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**An Bille um Moratóir ar Ionnbhadh (Covid-19), 2020**  
**Deportation Moratorium (Covid-19) Bill 2020**

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*Mar a tionscnaíodh*

*As initiated*

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**AN BILLE UM MORATÓIR AR IONNARBADH (COVID-19), 2020  
DEPORTATION MORATORIUM (COVID-19) BILL 2020**

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*Mar a tionscnaíodh*

*As initiated*

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International Protection Act 2015 (No. 66)



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**AN BILLE UM MORATÓIR AR IONNARBADH (COVID-19), 2020  
DEPORTATION MORATORIUM (COVID-19) BILL 2020**

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# **Bill**

*entitled*

An Act to prohibit the deportation of persons from the State during the public health emergency posed by the spread of Covid-19 and to provide for related matters. 5

WHEREAS an emergency has arisen in the State and internationally by virtue of the spread of the disease known as Covid-19;

AND WHEREAS the State is and the persons residing therein are, in significant respects, highly exposed to the effect of the spread of that disease; and having regard to the constitutional duty of the State to respect and, as far as practicable, by its laws to defend and vindicate the rights of persons to life and to bodily integrity, it is necessary to introduce a range of extraordinary measures and safeguards to prevent, minimise, limit or reduce the risk of persons being infected with that disease; 10

AND WHEREAS the emergency that has arisen is of such a character that the forcible removal of persons residing in the State to foreign jurisdictions has the potential to weaken global public health measures to reduce the spread and incidence of that disease and that there are therefore compelling reasons of public interest and for the common good, to discourage the unnecessary movement of peoples outside the State insofar as is possible; 15 20

**Be it enacted by the Oireachtas as follows:**

## **Interpretation**

1. In this Act—

“Act of 1947” means the Health Act 1947;

“Act of 1999” means the Immigration Act 1999; 25

“Act of 2003” means the Immigration Act 2003;

“Act of 2015” means the International Protection Act 2015;

“emergency period” means a period during which, in exercising powers under section

31A of the Act of 1947, the Minister for Health has imposed restrictions on travel, movement and activities within the State due to Covid-19.

**Amendment of Act of 1999**

2. The Immigration Act 1999 (as amended) is amended by the insertion of the following section: 5

**“Emergency restriction on deportations**

3C. (1) When an emergency period is in effect, the Minister shall not make a deportation order under section 3.

(2) Where a deportation order—

(a) has been made under section 3 prior to the coming into operation of this section, or 10

(b) during any period prior to an emergency period,

that order shall be suspended until three months after the emergency period has ended.

(3) An ‘emergency period’ for the purposes of this section means a period during which, in exercising powers under section 31A of the Health Act 1947, the Minister for Health has imposed restrictions on travel, movement and activities within the State due to Covid-19.”. 15

**Amendment of Act of 2003**

3. The Immigration Act 2003 is amended by the insertion of the following section after section 5: 20

**“Emergency restriction on removals**

5A. (1) When an emergency period is in effect, a person to whom section 5 applies shall not be involuntarily removed from the State.

(2) Where a removal order— 25

(a) has been made under section 5 prior to the coming into operation of this section, or

(b) during any period prior to an emergency period,

that order shall be suspended until three months after the emergency period has ended. 30

(3) An ‘emergency period’ for the purposes of this section means a period during which, in exercising powers under section 31A of the Health Act 1947, the Minister for Health has imposed restrictions on travel, movement and activities within the State due to Covid-19.”.

**Amendment of Act of 2015**

4. The International Protection Act 2015 is amended by the insertion of the following section after section 51: 35

### **“Emergency restriction on deportations**

**51A.** (1) During an emergency period, the Minister shall not make a deportation order under section 50.

(2) Where a deportation order—

(a) has been made under section 50 prior to the coming into operation of this section, or 5

(b) during any period prior to an emergency period,  
that order shall be suspended until three months after the emergency period has ended.

(3) An ‘emergency period’ for the purposes of this section means a period during which, in exercising powers under section 31A of the Health Act 1947, the Minister for Health has imposed restrictions on travel, movement and activities within the State due to Covid-19.” 10

### **Operation of Act**

5. This Act shall continue in operation until three months after the expiration of the emergency period. 15

### **Short title and commencement**

6. (1) This Act may be cited as the Deportation Moratorium (Covid-19) Act 2020.

(2) This Act comes into operation on the date of its passing.

An Bille um Moratóir ar Ionnbhadh  
(Covid-19), 2020

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# BILLE

*(mar a tionscnaíodh)*

*dá ngairtear*

Acht do thoirmeasc daoine a ionnbhadh as an Stát le linn na héigeandála sláinte poiblí de dheasca Covid-19 a bheith ag leathadh agus do dhéanamh socrú i dtaobh nithe gaolmhara.

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*Na Seanadóirí Alice-Mary Ní Uiginn, Lynn Ní Ruadháin, Proinséas Ní Dhuibh agus Eileen Ní Fhloinn a thug isteach,*

*3 Nollaig, 2020*

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Deportation Moratorium (Covid-19) Bill  
2020

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# BILL

*(as initiated)*

*entitled*

An Act to prohibit the deportation of persons from the State during the public health emergency posed by the spread of Covid-19 and to provide for related matters.

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*Introduced by Senators Alice-Mary Higgins, Lynn Ruane, Frances Black and Eileen Flynn,*

*3rd December, 2020*

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