



# **DÁIL ÉIREANN**

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## **AN BILLE UM SCAGADH IDIRBHEART TRÍÚ TÍORTHA, 2022 SCREENING OF THIRD COUNTRY TRANSACTIONS BILL 2022**

### **LEASUITHE TUARASCÁLA REPORT AMENDMENTS**

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## AN BILLE UM SCAGADH IDIRBHEART TRÍÚ TÍORTHA, 2022 —AN TUARASCÁIL

### SCREENING OF THIRD COUNTRY TRANSACTIONS BILL 2022 —REPORT

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#### *Leasuithe Amendments*

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1. In page 6, line 23, to delete “or an” and substitute “, an”.  

—An tAire Fiontar, Trádála agus Fostaíochta.
2. In page 6, line 23, after “appeal,” to insert “or judicial review proceedings relating to a screening decision or the decision of an adjudicator.”  

—An tAire Fiontar, Trádála agus Fostaíochta.
3. In page 10, line 13, to delete “Public Expenditure and Reform” and substitute “Public Expenditure, National Development Plan Delivery and Reform”.  

—An tAire Fiontar, Trádála agus Fostaíochta.
4. In page 11, line 3, after “asset” to insert “or undertaking”.  

—An tAire Fiontar, Trádála agus Fostaíochta.
5. In page 11, to delete lines 8 to 11 and substitute the following:  

“(b) the cumulative value of the transaction and each transaction between the parties to the transaction, or persons connected with third country undertakings that are parties to the transaction, in the period of 12 months before the date of the transaction is equal to or greater than—

  - (i) where no amount stands prescribed under *subsection (2)*, €2,000,000, or
  - (ii) the amount that stands prescribed under *subsection (2)*;

(c) the same undertaking does not, directly or indirectly, control all the parties to the transaction;”.

—An tAire Fiontar, Trádála agus Fostaíochta.
6. In page 11, lines 30 to 32, to delete all words from and including “, the” in line 30 down to and including “parties” in line 32.  

—An tAire Fiontar, Trádála agus Fostaíochta.
7. In page 12, to delete lines 7 and 8 and substitute the following:  

“(xi) details of any sanctions and restrictive financial measures imposed on the

parties, and on persons connected with a third country undertaking that is a party, by the European Union or by the United Nations;

(xii) details of any convictions of a party, and of persons connected with a third country undertaking that is a party, by the International Criminal Court;

(xiii) details of any convictions of a party, and of persons connected with a third country undertaking that is a party—

(I) on indictment (other than a spent conviction within the meaning of section 5 of the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016) by a court in the State, and

(II) in a state or territory other than the State, in respect of which a sentence of at least 12 months' imprisonment was imposed and that is not a spent conviction (within the meaning of section 5 of the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016, save that references in that section to a "court" shall be construed as references to the court or body that convicted the party or connected person in the state or territory concerned);”.

—An tAire Fiontar, Trádála agus Fostaíochta.

8. In page 21, line 12, to delete “Public Expenditure and Reform” and substitute “Public Expenditure, National Development Plan Delivery and Reform”.

—An tAire Fiontar, Trádála agus Fostaíochta.

9. In page 24, lines 31 and 32, to delete “in any legal proceedings”.

—An tAire Fiontar, Trádála agus Fostaíochta.

10. In page 24, line 32, after “of” to insert “judicial review or”.

—An tAire Fiontar, Trádála agus Fostaíochta.

11. In page 24, line 33, to delete “, but for this section,”.

—An tAire Fiontar, Trádála agus Fostaíochta.

12. In page 28, between lines 21 and 22, to insert the following:

“(3) The Minister shall not withdraw, or otherwise reverse the effect of, a notification under *subsection (2)(b)*.”.

—An tAire Fiontar, Trádála agus Fostaíochta.

13. In page 28, line 30, to delete “, subject to *subsection (5)*,”.

—An tAire Fiontar, Trádála agus Fostaíochta.

14. In page 28, line 35, to delete “and”.

—An tAire Fiontar, Trádála agus Fostaíochta.

15. In page 28, line 37, to delete “*paragraph (a).*” and in page 29 to delete lines 1 to 8 and substitute the following:

“*paragraph (a), and*

(d) *judicial review proceedings based on the proceedings.*”.

—An tAire Fiontar, Trádála agus Fostaíochta.

16. In page 29, line 20, after “*section 34,*” to insert “or judicial review proceedings are taken in relation to a screening decision or a matter before an adjudicator,”.

—An tAire Fiontar, Trádála agus Fostaíochta.

17. In page 29, line 22, after “*appeal*” to insert “or proceedings”.

—An tAire Fiontar, Trádála agus Fostaíochta.

18. In page 29, line 23, after “*appeal*” to insert “or proceedings”.

—An tAire Fiontar, Trádála agus Fostaíochta.

19. In page 29, line 24, after “*appeal*” to insert “or proceedings”.

—An tAire Fiontar, Trádála agus Fostaíochta.

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

“(8) In this section, a reference to an appeal under *section 34* includes a reference to any judicial review proceedings taken in relation to a screening decision or a matter before an adjudicator.”.

—An tAire Fiontar, Trádála agus Fostaíochta.

21. In page 31, line 4, to delete “in any legal proceedings”.

—An tAire Fiontar, Trádála agus Fostaíochta.

22. In page 31, line 5, after “of” to insert “judicial review or”.

—An tAire Fiontar, Trádála agus Fostaíochta.

23. In page 31, line 6, to delete “, but for this section,”.

—An tAire Fiontar, Trádála agus Fostaíochta.

24. In page 31, line 24, to delete “or” where it firstly occurs.

—An tAire Fiontar, Trádála agus Fostaíochta.

25. In page 31, line 24, after “35” to insert “or judicial review proceedings relating to a screening decision or a decision of an adjudicator”.

—An tAire Fiontar, Trádála agus Fostaíochta.

26. In page 32, line 31, to delete “a judicial assistant, or other court personnel,” and substitute “an officer or agent of the court”.

—An tAire Fiontar, Trádála agus Fostaíochta.

27. In page 33, line 4, to delete “or”.

—An tAire Fiontar, Trádála agus Fostaíochta.

28. In page 33, line 5, to delete “appeal.” and substitute the following:

“appeal, or

(c) judicial review proceedings relating to a screening decision or the decision of an adjudicator.”.

—An tAire Fiontar, Trádála agus Fostaíochta.

29. In page 33, line 8, to delete “or”.

—An tAire Fiontar, Trádála agus Fostaíochta.

30. In page 33, line 9, after “37, ”to insert “or an appeal in judicial review proceedings relating to a screening decision or the decision of an adjudicator,”.

—An tAire Fiontar, Trádála agus Fostaíochta.