant (Amendment) Act 1980 is amended by the insertion of the following new section after section 88:

“89. (1) In this section—

‘emergency period’ means the period beginning on 26 March 2020 and ending on 31 May 2020.

(2) A landlord shall not terminate or serve a notice of termination in relation to a lease or tenancy during the emergency period.

[NEW SECTION]

- (3) A tenant who, but for the operation of subsection (2), would not acquire any rights under Part II of this Act shall not, by virtue of such operation, acquire such rights.”.”.

—Robert Troy, Darragh O'Brien, Marc MacSharry.

81. In page 37, after line 35, to insert the following:

“PART 10

EMERGENCY MEASURES FOR THE CONTINUATION OF UTILITY SERVICES

Amendment of Electricity Regulation Act 1999

32. Section 40A of the Electricity Regulation Act 1999 is amended by the insertion of the following new subsection:

“(4) For the period covered by the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020, the Minister may make regulations to direct—

- (a) the Commission,
- (b) the holder of a licence under section 14,
- (c) a person referred to in section 10A(2)(b)(i), (ii), (iii) or (iv) of the Gas Act 1976,

to ensure that all supplies to households are maintained and no disconnections or interruption of supplies for reasons of non-payment connected with the Covid-19 crisis take place.”.”.

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

82. In page 37, after line 35, to insert the following:

“PART 10

Reports

32. (1) Within 2 weeks of the passing of this Act, the Minister for Health shall produce and lay a report before the House that shall set out the steps needed to insure the public health system has an adequate supply of medical Personal Protective Equipment and to this end shall look at setting up at a state or semi-state company to manufacture, produce and distribute all such medical Personal Protective Equipment in the future and to examine measures needed to requisition all such supplies in the State in the public interest.
- (2) Within 2 weeks of the passing of this Act, the Minister shall produce a report on the steps needed to insure the public health system has an adequate number of medical ventilators needed to cope with Covid-19 and for this purpose the report will look at

[NEW SECTION]

the manufacturing and production of such devices in the State and steps needed to direct, control and arrange the production of such devices in the public interest and if necessary to requisition all stock of such devices.

- (3) Within a week of the passing of this Act, the Minister shall produce a report on steps needed to task private industry with testing under the guidance of National Virus Reference Laboratory, as a way of expanding test capacity across the country and of the possibility of using private, industrial lab space to do testing as recommended by the World Health Organisation.”.

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

83. In page 37, after line 35, to insert the following:

“PART 10

AMENDMENT TO STATUTE OF LIMITATIONS, 1957

Amendment of Part 2 of Statute of Limitations, 1957

32. Where the time for bringing any action set out in Part 2 of the Statute of Limitations expires at any time between the 13th March 2020 and the 9th day of November 2020, the proceedings shall be held to have been brought in accordance with the time limits set out if brought by the 16th day of November 2020.”.

—Michael Fitzmaurice, Marian Harkin, Michael McNamara.

TITLE

84. In page 5, line 11, after “functions;” to insert the following:

“to make provision, due to the exigencies of the public health emergency posed by the spread of Covid-19, for modification of the provisions of the Statutes of Limitations in relation to the reckoning of limitation periods under those Acts;”.

—Brendan Howlin, Alan Kelly, Gerald Nash, Sean Sherlock, Aodhán Ó Ríordáin,
Duncan Smith.

85. In page 6, line 3, after “2004;” to insert the following:

“to amend the Statute of Limitations 1957 to disregard a certain period of time for the purpose of that statute;”.

—Jim O’Callaghan.

86. In page 6, line 3, after “2004;” to insert the following:

“to amend Part 10 of the Companies Act 2014 to extend the time period in which a company in examinership can be protected from its creditors if its inability to pay its debts arises by virtue of the emergency caused by the spread of Covid-19;”.

—Jim O’Callaghan, Robert Troy.