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**Bille na gCuideachtaí (Cearta Fostaithe a Chosaint i Leachtuithe), 2021**  
**Companies (Protection of Employees' Rights in Liquidations) Bill 2021**

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*Mar a tionscnaíodh*

*As initiated*

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**BILLE NA gCUIDEACHTAÍ (CEARTA FOSTAITHE A CHOSAINN I LEACHTUITHE),  
2021  
COMPANIES (PROTECTION OF EMPLOYEES' RIGHTS IN LIQUIDATIONS) BILL  
2021**

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*Mar a tionscnaíodh  
As initiated*

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ACTS REFERRED TO

Companies Act 2014 (No. 38)

Industrial Relations (Amendment) Act 2015 (No. 27)



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**BILLE NA gCUIDEACHTAÍ (CEARTA FOSTAITHE A CHOSAINN I LEACHTUITHE),  
2021  
COMPANIES (PROTECTION OF EMPLOYEES' RIGHTS IN LIQUIDATIONS) BILL  
2021**

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# **Bill**

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*entitled*

An Act to amend the Companies Act 2014 to provide for preferential creditor status to employees in collective redundancy situations; to provide for recognition of redundancy payments in a winding up; and to provide for related matters.

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

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## **Interpretation**

1. In this Act—

“Act of 2014” means the Companies Act 2014;

“employee” means a person who has entered into or works under (or, in the case of a contract which has been terminated, worked under) a contract with an employer, whether the contract is for manual labour, clerical work or otherwise, is express or implied, oral or in writing, and whether it is a contract of service or apprenticeship or otherwise, and “employer” and any reference to employment shall be construed accordingly;

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“employment agreement” means an employment agreement as defined in the Industrial Relations (Amendment) Act 2015;

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“registered employment agreement” means a registered employment agreement as defined in the Industrial Relations (Amendment) Act 2015;

“sectoral employment” means a sectoral employment order as defined in the Industrial Relations (Amendment) Act 2015.

## **Amendment of section 621 of Act of 2014**

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2. Section 621(2) of the Act of 2014 is amended by the insertion of the following paragraph after paragraph (g):

“(h) any redundancy payments and entitlements that are agreed under any applicable contract of employment, employment agreement, registered employment agreement, sectoral employment order or any other relevant agreement or custom and practice concerning the terms and conditions of employees.”.

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**Amendment of Act of 2014**

3. The Act of 2014 is amended by the insertion of the following section after section 621:

“**621A.** Notwithstanding the generality of provisions in section 621, payments due to provide for the discharge of the entitlements of the employees who have been made redundant as a result of the employers’ insolvency shall have priority to all other debts.” 5

**Short title**

4. This Act may be cited as the Companies (Protection of Employees’ Rights in Liquidations) Act 2021.



Bille na gCuideachtaí (Cearta Fostaithe a  
Chosaint i Leachtuithe), 2021

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# BILLE

*(mar a tionscnaíodh)*

*dá ngairtear*

Acht do leasú Acht na gCuideachtaí, 2014 chun  
socrú a dhéanamh maidir le stádas mar  
chreidiúnaí tosaíochta d'fhostaithe i gcásanna  
comhiomarcaíochta; do dhéanamh socrú maidir  
le haitheantas a thabhairt d'íocaíochtaí  
iomarcaíochta i bhfoirceannadh; agus do  
dhéanamh socrú i dtaobh nithe gaolmhara.

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*An Teachta Micheál de Barra a thug isteach,*  
*21 Aibreán, 2021*

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Companies (Protection of Employees' Rights  
in Liquidations) Bill 2021

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# BILL

*(as initiated)*

*entitled*

An Act to amend the Companies Act 2014 to provide  
for preferential creditor status to employees in  
collective redundancy situations; to provide for  
recognition of redundancy payments in a  
winding up; and to provide for related matters.

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*Introduced by Deputy Mick Barry,*  
*21st April, 2021*

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BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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