



SEANAD ÉIREANN

**AN BILLE UM NOCHTADH COSANTA (LEASÚ), 2022
PROTECTED DISCLOSURES (AMENDMENT) BILL 2022**

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM NOCHTADH COSANTA (LEASÚ), 2022 —AN COISTE

PROTECTED DISCLOSURES (AMENDMENT) BILL 2022 —COMMITTEE STAGE

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

SECTION 1

1. In page 5, between lines 20 and 21, to insert the following:

“(3) Notwithstanding *subsection (2)*, the provisions of this Act, upon commencement, shall apply to protected disclosures made under the Principal Act or any other relevant enactment prior to this enactment.”.

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

2. In page 5, between lines 20 and 21, to insert the following:

“(3) Notwithstanding *subsection (2)*, the provisions of this Act, upon commencement, shall apply to protected disclosures made under the Principal Act prior to this enactment.”.

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

SECTION 4

3. In page 6, between lines 19 and 20, to insert the following:

“(fa) an undertaking can also be defined as a local authority, for the purposes of this Act,”.

—*Senator Victor Boyhan.*

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

“(ha) bringing vexatious proceedings against the worker,”.

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

5. In page 7, line 26, after “referrals” to insert “without reasonable cause”.

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

6. In page 8, between lines 17 and 18, to insert the following:

“(ha) an individual who is an elected City and/or County Councillor,”.

—*Senator Victor Boyhan.*

[SECTION 6]

SECTION 6

*7. In page 11, between lines 35 and 36, to insert the following:

“(a) in subsection (1), by the substitution of “subsection (6)” for “subsections (6) and (7A)”,”.

8. In page 12, to delete lines 11 to 21.

—*Senators Paul Gavan, Niall Ó Donnghaile, Fintan Warfield, Lynn Boylan, Alice-Mary Higgins, Eileen Flynn.*

9. In page 12, between lines 22 and 23, to insert the following:

“(d) by the insertion of the following subsection after subsection (5):

“(5B) A matter concerning interpersonal grievances exclusively affecting the reporting person, as described in subsection (5A), shall constitute a relevant wrongdoing where such interpersonal grievances arise out of the reporting person having made a protected disclosure or where the interpersonal grievance has arisen due to penalisation of a reporting person.”,”.

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

10. In page 12, between lines 22 and 23, to insert the following:

“(d) by the insertion of the following subsection after subsection (5):

“(5C) For the avoidance of doubt, an interpersonal grievance shall not preclude a person from making a protected disclosure under any relevant section of this Act.”,”.

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

SECTION 7

11. In page 12, to delete lines 27 to 32 and substitute the following:

“ “5A. (1) Without prejudice to the provisions of any other enactment relating to anonymous reporting of wrongdoing, a person who receives an anonymous report of wrongdoing, made in a manner specified under section 6, 7, 8, 9 or 10 shall be obliged to regard such a report as a protected disclosure described in section 5.”.

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

12. In page 12, to delete lines 27 to 32 and substitute the following:

“ “5A. (1) Without prejudice to the provisions of any other enactment, a person who receives an anonymous report made in the manner specified in section 6 shall accept such an anonymous report and if he or she considers it appropriate to do so, followup on a matter which is the subject of that anonymous report.”.

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

[SECTION 7]

13. In page 12, to delete lines 27 to 32.

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

SECTION 8

14. In page 13, line 11, after “procedures’)” to insert “within six months of the commencement of this section”.

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

15. In page 13, line 14, to delete “or”.

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

16. In page 13, between lines 14 and 15, to insert the following:

“(aa) is performing a public contract with a value of more than €1 million, or”.

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

17. In page 13, between lines 14 and 15, to insert the following:

“(aa) is a company with an annual turnover of over €1 million, or”.

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

18. In page 13, line 20, to delete “17 December 2023” and substitute “30 June 2023”.

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

19. In page 14, line 37, to delete “250” and substitute “50”.

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

20. In page 14, line 39, after “resources” to insert “with a linked company or companies”.

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

- *21. In page 15, line 3, after “6A(1)(e)” to insert “and (f)”.

22. In page 15, between lines 3 and 4, to insert the following:

“(c) Where an employer shares resources in respect of the receipt and investigation of reports under this section, they shall, prior to sharing such resources, carry out a data protection impact assessment in relation to the sharing of such resources.”.

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

- *23. In page 15, line 9, to delete “coming into operation” and substitute “commencement”.

- *24. In page 15, line 13, to delete “coming into operation” and substitute “commencement”.

- *25. In page 15, lines 16 and 17, to delete “coming into operation” and substitute “commencement”.

[SECTION 11]

SECTION 11

*26. In page 19, line 3, to delete “coming into operation” and substitute “commencement”.

*27. In page 22, line 14, after “feedback” to insert “(including further feedback)”.

SECTION 12

28. In page 23, between lines 25 and 26, to insert the following:

“Amendment of section 8 of Principal Act

12. Section 8 of the Principal Act is amended by—

(a) the deletion of “and” in paragraph (a), and

(b) the insertion of the following paragraphs after paragraph (b):

“(c) the making of a disclosure is in the public interest, or

(d) the worker reasonably believes that their own manager or the head of the public body concerned is complicit in the relevant wrongdoing concerned.”.

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

[*Acceptance of this amendment involves the deletion of section 12 of the Bill.*]

Section opposed.

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

*29. In page 23, line 31, after “body,” to insert “and”.

*30. In page 23, to delete lines 32 and 33.

31. In page 23, line 33, to delete “and” where it secondly occurs and substitute “or”.

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

*32. In page 23, line 34, to delete “(c)” and substitute “(b)”.

33. In page 24, between lines 2 and 3, to insert the following:

“(ia) the worker reasonably believes that their own manager or the head of the public body is complicit in the wrongdoing concerned;”.

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

34. In page 24, between lines 2 and 3, to insert the following:

“(ia) the worker did not feel confident to make a report under section 6, 7 or 8 due to a reasonable fear of penalisation;”.

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

35. In page 24, line 6, to delete “an imminent or manifest danger” and substitute “a danger”.

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

[SECTION 12]

36. In page 24, lines 7 and 8, to delete “, such as where there is an emergency situation or a risk of irreversible damage”.

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

37. In page 24, between lines 8 and 9, to insert the following:

“(d) a worker who is or was employed in a public body and who has made a disclosure to a relevant Minister but who has not made a disclosure in compliance with section 8(2)(c) shall benefit from the protections set out in this Act if they comply with section 8(2)(b) and other relevant sections in the Act.”.

—*Senators Paul Gavan, Niall Ó Donnghaile, Fintan Warfield, Lynn Boylan.*

38. In page 24, between lines 12 and 13, to insert the following:

“(aa) otherwise, where the Minister deems it to be in the public interest, the relevant Minister shall acknowledge, in writing, to the reporting person, receipt of a report made to the Minister not more than 7 days after receipt of it, save where the reporting person explicitly requested otherwise or the Minister reasonably believes that acknowledging receipt of the report would jeopardise the protection of the identity of the reporting person.

(ab) The Minister shall ensure that where a report is received by the Minister through channels and procedures other than those provided for in subsections (1) and (2) or is received by a member of staff other than a designated person—

(i) it shall be forwarded promptly and without modification to the designated person, and

(ii) any information that might identify the reporting person or the person concerned shall not be disclosed by such member of staff.

(ac) The Minister shall designate one or more than one member of staff (in this section referred to as a ‘designated person’) to be responsible for handling reports and, in particular, for providing any person with information on the procedures for making a report in the manner specified in section 7.

(ad) The Minister shall ensure that designated persons receive specific training for the purposes of handling reports.

(ae) The Minister shall publish on a website maintained by or on behalf of the Minister in a separate, easily identifiable and accessible section at least the following information:

(i) the conditions for qualifying for protection under this Act;

(ii) the contact details of the Minister for the purpose of making reports to the Minister in the manner specified in section 6 and

[SECTION 12]

8, in particular the electronic and postal addresses and the telephone numbers for making such reports, indicating whether the telephone conversations are recorded.”.

—*Senators Paul Gavan, Niall Ó Donnghaile, Fintan Warfield, Lynn Boylan.*

39. In page 24, between lines 22 and 23, to insert the following:

“(4A) Where a Minister of the Government or a head of a public body receives a protected disclosure which is outside the remit of their Department of State or public body, they shall seek the views of the Protected Disclosures Commissioner and with the consent of the reporting person transmit to the relevant Minister of the Government or head of a public body the protected disclosure.”.

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

SECTION 13

***40.** In page 25, to delete lines 13 to 32 and substitute the following:

“**10.** A disclosure is made in the manner specified in this section if—

- (a) it is made otherwise than in the manner specified in sections 6 to 9,
- (b) the worker reasonably believes that the information disclosed in the report, and any allegation contained in it, are substantially true, and
- (c) the worker—
 - (i) has previously made a disclosure of substantially the same information in the manner specified in section 6, 7 or 8, as the case may be, but no appropriate action was taken in response to the report within the period specified in section 6A(1)(e), 7A(1)(c), 10C(7)(b), 10D(7)(b) or 10E(1)(c), as the case may be, or
 - (ii) reasonably believes that—
 - (I) the relevant wrongdoing concerned may constitute an imminent or manifest danger to the public interest, such as where there is an emergency situation or a risk of irreversible damage, or
 - (II) if he or she were to make a report in the manner specified in section 7 or 8, as the case may be—
 - (A) there is a risk of penalisation, or
 - (B) there is a low prospect of the relevant wrongdoing being effectively addressed, due to the particular circumstances of the case, such as those where evidence may be concealed or destroyed or where a prescribed person may be in collusion with the perpetrator of the wrongdoing or involved in the wrongdoing.”.”.

[SECTION 14]

SECTION 14

41. In page 26, line 15, after “Finance” to insert the following:

“and in consultation with the Joint Oireachtas Committee on Finance, Public Expenditure and Reform and Taoiseach”.

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

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

“(7A) The powers of the Commissioner provided for in this Part shall apply to protected disclosures made prior to the commencement of this Part or sections of this Part.”.

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

- *43. In page 28, line 3, after “feedback” to insert “(including further feedback)”.

- *44. In page 30, line 25, to delete “coming into operation” and substitute “commencement”.

- *45. In page 35, line 31, to delete “coming into operation” and substitute “commencement”.

- *46. In page 39, line 32, to delete “coming into operation” and substitute “commencement”.

SECTION 20

- *47. In page 50, line 2, after “Act,” to insert “whether the report was made before or after the date of the passing of the *Protected Disclosures (Amendment) Act 2022*,”

SECTION 21

48. In page 50, line 18, to delete “mainly” and substitute “partly”.

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

SECTION 23

Section opposed.

—*Senators Paul Gavan, Niall Ó Donnghaile, Fintan Warfield, Lynn Boylan, Alice-Mary Higgins, Eileen Flynn.*

49. In page 51, between lines 18 and 19, to insert the following:

“(2) A reporting person who suffers damage resulting from the provision of false information in relation to their protected disclosure, where the person who provided such false information knowingly did so, has a right of action in tort against the second mentioned person.”.

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

SECTION 24

- *50. In page 51, line 36, after “persons,” to insert “or”.

51. In page 51, between lines 36 and 37, to insert the following:

“(da) provides knowingly false information in relation to a reporting person or the matter, which is the subject of their report.”.

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

[SECTION 24]

*52. In page 51, to delete lines 37 and 38.

—*Senators Paul Gavan, Niall Ó Donnghaile, Fintan Warfield, Lynn Boylan, Senators Alice-Mary Higgins, Eileen Flynn.*

*53. In page 52, line 1, to delete “(f)” and substitute “(e)”.

*54. In page 52, between lines 4 and 5, to insert the following:

“(2) A reporting person who makes a report containing any information that he or she knows to be false commits an offence.”.

*55. In page 52, to delete lines 5 and 6 and substitute the following:

“(3) A person who commits an offence under subsection (1)(a), (b), (c) or (e) is liable—”.

*56. In page 52, line 11, to delete “(3)” and substitute “(4)”.

*57. In page 52, to delete line 16, and substitute the following:

“(5) A person who commits an offence under subsection (2) is liable—”.

*58. In page 52, to delete line 21 and substitute the following:

“(6) (a) Where an offence under subsection (1)(a), (b), (c), (d) or (e) or”.

59. In page 52, between lines 33 and 34, to insert the following:

“(5A) Where an offence under subsection (1)(a), (b), (c), (d) or (f), section 10F(14) or 12(5) or (6) has been committed by a body corporate, that body corporate shall be liable on conviction on indictment, to a fine not less than €500,000.”.

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

*60. In page 52, to delete line 34 and substitute the following:

“(7) Summary proceedings for an offence under subsection (1)(e) may be”.

61. In page 52, to delete lines 34 and 35.

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

SECTION 25

*62. In page 52, line 40, to delete “3” and substitute “2A”.

63. In page 53, between lines 12 and 13, to insert the following:

“(b) by the insertion of the following paragraph after paragraph 1:

“2. For the avoidance of doubt, compensation or remuneration may be made awarded to reporting persons who made a protected disclosure prior to the commencement of these provisions.”.

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

[SECTION 25]

- *64. In page 53, line 15, to delete “ “3.” and substitute “ “2A.”.

SECTION 27

65. In page 53, between lines 32 and 33, to insert the following:

“Public information campaign

27. The Minister may, subsequent to the passing of this Act, hold an accessible public information campaign in respect of the role of whistleblowing in the advancement of the public good and the mechanisms by which someone may make a protected disclosure and the supports which they may avail in respect of the making of such a disclosure.”.

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

66. In page 53, between lines 32 and 33, to insert the following:

“Compliance with Directive (EU) 2019/1937

27. Where, following enactment, a provision of this Act is found to be inconsistent with Article 25(2) of Directive (EU) 2019/1937, the Minister shall by order repeal that provision, and shall within six months lay revised provisions before both Houses of the Oireachtas and shall seek the views of the relevant Oireachtas Committee.”.

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

SECTION 28

- *67. In page 54, line 30, to delete “coming into operation” and substitute “commencement”.

- *68. In page 54, line 32, to delete “coming into operation” and substitute “commencement”.

SECTION 29

69. In page 55, between lines 13 and 14, to insert the following:

“(3) The Minister may, on the recommendation of the Commissioner, request the employer to provide free independent legal aid and psychological counselling services, which the employer may or may not grant at their discretion.”.

—*Senators Paul Gavan, Niall Ó Donnghaile, Fintan Warfield, Lynn Boylan.*

SECTION 30

- *70. In page 57, line 10, to delete “4” and substitute “6”.

- *71. In page 57, line 21, to delete “4” and substitute “6”.

SECTION 31

- *72. In page 57, line 31, to delete “ “24A.” and substitute “ “25.”.

SECTION 32

- *73. In page 57, after line 42, to insert the following:

“Transitional provisions

32. The Principal Act is amended—

[SECTION 32]

- (a) in Part 5, by the insertion of the following section after section 25 (inserted by *section 31*):

“26. The transitional provisions set out in Schedule 7 shall have effect.”,

and

- (b) by the insertion after Schedule 6 (inserted by *section 33#*) of Schedule 7 as set out in *Schedule 3* to this Act.”.”.

[#This is the correct reference if this amendment is accepted.]

SCHEDULE 1

- *74. In page 59, to delete line 4.

75. In page 59, between lines 31 and 32, to insert the following:

“4A. A delegation under paragraph 3 must be for a specified period of time and may not be provided for indefinitely.”.

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

SCHEDULE 2

- *76. In page 60, to delete line 4.

NEW SCHEDULE

- *77. In page 74, after line 20, to insert the following:

“SCHEDULE 3
SCHEDULE 7 TO PRINCIPAL ACT

“SCHEDULE 7
TRANSITIONAL PROVISIONS

1. In this Schedule—

‘*Act of 2022*’ means the *Protected Disclosures (Amendment) Act 2022*;

‘*detriment*’ has the meaning given to it by section 13.

2. Subject as provided for therein, section 12 (amended by *section 21* of the *Act of 2022*) and Schedule 2 (amended by *section 25* of the *Act of 2022*) shall apply where a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii)* of the *Act of 2022*) who is or was an employee—

- (a) made a protected disclosure within the meaning of section 5 (being that section in the terms as it stood before the commencement of *section 6* of the *Act of 2022*) before the date of the passing of the *Act of 2022*, and

- (b) was penalised after the date of the passing of the *Act of 2022* for having made such a disclosure.

3. Subject as provided for therein, section 13 (amended by *section 22* of the *Act of 2022*) shall apply where—

[NEW SCHEDULE]

- (a) before the date of the passing of the *Act of 2022*, a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii)* of the *Act of 2022*) made a protected disclosure within the meaning of section 5 (being that section in the terms as it stood before the commencement of *section 6* of the *Act of 2022*), and
 - (b) after the date of the passing of the *Act of 2022*, a person caused detriment—
 - (i) to the worker for having made such a disclosure, or
 - (ii) to another person because the worker made such a disclosure.
4. Subject as provided for therein, section 12 (amended by section 21 of the *Act of 2022*) and Schedule 2 (amended by *section 25* of the *Act of 2022*) shall apply to a person who—
- (a) was not a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii)* of the *Act of 2022*),
 - (b) made a disclosure of relevant information within the meaning of section 5(2) (being that section in the terms as it stood before the commencement of *section 6* of the *Act of 2022*) before the commencement of *section 4(a)(iii)* of the *Act of 2022* (in this paragraph referred to as ‘the disclosure’),
 - (c) if the disclosure had been made after the commencement of *section 4(a)(iii)* of the *Act of 2022*, would—
 - (i) fall within the definition of ‘worker’ in section 3 (amended by the said *section 4(a)(iii)*), and
 - (ii) be an employee to whom section 12 (amended by *section 21* of the *Act of 2022*) and Schedule 2 (amended by *section 25* of the *Act of 2022*) would apply,
- and
- (d) is penalised after the commencement of *section 4(a)(iii)* of the *Act of 2022*.
5. Subject as provided for therein, section 13 (amended by *section 22* of the *Act of 2022*) shall apply where—
- (a) a person (in this section referred to as the ‘first-named person’)—
 - (i) was not a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii)* of the *Act of 2022*),
 - (ii) made a disclosure of relevant information within the meaning of section 5(2) (being that section in the terms as it stood

before the commencement of *section 6* of the *Act of 2022*)
before the commencement of *section 4(a)(iii)* of the *Act of 2022* (in this paragraph referred to as ‘the disclosure’), and

- (iii) if the disclosure had been made after the commencement of *section 4(a)(iii)* of the *Act of 2022*, would fall within the definition of ‘worker’ in section 3 (amended by the said *section 4(a)(iii)*),

and

- (b) after the date of the passing of the *Act of 2022*, a person caused detriment—
 - (i) to the first-named person for having made the disclosure, or
 - (ii) to another person because the first-named person made the disclosure.

- 6. Subject as provided for therein, section 12 (amended by *section 21* of the *Act of 2022*) and Schedule 2 (amended by *section 25* of the *Act of 2022*) shall apply where—

- (a) before the date of the passing of the *Act of 2022*, a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii)* of the *Act of 2022*) who is or was an employee—
 - (i) made a protected disclosure within the meaning of section 5 (being that section in the terms as it stood before the commencement of *section 6* of the *Act of 2022*), and
 - (ii) was penalised for having made such a disclosure,

and

- (b) proceedings under section 12 (amended by *section 21* of the *Act of 2022*) are initiated after the commencement of the said *section 21*.

- 7. Subject as provided for therein, section 13 (amended by *section 22* of the *Act of 2022*) shall apply where—

- (a) before the date of the passing of the *Act of 2022*, a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii)* of the *Act of 2022*)—
 - (i) made a protected disclosure within the meaning of section 5 (being that section in the terms as it stood before the commencement of *section 6* of the *Act of 2022*), and
 - (ii) a person caused detriment—

- (I) to the worker for having made such a disclosure, or

- (II) to another person because the worker made such a disclosure,
- and
- (b) proceedings under section 13 (amended by *section 22 of the Act of 2022*) are initiated after the commencement of the said *section 22*.
8. Sections 14 and 15 shall apply where—
- (a) before the date of the passing of the *Act of 2022*, a disclosure of relevant information within the meaning of section 5(2) (being that section in the terms as it stood before the commencement of *section 6 of the Act of 2022*) was made by a person who—
 - (i) was not a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii) of the Act of 2022*), and
 - (ii) would fall within the definition of ‘worker’ in section 3 (amended by the said *section 4(a)(iii)*) if the disclosure had been made after the commencement of the said *section 4(a)(iii)*,
- and
- (b) proceedings under section 14 or 15, as the case may be, are initiated after the date of passing of the *Act of 2022*.
9. Sections 16 (amended by *section 16 of the Act of 2022*), 16A and 16B shall apply to the following disclosures:
- (a) a protected disclosure within the meaning of section 5 (being that section in the terms as it stood before the commencement of *section 6 of the Act of 2022*) made before the date of the passing of the *Act of 2022* by a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii) of the Act of 2022*);
 - (b) a disclosure of relevant information within the meaning of section 5(2) (being that section in the terms as it stood before the commencement of *section 6 of the Act of 2022*) made before the date of the passing of the *Act of 2022* by a person who—
 - (i) was not a worker within the meaning of section 3 (being that section in the terms as it stood before the commencement of *section 4(a)(iii) of the Act of 2022*), and
 - (ii) would fall within the definition of ‘worker’ in section 3 (amended by the said *section 4(a)(iii)*) if the disclosure had been made after the commencement of the said *section 4(a)(iii)*.
10. Notwithstanding the amendments of this Act made by the *Act of 2022*,

[NEW SCHEDULE]

and paragraphs 2 to 9, anything commenced under this Act but not completed before the commencement of those amendments may be carried on and completed after the commencement of those amendments as if those amendments had not been made.””.