



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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# DÁIL ÉIREANN

*Déardaoin, 26 Márta 2020*

*Thursday, 26 March 2020*

Chuaigh an Ceann Comhairle i gceannas ar 11 a.m.

***Paidir.***

***Prayer.***

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## **An tOrd Gnó - Order of Business**

**An Ceann Comhairle:** I call Deputy Ó Snodaigh to announce the business for today.

**Deputy Aengus Ó Snodaigh:** This is the announcement of the proposed arrangements for this week's business - an gnó atá leagtha síos i dtuairisc an Choiste Gnó dar dáta an 24 Márta 2020 os ár gcomhair.

In relation to today's business, it is proposed that the Dáil shall sit later than 8.03 p.m. and shall adjourn on the conclusion of the Emergency Measures in the Public Interest (Covid-19) Bill 2020. Notwithstanding anything in Standing Orders, the only business to be taken shall be the business as set out in the report of the Business Committee dated 24 March 2020, with no Questions on Promised Legislation. Notwithstanding anything in Standing Orders, if a division is demanded, the bells shall be rung for a period of not less than three minutes, and the doors locked after a further five minutes have elapsed: provided that after the three minutes of ringing the bells, the doors may be locked as soon as 50 members apart from the Chair are present in the Chamber. No. a2, motion re election of Leas-Cheann Comhairle, and No. 2, motion re proposed approval by Dáil Éireann of the Planning and Development Act 2000 (section 181) Regulations 2020, and No. 3, motion re proposed approval by Dáil Éireann of the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2020, shall be taken without debate and any divisions demanded shall be taken immediately. On the conclusion of Second Stage of the Emergency Measures in the Public Interest (Covid-19) Bill 2020, the sitting shall be suspended for one hour.

Regarding the Emergency Measures in the Public Interest (Covid-19) Bill 2020 - All Stages, the proceedings on Second Stage, shall, if not previously concluded, be brought to a conclusion after five hours and ten minutes and any division demanded on the conclusion of Second Stage shall be taken immediately. Speeches on Second Stage shall be in the following order and shall not exceed the following times: the Taoiseach and other leaders - ten minutes each; the Minister for Health – five minutes followed by five minutes for each party or group; the Minister for Finance – five minutes followed by five minutes for each party or group; the Minister of State

at the Department of Housing, Planning and Local Government – five minutes followed by five minutes for each party or group; and the Minister of State at the Department of Defence – five minutes followed by five minutes for each party or group. There will be a ten-minute response by a Minister or Minister of State.

Proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion after five hours. Proceedings on the various parts of the Bill on Committee Stage shall be brought to a conclusion in accordance with the following timetable, by one question in each case, which shall include only those amendments set down or accepted by the Minister and that shall dispose of all amendments addressed to the Part or Parts of the Bill to which they refer, or to the Preamble or Title, as appropriate: Part 1 - 25 minutes; Parts 2 and 3 - 75 minutes; Parts 4 and 5 - 75 minutes; Part 6, 45 minutes; and Parts 7, 8 and 9, Preamble and Title - 75 minutes. The first contribution by a mover of an amendment shall not exceed two minutes and any other contributions shall not exceed one minute. Where no amendments are tabled to a section and a Member wishes to make a contribution on a section, such contributions shall not exceed one minute.

The Dáil on its rising shall adjourn until 2.00 p.m. on Thursday, 2 April 2020.

**An Ceann Comhairle:** Is the business as proposed by Deputy Ó Snodaigh agreed to? Agreed.

**Deputy Bríd Smith:** I would like to make a proposal to the House. I understand that the HSE has called for applause for front-line workers at 8 p.m. tonight so I propose that regardless of whatever is happening, whatever amendment is being taken or whatever speeches are being made, we stop at 8 p.m. to applaud all the front-line workers such as health and shop workers - all those who are making such a significant sacrifice.

**An Ceann Comhairle:** Can we agree that unanimously? Agreed.

### **Planning and Development Act 2000 (Section 181) Regulations: Motion**

**Minister for Finance (Deputy Paschal Donohoe):** I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development Act 2000 (Section 181) Regulations 2020,

a copy of which has been laid in draft form before Dáil Éireann on 25th March, 2020.”

Question put and agreed to.

### **Planning and Development Act 2000 Exempted Development Regulations: Motion**

**Minister for Finance (Deputy Paschal Donohoe):** I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2020,

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a copy of which has been laid in draft form before Dáil Éireann on 25th March, 2020.”

Question put and agreed to.

**An Bille um Bearta Éigeandála ar mhaithe le Leas an Phobail (Covid-19), 2020:  
Ordú don Dara Céim**

**Emergency Measures in the Public Interest (Covid-19) Bill 2020: Order for Second Stage**

Bill entitled an Act to make exceptional provision, in the public interest and having regard to the manifest and grave risk to human life and public health posed by the spread of the disease known as Covid-19 and in order to mitigate, where practicable, the effect of the spread of that disease and to mitigate the adverse economic consequences resulting, or likely to result from the spread of that disease and to mitigate its impact on the administration of vital public service functions; to make provision in relation to the operation of certain provisions of the Residential Tenancies Act 2004 during the period of 3 months following the enactment of this Act and such further period (if any) as may be specified by order of the Government; to amend the Planning and Development Act 2000 to provide, in certain circumstances, for the disregard of a certain period in the calculation of time limits referred to in that Act and in certain other enactments; to provide for the registration of certain health and social care professionals to fulfil the need for medical resources to alleviate the risk from Covid-19 to human life and public health and for those and related purposes to amend the Dentists Act 1985, the Health and Social Care Professionals Act 2005, the Pharmacy Act 2007, the Medical Practitioners Act 2007, and the Nurses and Midwives Act 2011; to make provision, due to the exigencies of the public health emergency posed by the spread of Covid-19, for certain amendments and modifications to the provisions of the Mental Health Act 2001 relating to the carrying out of reviews under section 18 of that Act; to amend the Defence Act 1954 to enable the re-enlistment of formerly enlisted persons; to enable the provision of a temporary wage subsidy to certain employees; to make provision in relation to the operation of certain provisions of the Redundancy Payments Act 1967 for a certain period following the enactment of this Act and such further period (if any) as may be specified by order of the Government and, for that purpose, to amend the Redundancy Payments Act 1967; to make provision allowing for the modified operation of certain aspects of the civil registration system, if required, for a limited period and such further period (if any) as may be specified by order of the Government, including by way of allowing certain persons to provide particulars to a registrar in writing rather than by appearing in person, and by allowing the staff of an tArd-Chláraitheoir to perform the functions of certain registrars in circumstances where the civil registration system is not available or able to perform its statutory functions as it ordinarily would be, and for those purposes, to amend the Civil Registration Act 2004; and to provide for related matters.

**The Taoiseach:** I move: “That Second Stage be taken now.”

Question put and agreed to.

**An Bille um Bearta Éigeandála ar mhaithe le Leas an Phobail (Covid-19), 2020: An Dara Céim**

**Emergency Measures in the Public Interest (Covid-19) Bill 2020: Second Stage**

**The Taoiseach:** I move: “That the Bill be now read a Second Time.”

Inniu táimid bailithe le chéile chun dul i ngleic le héigeandáil nár tharla riamh roimhe seo. Sular phléimid an éigeandáil seo, ba mhaith liom ómós a ghabháil dóibh siúd go léir a tháinig le chéile ar aon chéim leis an iarracht náisiúnta ollmhór seo. Is meitheal é. Ag obair ar scáth a chéile a mhaireann na daoine: ár bhfoireann chúram sláinte, ár státseirbhísigh, daoine atá ag obair sna húdaráis áitiúla, daoine atá ag obair go deonach, Óglaigh na hÉireann, An Garda Síochána, miondíoltóirí, feirmeoirí agus oibríthe iompair, ár gcúramóirí agus ár lucht cúraim, ár n-oibríthe poist, iad siúd go léir sa saol reiligiúnach agus luchtanna cógaisíochta, táirgthe bia agus seirbhíse bia agus gléis leighis. Tá cách ag freagairt an dúshláin agus tá ár muintir fíorbhuíoch as sin.

Ba mhaith liom a chur in iúl do chuile dhuine comhairle sláinte an phobail a leanúint agus molaim go leanfaidh siad ar aghaidh leis an gcúig chéim atá molta: ní na lámha go rialta, deabhéas a bheith agat agus tú ag casacht, coinnigh do lámha ó d’aghaidh, scarradh fisiciúil a chóiméad agus fanacht sa mbaile muna bhfuil tú ar fónamh. I wish to share my time with the Minister for Finance, Deputy Paschal Donohoe.

**An Ceann Comhairle:** Is that agreed? Agreed.

**The Taoiseach:** We are meeting today to take unprecedented actions to respond to an unprecedented emergency. A Cheann Comhairle, I am grateful to you, and to all our public representatives for facilitating this work. I also want to take this opportunity to pay tribute to the staff in Leinster House for going about their business with such efficiency while following the recommended guidelines on physical distance. Our laws derive their legitimacy, in the first place, from being passed by a democratically elected Oireachtas. Such work enables our democratic life to continue in these most trying of circumstances, and it is precisely at times like this that we need to see it in action the most.

I also want to put on record the constructive role played by the Opposition parties and Independents to date, in the main. The Government is grateful to them for their understanding, goodwill and co-operation and it has been an example of politics working well. It shows that when faced by a common foe we can put aside our differences and work together for the good of our country, to protect livelihoods and save lives.

Following my speech, the Minister for Finance, Deputy Donohoe, will provide an economic overview of the Bill and give a detailed outline of what is proposed. Later, after the contributions of each party and grouping in this Chamber, the Minister for Business, Enterprise and Innovation, Deputy Heather Humphreys, will conclude by looking at the Bill more broadly and how it will affect business. On Committee and Remaining Stages we will have Government contributions from various Ministers including Deputies Harris, Donohoe, English, Kehoe and Humphreys to ensure that the many questions and concerns can be answered.

Unfortunately we cannot stop this virus but working together we can slow it in its tracks,

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push it back and put it back in its box. Our national objective is to suppress the virus and flatten the curve. We can succeed if everyone takes sustained action. Nothing less will do. That includes all of us here, in the sense of having no unnecessary meetings, using video conferencing and the telephone, and keeping physical distance.

As a doctor and also as a politician I know the value of repetition. Give the best advice and then give it again, and keep repeating it until it becomes second nature and ingrained. I want to advise everyone in the public to follow the public health advice and to keep following these five basic steps; simple steps that are vital to protect us all from the virus: regular hand washing, coughing etiquette, not touching your face, maintaining a physical distance, and staying at home if feeling unwell.

For the past three and a half years so much of our political time and energy was taken up by the issue of Brexit. Who would have thought quite a different crisis would bring our country to a standstill? Time was expended preparing for the impact of a possible no-deal Brexit, and more time was spent ensuring we avoided an outcome that saw a return of a hard border on the island of Europe, or borders between Ireland and Britain. They were simpler times perhaps. In one sense, this was valuable time that in other circumstances might have been directed at other pressing national issues. However there has been one very positive side effect. Because of the thousands of hours devoted by our civil servants and officials to prepare for all possible eventualities, and because of the work our Ministers did to ensure that we would be able to withstand the worst effects of a no-deal Brexit we are now in a better position than if we were starting to think about some of these issues for the first time. For example, the time spent thinking about supply lines, about the impact of a shock to the economy, the money we set aside thanks to prudent management of our finances – all of this is now being deployed against a single, different kind of national threat. When it comes to so many of our plans that we had on the shelf, we are simply rubbing out “Brexit” and writing in “coronavirus”. We did not expect or predict a pandemic of this kind, although plans were present and afoot to deal with it. We were very much prepared for an economic crisis and, as a result, we are in a much stronger position today, going into this crisis with a budget surplus, falling debt, a rainy day fund and cash on hand. I assure the public that, although the challenges will be great, we are ready to face them. Although the cost of these measures will be very high, we are prepared to pay the price, even if it takes a number of years. We can bear it and we will be able to pay back what we borrow as a nation. We will do so willingly because it is the right thing to do and we owe it to our fellow citizens to protect their lives and livelihoods.

We believe that by maintaining the link between employees, employers and companies, it will be easier for us to bounce back when this is all over. These actions will keep our economic infrastructure intact and will also give business the best chance of making it through the crisis.

We are also making sure the self-employed are covered. I know the sacrifices that many of our self-employed people have made to build up their businesses and practices. I know how worried they are now. We will do all we can to help sustain the self-employed and bring them through this emergency as well.

Today we are asking the Oireachtas to pass emergency legislation to respond to the Covid-19 emergency. These emergency actions will mitigate the impact of the virus and enable us to continue to provide public services. Today’s legislation, to last for the duration of the emergency, will freeze rents, prevent evictions, make it easier for healthcare professionals to re-register to return to work and enable former members of the Defence Forces to re-join at the

rank they left with no penalties. We know that the financial impact of mass redundancies over a short period will have a serious impact on the ability of business to recover. Accordingly, we are extending the time periods under which a person who has been laid off and kept on short time due to Covid-19 can claim a redundancy payment from their employer.

So much work is taking place to help save and protect lives. For example, we have also approved a framework agreement with private hospitals to ensure they can operate effectively as public hospitals under section 38 of the Health Act for the duration of the emergency. This will add more than 2,000 beds, nine laboratories, critical-care capacity and thousands of staff to our health service.

Some, of course, have asked and might ask why these things were not done before, why we have previously objected to measures such as rent freezes, for example, or a moratorium on evictions or co-opting private healthcare. The truth is these are extraordinary times. For example, property rights are always subject to the common good in our Constitution. I do not think anyone would argue but that this is an extraordinary situation in which the common good overrides. We know rent freezes, for example, in places like San Francisco did not work. Landlords just sold up and often sold on to owner-occupiers meaning fewer properties were available to rent. We know in Berlin that even the announcement of a rent freeze caused investors, developers and builders to build fewer homes and more hotels and offices instead because the return was better. In normal circumstances, a rent freeze would actually make things worse. It would reduce the supply of places to rent and freeze out people who need to rent for the first time, such as students, migrants and young people who want to leave home.

This is a temporary policy and only for a few weeks - hopefully only for 12 weeks. However, that is not to say that some emergency policy changes might not make sense as longer term policy changes as well. When it comes to childcare, our plan always had been to expand ECCE, early childhood care and education, and to expand the national childcare scheme incrementally, thereby reducing the amount parents have to pay. In some ways we have done that in one fell swoop, an incremental measure done very quickly. The House might decide not to roll that back entirely.

Another area is sick pay. Workers in the low-paid sectors should not have to be out of work for six days to qualify for income support. Six days is far too long. It is bad policy both in terms of social justice, the economy and public health.

Desperate times do not call for desperate measures, rather they call for composure and radical responses which would provide hope and bring maximum benefit to those who need them most. This legislation is designed to do exactly that. We will be remembered for what happened after this emergency visited our shores when we faced our greatest challenges. I believe it will be a story of a great national effort to withstand the worst of it, to come out less scathed than other countries and how every person played their part. Finally, I want to acknowledge that this emergency has already cost lives and I extend my condolences to all the families who have been bereaved and the friends of those who have died as well. It has also cost people their jobs and it is going to get worse before it gets better.

People are afraid and they are looking for reassurance from us. Politicians do not always have a good reputation. Very often we do not deserve one but we have an opportunity as a House, all parties and Independents, to shine in the next couple of weeks, not as individuals but as a group, as a body politic. We can show that the ideals that first motivated us all to enter

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politics can sustain us and ring true when our country needs help the most. Go raibh míle maith agaibh.

**Deputy Micheál Martin:** Is díospóireacht faoi leith í seo. Is dúshlán faoi leith atá amach romhainn de dheasca Covid-19. Beidh muidne ag tabhairt tacaíochta don reachtaíocht atá os comhair na Dála inniu. Tá sé riachtanach gach aon tacaíocht is féidir linn a thabhairt d'oibrithe na tíre agus do chomhlachtaí na tíre, go háirithe comhlachtaí beaga, ionas go mbeidh siad in ann teacht tríd an ngéarchéim seo. Mar aon leis sin, caithfidh muid ár mbuíochas a ghabháil do phobal na tíre, atá ag déanamh a ndícheall chun cloí leis an deachomhairle atá ag teacht ón Chief Medical Officer, Dr. Tony Holohan, agus a fhoireann. Táimid buíoch de gach éinne atá ag obair sna seirbhísí sláinte agus sna seirbhísí éigeandála éagsúla. Tá obair den scoth faoi chaibidil acu agus tá pobal na tíre fíorbhuíoch díobh.

As we meet today the people of this country and much of the world continue to face real fear and uncertainty. To an extent never seen before people are subject to major personal restrictions which limit their ability to mix with others, look after family members and go to work. It has caused some of our citizens to die. We sympathise today with their loved ones in their time of sadness and distress.

The measures which we adopted last week and those we are adopting today are not ones we would even discuss in normal circumstances but this unprecedented situation has justified and will continue to justify an unprecedented response. Fundamentally nothing can be effective without the strong support of the public and a core sense of community. While it is too early to draw long-term conclusions, the evidence is that the public has been responding from the first moments when this emergency became a priority some weeks ago. The figures released by the Health Service Executive last night show that for the cases diagnosed this weekend the number of people it had been in contact with was very significantly down. With very limited exceptions people in every community in this country have for the past two weeks been acting in a very responsible and generous way so that every effort is made to limit the spread of the virus. It is right that we should today thank them, acknowledge their many sacrifices and appeal to them to keep this going until we get through this period. It is also important that we acknowledge the incredible work of our public servants, particularly those within our country's healthcare system. It is at times of crisis that we can truly see the breadth of the expertise and spirit which is to be found in our public institutions and services. The scale and speed of the response which we have seen simply would not have been possible without the expertise which has been developed by our public servants over many years and their deep understanding of issues which rarely ever enter public debate outside of an emergency. The national expertise contained within key units of the HSE and the professional staff of the Department of Health, the Chief Medical Officer and others have been central to building the political and public consensus for action in recent weeks. I came to know many of the personnel when working with them on previous epidemics and I and my party are extremely grateful to them for their work.

The importance of how this highly diverse Dáil has been entirely constructive at all points should also be acknowledged. The bulk of the suggestions made by my party and other parties have been made privately and there has been an approach of seeking to limit public disagreements. There is a fine balance to be struck between supporting a common message to the public and maintaining space for asking tough questions and pointing to areas where more action may be required. This is a balance which is particularly important for us and the media to consider. Over the past five decades, an entire discipline has developed to analyse how to get the best possible response to major emergencies. One consistent lesson from this work has been that

we need to make sure there remains a space for debate and for challenging messages. Everyone being on the same side does not remove the need to ask questions. In this context, I would particularly like to commend those journalists who have been persistent in raising questions which go to the heart of whether we are doing all we can or whether enough information has been shared on specific issues. We have, as a Parliament, suspended nearly all of our normal oversight functions. This has been the right thing to do in these circumstances. That is why it is especially important for us to raise issues we believe are important and for Ministers to be very direct in answering questions.

Fianna Fáil will support the passage of this legislation and will use the time for this debate to suggest ways to improve it before the tight but reasonable deadline. Several major challenges face us in our overall response to this emergency. We must limit the numbers of people who contract the virus and make sure we have the urgent care required by those who contract it. We have to address the immediate and drastic economic and social consequences of the emergency, protecting as many jobs as possible, and making sure that families and businesses can survive financially. We will have to move on to help our health system, our society and our economy to recover once the immediate challenges are met. As I have said, we support the actions which have been taken to date and which are in part underpinned by this legislation. A review published yesterday about the speed and severity of official action on the pandemic by a research team in Oxford which is linked to the World Health Organization suggests that action in Ireland is broadly in line with the recommended international practice. We believe it has been a proportionate response and that it has been properly led, primarily by the recommendations of the relevant international organisations, and that the response has had a significant impact.

All of us here no doubt have been approached by people within the health system, pointing out serious problems which they are experiencing. Today is an opportunity for those issues to be addressed directly and hopefully for urgently-needed reassurances to be provided. The latest figures show that 24% of the cases identified up to Monday night involved health staff. This is a disturbing figure which reminds us all how nurses, doctors and other healthcare professionals are on the front line in fighting this pandemic and that they are putting themselves in real danger every day. There is significant evidence of health staff lacking the personal protective equipment required to protect them from the virus. I have heard from doctors and nurses who have used their own money to purchase protection in hardware stores. We have raised this issue directly with the Government and would ask that this issue be addressed during our session today.

The ramping up of testing is clearly required if we are to come close to meeting the objective of high levels of community testing, which we agreed early last week. The revision of the criteria for testing was clearly required because of the long and rising delay in testing revealed in recent days. It is vital that we have a clearer sense of when we will reach a point of much greater availability of testing. It is true that a person showing symptoms should self-isolate when waiting for a test, but it is only when a test is completed and a positive case found that essential contact tracing can be undertaken and we can understand the true extent of the transmission of the virus.

We strongly support the adoption of a wide range of emergency financial measures to help individuals and companies. Many of these specific measures are also being implemented throughout Europe and the serious financial cost which they involve is fully justified. During the course of this debate, our spokespersons will address areas where we believe further immediate action is needed and is possible. In this context, the article published by Mario Draghi, the former President of the European Central Bank, is very important. Mario Draghi, more

than any other person, was responsible for delivering the recovery from the last global financial crisis and his actions have literally saved Ireland billions in debt costs. When he speaks with urgency and passion, we should listen. According to him, Europe requires no less than wartime mobilisation of its fiscal and monetary resources. In order to prevent another and, this time, deeper recession, a new mentality is required. Aggressive zero-cost lending by banks, higher deficits with lower financing costs and new financial rules. These all form part of the actions he believes are needed immediately. Fianna Fáil has been arguing for a number of years for Europe to play a significantly increased role in helping countries during economic downturns. In this context, we welcome the fact that the Taoiseach has agreed to proposals drafted by France, Spain and Italy, calling for the immediate deployment of the European Stability Mechanism and the issuing of bonds underwritten on a cross-European Union basis. The letter he signed with eight other Heads of Government is a very positive step. We strongly support this proposal being pushed during the leaders' online summit. The current draft conclusions go nowhere near what is required. Now is the time to say unequivocally to reluctant states that we face a choice between common action and common failure.

In Ireland, we will need to develop our own national recovery plan, to be implemented immediately when social and economic restrictions are significantly lifted. No one can be in any doubt that, in order to have the funds to pay for social supports, public services and rebuilding jobs, tough decisions will have to be made, even with a significantly higher deficit. The choices will be very different from those we were discussing until recently. We already know about the massive increase in spending which must be implemented. Less clear so far is the fall in State revenues, which will undoubtedly be severe. We need a government which can discuss and implement an urgent recovery plan. In doing this we should look at the introduction of some form of social partnership model. This should involve key stakeholders so that there can be real engagement across society and a true societal response to planning our national recovery post Covid-19. If we stay focused and abide by the guidelines of the Health Service Executive and the Chief Medical Officer, we will protect vulnerable people in our society and protect our healthcare staff. By working together, we will come through this pandemic. We must then work as hard to ensure a swift recovery when it passes.

**Deputy Pearse Doherty:** Ar dtús báire, déanaim comhbhrón le teaghlaigh na beirte a bhfuair bás inné mar gheall ar Covid-19. Tá cuid mhór le déanamh. Caithfidh muidne sa Teach seo comhoibriú le chéile sa dóigh is go dtig linn na tragóidí seo a ísliú agus a stopadh san am atá amach romhainn. Cuireann muidne i Sinn Féin ár mbuíochas in iúl do na hoibrithe, go háirithe na hoibrithe sláinte agus iad sin uilig atá ar an líne thosaigh, atá ag troid in éadan an víris, Covid-19. Caithfidh muid níos mó a dhéanamh dóibh, go háirithe ó thaobh trealaimh chosanta phearsanta. Caithfidh muid níos mó a dhéanamh dóibh siúd a chaill a bpoist mar gheall ar an víreas seo agus níos mó tacaíocht a thabhairt dóibh. Is é sin an fáth go gcreideann Sinn Féin gur chóir go n-íocfaidh an Stát 100% dá bpá suas go dtí €525 agus go bhfuil leasú againn a dhéanfaidh é sin.

I begin this morning by expressing my deepest sympathy to the families and friends of the two further people who lost their lives to Covid-19 and whose deaths were announced last night. As a result, all of us need to work together. We need to try to minimise and stop these tragedies in the coming period. I pay tribute to our health workers and to all of those on the front line fighting against Covid-19. Their courage, selflessness, and dedication is an inspiration and a comfort to the nation. These are trying times, but I say to each and every one of these people that they have our gratitude, support, and solidarity.

Beyond expressions of support, we have to make sure that our health workers have everything they need to do their jobs. We need to ensure that all available capacity within our health system is utilised, that we have sufficient ventilators, respiratory equipment and beds, including intensive care unit beds, and that our front-line workers are protected. The lack of protective equipment for health workers, carers and others is a cause of very real concern. We know that some front-line workers are taking to the Internet to seek out their own resources. The Government has stated that home health workers do not need personal protective equipment, PPE. This cannot stand. We need action now on PPE. I urge all companies and individuals who have stocks of PPE to make them available to health workers. I also call on the pharmaceutical and food processing industries to donate any PPE they can. Along with the arrival of imported PPE, attempts must be made to ensure a reliable domestic production line of various PPE items to protect our supply chain from external difficulties and to guarantee that our health staff will have the protective equipment they need to do their job of keeping us safe and healthy. That is essential.

The change to the criteria for Covid-19 testing is causing alarm for patients and has also put huge pressure on GPs, who are now contacting patients to tell them that their tests have been cancelled. There must be clear communication when case definitions change so that confusion and panic can be avoided.

The Bill before us is just one part of a series of things that need to be done to ensure our citizens' safety.

Everything we do now must prioritise the welfare and health of our citizens. This is not a time for delay. It is a time for decisive action. Every worker and family must be protected and supported throughout this crisis, however long it lasts. Unfortunately, that is currently not the case. Despite the Government's announcement on Tuesday, many are still unprotected. Today and yesterday, tens of thousands of people left their families and went to workplaces that are not safe. They are coming home in the evening with the fear that they are possibly transmitting the virus to their families. They are builders, factory workers, people working in call centres and many others. The nature of their work does not allow for safe physical distancing. I was contacted by the wife of a construction worker who best sums up the dread these families are living with. She wrote: "Me and the kids have been in all week and my husband has to go out to work every morning and risk coming back to his family. It is a disgrace. Something needs to be done." We have received many similar messages. People should not be living with the fear that they and their children are being exposed to unnecessary and avoidable risks. For that reason, we believe everything other than essential businesses and services that cannot be done from home should be put into suspension for a period. We must see further action in this regard. This can be done. These workers can be sent home and kept safe and supported.

To do that we must have a proper income support scheme. Sinn Féin has proposed a model that would guarantee 100% of income up to €525 per week for workers and self-employed who are laid off during this crisis. The Government's proposal comes nowhere close to that and does not go far enough. We will propose amendments today to try to strengthen it. These are people who have mortgages, rents and bills to pay. A sum of €350 falls very short of what is needed to support workers who have been laid off and their families at this time. In respect of those who are kept on the books, we fully support a scheme to support employers who are trying to keep going. It is important that they keep going. However, the scheme must be targeted and not open to abuse. Employers should have to make up the rest of the 30% of workers' salaries. Under the Government's proposals employers can record as little as 1 cent towards their employees'

pay and still avail of the scheme. That is not good enough.

I am glad the Government has taken on board our proposals on preventing rent increases. However, much more must be done to protect renters during the emergency. Renters who do not have a tenancy agreement must also be covered and we must include provisions to ensure that people do not rack up a crushing level of debt in rent arrears. There is a solution - a mortgage moratorium for landlords of renters who are unable to pay their rent and, in return, tenants must get real rent reductions and rent waivers. The Government must demand that the Central Bank and the banks play their part in making this happen. One action the banks could take is to waive the payment of mortgage interest for the duration of this crisis. The Government cannot allow the banks to profit from this public health emergency as they currently plan to do. We bailed the banks out over a decade ago and now they must play their part in ensuring workers and families are supported. We will table amendments in this regard and we ask other parties and Deputies to support them.

The coronavirus outbreak has challenged our nation in an unprecedented and profound way. The phrase, *Ní neart go cur le chéile*, there is no strength without unity, has been used a great deal over the last few weeks. To understand the power and meaning of that phrase we need only to look at how our communities have responded to this emergency. Although there is great stress and worry, people are not only thinking about themselves and their families but also about the safety of their neighbours and the wider community. People are checking on the elderly and others who are at risk in their communities, making sure they have enough food and helping them with any difficulties they could be facing. Volunteers are delivering care packages, making friendly telephone calls and even organising outdoor bingo. There is an enormous amount of goodwill, generosity, selflessness and community spirit in our country. These qualities are proving to be some of our biggest strengths in the fight against Covid-19. As a people, we have embraced the principle that nobody is safe unless everybody is safe and we are all the better for it. The distances we are keeping between each other are not spaces of isolation, fear or loneliness, but lengths of compassion, kindness and solidarity. It is how we best protect each other, flatten the curve, ensure our health service does not become overwhelmed and how we save lives. People need to continue doing what they have been doing. That is essential.

A Cheann Comhairle, as we come together to battle the coronavirus, we must ensure that the House will sit throughout this crisis. We need solidarity in the Chamber but we also need scrutiny and accountability. We need to ensure that the Government works and that it is holding to account key sectors such as banking and insurance. We also need to consider life after the emergency. The people voted for a new Government only last month, and a new Government must be formed. While there has, naturally, been a scaling down of talks in that regard, at some stage soon the result of the election will have to count. A caretaker Government cannot be in office indefinitely. Given the level of work to do, the timeframe is drawing ever shorter. Both Fine Gael and Fianna Fáil have made a virtue of the politics of exclusion, and it is quite astonishing that even as we face a global pandemic and a national public health emergency, that exclusion remains their priority. I ask them to think about that because it is a shame. A Government led by Fine Gael and Fianna Fáil will not deliver real and lasting change nor provide the stability of government that we need at this time. Politics needs to change. A new Government must reflect the demand of the people to do things differently. This crisis has shown us exactly why we need a Government for change, a single-tier national health system, a homelessness sanctuary and a right to a secure roof over one's head, an economy that supports workers and families, and robust social protection - all measures that Sinn Féin was calling for long before

Covid-19 entered our lives. Such developments cannot be temporary. They cannot be rowed back once the crisis subsides. Only a Government for change will ensure we will not go backwards and that we will continue to put workers and families first when this emergency has passed. That is what we need, now more than ever.

**Deputy Eamon Ryan:** As others have noted, our first thoughts have to be with those in this country who have lost loved ones to the coronavirus. Their tragedy is made all the worse because the culture in this country of coming together as a community for a funeral to support, help and carry one another through those difficult times is more challenging at this time. Our thoughts and prayers, therefore, are with them.

Our thoughts are also with the hundreds of thousands who have lost a job and who are uncertain of what will come next, not knowing how long the crisis may last, what may happen when things start to return to normal or whether their job will become available again. That sense of uncertainty in respect of the timeline of what we face applies also to those who are lonely because they are isolated at home. I refer especially to older people, who, in particular, have to hunker down and ensure for themselves that they are protected. They must have a strong sense of uncertainty as to how long the circumstances will last. We have been able to manage the past two weeks well as a country, but we need to give people some sense that in managing it well, the period will be shorter and we will come out of it on the other side. Many people were inspired by Dr. Mike Ryan, an executive director at the World Health Organization who has led the global response to the pandemic. His advice to governments, as I recall it a week or two ago, was to act fast. He said we should not be afraid of making mistakes but instead should be willing to get ahead of the virus in everything we do. He went on to say we should throw everything at the virus, without worrying all the time about whether we have all the right pieces in place, and that we should move fast. I commend the Government, the public service and ourselves as an Oireachtas on the fact that, in effect, that is what we in the House are doing today for the second time. We are passing emergency legislation at speed even though it may have flaws or aspects we may have to amend or change. Nevertheless, it is better to act fast than with certainty.

By and large, our country's response has been good, although it is almost impossible to do well in such difficult circumstances. It is hard to know exactly how well we are doing, given that we are all self-isolating, although we are probably doing so to a lesser extent than others because we have to attend sittings in the Chamber. In any contact I have had with people in recent weeks, however, at a distance of 2 m, my sense has been that we as a people - most, if not all, of us - are doubling down on the measures and complying. For those who may fear there are exceptions to that, whereby some people are not obeying the new social norm, I might give some reassurance through what Dr. Tony Holohan, the Chief Medical Officer, told the party leaders at the consultation last week. He said that as long as most of us are doing it most of the time, it will work. Let us not get obsessed with some fool who is perhaps not applying the norm. Most of us are and that gives us some confidence that we will be strong, as a country, and we will be good on this path of suppressing the virus which we have set ourselves upon.

In terms of speed, there is obviously concern in regard to the rolling out of testing. We have done the right thing by ramping up ambition but maybe, to date, have not been able to match that with the speed of the testing we need to do. I hope that improves and I have confidence in our public service to make improve that in the coming days. With regard to contact tracing, as Deputy Martin and others said earlier, we will see the benefit we are getting from that contact tracing and see that we are adhering to the advice as a people.

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I have consistently been saying to Dr. Holohan and other officials that we also need to work on the isolation part. There may be many people who have the virus but who do not have easy self-isolation facilities in their own homes and we need to provide facilities for those people. We particularly have to consider those in direct provision centres or nursing homes where the capability for such isolation is particularly difficult. They should be our first priority. It is in congregations or settings where it is not easy to provide this isolated protection that most of our efforts must be. I was encouraged by Dr. Holohan saying that our contact tracing staff, as we get new volunteers coming in, are the real experts in concentrating on those clusters where the risks are greatest, which is the right approach.

I also hope and pray that that aeroplane does come in on Sunday and we get all the personal protective equipment, PPE, that our front-line health workers so badly need. I am encouraged that 300 workers are now, hopefully, at work on the production line at Medtronic in Galway and turning out those ventilators, not just for us but also for other countries. We have to do this in a collaborative way and be part of an international response.

I want to pay tribute to the cleaners around this country. I was coming up the corridor to the Dáil and Mandy was outside cleaning one of the balustrades. That is life-saving work and it is critical to what we need to do. I was at a petrol pump this morning on the way in and there was someone cleaning the pump nozzle. It is that front-line work that is life-saving. It is that response which is going to make us strong and successful in this country.

I want to pay credit particularly to the staff in the health system. We listened to the Minister, Deputy Harris, and others say we are probably still in the calm before the real storm hits. We have to make sure staff have that PPE and the necessary ventilators. I understand it goes beyond that and that they also need to have oxygen supplies and additional beds. There are so many logistics but we still have a short few days left before the real wave of cases hits. We need to support our staff and thank them for the work they are doing.

Just as we need to move fast and heed Dr. Mike Ryan in addressing the health side, we also need to act fast in protecting our economy. I agree with Deputy Martin that Mario Draghi gives the right advice in saying not to be too worried or cautious. This is the time for a real Keynesian economic approach and for massive additional borrowing to provide income support, which is what we are legislating for here today. I will be honest. We are legislating slightly in the unknown in that we do not have the full figures. As we ramp up as an Oireachtas in managing this crisis, I would love to hear the Irish Fiscal Advisory Council give us some advice, as best it can, on what are the mechanisms.

**Deputy Micheál Martin:** The Deputy should be careful what he wishes for.

**Deputy Eamon Ryan:** Expert advice.

**The Taoiseach:** I think they are a non-essential service at the moment, if that is all right.

**Deputy Eamon Ryan:** In the same way that we have the advice of the Chief Medical Officer and others, we need to think about the fiscal implications of what we are doing. I say it for this reason. As well as providing the income support which we are providing today, which is critical, we also very quickly need to start thinking about the nature of the economic recovery and it will not be just income stimulus but investment stimulus that we need to make. That will be an investment stimulus in the health system. As we have said, let us use this opportunity to switch to a public health service. Let us listen to what Mr. Paul Reid said at one of our

meetings recently, namely, he was able to do more in a week in moving towards Sláintecare than we might ordinarily do in a year. This is an opportunity to invest in our health system and to change it in every aspect. The Taoiseach gave the example of our childcare system and the same applies with our healthcare system. At a time of radical and rapid change, there is a chance for us to invest to bring our health system in the direction we want. That will require investment. Similarly, if we have tens of thousands of workers and hundreds of thousands unemployed, we should be looking to ramp up our public housing programme straight away as a way of lifting the economy and as a stimulus to come out of the unemployment that may come with this economic downturn. We also need to start thinking now about how we use the green new deal to deliver a low-carbon economy that strengthens our local economy so we are not so reliant on global systems. We need to start thinking of all of these systems now. All three of those policy objectives will require investment, as well as the money we are committing here to provide future income support.

I echo the comments of Deputy Micheál Martin. I understand the Taoiseach has a European Council meeting by video conference this afternoon or evening. It is important that we are seen to be part of international co-operation in tackling this crisis and we need this to be a time of European solidarity, and not a retreat to nationalism and the building of borders. We had a meeting of our European Green party leaders yesterday and we agreed a joint approach, including support for the concept of Eurobonds. It is vital we do not leave countries experiencing difficulties alone at this time, particularly countries such as Italy. Just as we need to consider direct provision centres here at home and how we manage those cases, we also need to support the Greek government and others with ongoing refugee crises. That is now doubling down with the additional virus problem.

In the bigger picture, there is a question as to what type of politics will come out of this crisis. Will we see a retreat away from some of the populism and nationalism that do not have a regard for science and do not believe in collaboration in the responses we make? We have a chance in Ireland to give a sign that we believe in collaboration. We are showing that here and we should continue to show that in the immediate months of this crisis by working together, cross party. I think that will lead to a better response. In a crisis, we are good at working together and not dividing along party lines.

Lastly, many changes will come from this situation, including what we value in our daily lives and how we use technology. One of the other outlying things, however, that I hope comes from this is an appreciation our public service. We are agreeing emergency legislation. As Deputy Micheál Martin stated, this is not seen and is not very glamorous, but the ability of our public service to act quickly in the public interest is very real. I commend the Department of the Taoiseach, the Department of Health, the Department of Finance, the Department of Business, Enterprise and Innovation and others involved in the generation of this emergency legislation, as well as Members our own team of Green Party and other Deputies, that have been willing to do what we can to make it better. We will support it, we will try to suggest amendments and we will be stronger together.

**Deputy Duncan Smith:** This is my first contribution and I thank the people of Dublin-Fingal for placing their faith in me as one of their five representatives in the Dáil. It is an honour beyond words, and I will do my utmost to repay the faith they have placed in me. Since polling day more than seven weeks ago, the clutch of new Deputies, or even the more experienced Deputies, could not have imagined what we are facing now. We are living in a world that is more frightening, more insecure and far more uncertain. We have much work to do to beat back

this virus in Ireland and across the world, but I believe we will do it.

We will also, however, have to be mindful that we will be facing the implications of the affects of Covid-19 for many months, and perhaps even years, to come. I refer to economically, socially, politically and beyond. We must be mindful of this when making decisions even in the white heat of the crisis we are experiencing. Now is not a time to panic, however. We have actions to take and we will take them. I commend the leadership being shown up and down the country. Leadership has been also shown from all sides of this House and that has to be commended. That has been strong and consistent and that must continue. Leadership has been also shown by the HSE and the public and Civil Service, and that also has to be commended. That will also have to continue. All of that pales, however, compared to the leadership shown by ordinary people around the country. I refer to sports clubs, community groups, heads of households and even administrators on community Facebook groups and community WhatsApp groups. They have been on the front line of a battle against fake news and fake reporting. They have done great work in trying to keep good information flowing to keep people safe and healthy. Front-line workers, support workers, healthcare assistants, porters and cleaners in our health service have been making an unbelievable collective effort. Our retail workers have shown bravery and courage and every day they are there to serve the needs of the community and to make sure we are fed. The panic and worry we had about purchasing behaviours earlier on in this crisis has dissipated as we meet our new reality.

Today's emergency legislation is another important step in fighting this crisis. The measures put forward today will have profound political implications as I have mentioned but I am encouraged by what the Taoiseach said about early childcare and illness benefit. It is a cautious optimism but the measures we take now may not be repealed in 12 weeks or six months if we believe they are for the greater good of the country.

The Covid-19 emergency is a crisis on multiple fronts. It is not just a health crisis but it is a crisis that reaches across the whole of society and of the economy. Like everyone in this House, we in the Labour Party have tremendous respect for all our front-line and support healthcare workers, who are providing care in our hospitals and GP clinics. When we think of the GPs, we must also think of the GP receptionists and when we think of the frontline nurses and doctors, we must also think of the receptionists, porters and cleaners. We acknowledge what the Government and the HSE have done to ramp up testing and to challenge people to change their day-to-day behaviour. It is not an easy task but the Irish people have responded well. Looking at what is happening in other countries around the world, the Irish people have been well served by the way in which political parties have co-operated to support the official response to this crisis.

The crisis does not stop with the health system, however. I am concerned that when it comes to the economy, it will be harder to maintain the same level of political consensus, given how divisive issues such as housing have been in recent years. The Government's response to the overall economic crisis will be as important as its ability to deal with the different dimensions of the health emergency. For example, like much of the economy, our front-line health services rely on just-in-time supply lines and global markets to provide them with the medical equipment they need. This global system has come under enormous strain. Our health service has done a credible job to date in securing personal protective equipment for our front-line workers but there are real concerns remaining. We are hearing reports of front-line nursing staff having to wash PPE in sinks and baths for reuse. I am sure we all agree this is intolerable. We all pray that this plane arrives with enough equipment and we all hope more efforts can be made

to source equipment from within the boundaries of the State and to funnel same to the people who need it as soon as possible in order to keep people alive.

It has also been reported that student nurses, who are serving on the front lines assisting Covid-19 patients, are not yet being paid. We need to tackle that issue urgently. Can the Government confirm what is happening and when will the Government guarantee decent rates of pay for all staff across all levels of the health service who are tackling this emergency?

On another front, we do not yet have up-to-date figures for unemployed people on the live register but we know that hundreds of thousands of people have lost their jobs or been temporarily laid off due to the Covid-19 emergency. We must ensure people are protected and that the most vulnerable workers do not suffer unfairly due to this epidemic.

In principle, Labour welcomes the measures being introduced in this Bill. We welcome the rent freeze and the ban on evictions introduced in Part 2 of the Bill but issues of major concern remain. First, a great many workers in the retail and hospitality sectors are renters and even with the Covid-19 unemployment payment, many of them will have a reduced ability to pay rent alongside their normal living costs. If this crisis lasts three to six months, we will have a generation of low-paid workers who will end up in debt due to rent arrears or other payment arrears. This cannot happen. Second, some tenants may face eviction once the crisis ends and once we return to some form of normality in the housing affordability crisis. This also cannot happen. What plans does the Government have to ensure this does not happen? We need to know the answer to this question. In particular, where landlords benefit from a mortgage holiday for a period of months, will the Government ensure rent will be waived for tenants during this same period? This must happen.

While the housing crisis requires homes to be built, we have concerns about some working environments, such as building sites, remaining open in the context where social distancing may not always be possible or practised on building sites. I have experience of working on small building sites and when I was thinking yesterday and overnight about the work I did, I reflected that it is impossible to keep any kind of social or physical distance if one is labouring for a carpenter, a bricklayer or an electrician.

There is no way around it and we need urgent action in this area. I spoke to workers yesterday in the construction industry who are concerned for their safety and the safety of their families. I have spoken to family members of workers in the construction industry who are concerned for their loved ones who may come home from work and bring Covid-19 with them. This needs urgent attention.

Another serious problem caused by the Covid-19 emergency is that our courts are not sitting due to the need for social distancing. Delays and a future backlog in processing cases could mean that the Statute of Limitations might rule out prosecutions that would have proceeded in the normal course of events. This is clearly not desirable and the amendment we will bring this evening will provide some sort of solution. We hope it will get support throughout the House. There are many other issues we will bring up during the course of the day as the opportunity arises.

I will conclude by commenting on some of the measures announced earlier this week relating to social gatherings. They were the right measures but they have a cost, in particular in respect of funerals. Funerals are still allowed to proceed but under strict new guidelines.

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Again, this is understandable. Faced with a global pandemic, which is claiming thousands of lives worldwide and which has claimed 16 lives so far on our island, we have all had more than a passing thought about our mortality and the mortality of those close to us, our loved ones. People are passing away from Covid-19, as well as from the usual illnesses, including long-term illnesses, short-term illnesses and sudden deaths. Only close family members are able to mourn their passing and celebrate their lives. I have always thought we in Ireland have celebrated the lives of those who have passed better than almost anywhere else. Those of us who have celebrated the passing of someone close to us recently know the comfort it brings to those who are bereaved. In normal times we mourn as a community, as neighbours and as friends. We need to spare a thought for all those enduring loss at this time, whether through Covid-19 or any other reason. They are doing so at a time when the nation's attention is focused on this battle. Many of us are looking forward to when restaurants and bars open again and when we can bring our children to see their grandparents. We can see that there is light at the end of the tunnel. However, we only get one opportunity to say goodbye to a loved one. The loneliness that such people must be feeling at this time must be especially acute. We must ensure that the sacrifice thrust upon them for the reasons outlined is not forgotten. We must not forget them. When we are reaching out, we must make an extra special effort for these people. This is one of the many reasons we need to stick to the rules and redouble our efforts every day. We need to support all our healthcare and retail workers, as well as all those people who are out working for us at the moment. If we do so we will once again be able to celebrate all joy and tragedies together as we have done as a country, as friends, as neighbours, as a community and as a nation.

**An Ceann Comhairle:** Thank you, Deputy Smith. Congratulations on your maiden address. I am sure it is one you will never forget. Now we move to the Social Democrats. Deputy Shortall is next.

**Deputy Róisín Shortall:** I wish to join other party leaders and Members in acknowledging the extraordinary national effort that we have seen in recent weeks. I wish to single out one particular person in this regard, our Chief Medical Officer, Dr. Tony Holohan, to whom we all owe an extraordinary debt of gratitude. We are exceptionally lucky that we have someone of his calibre who has insisted on operating on an evidence base. He comes with a major background of expertise in the area of public health. He has remained incredibly calm and on top of the situation throughout this appalling crisis.

It is interesting how, up to recently, many people would not have heard of public health. It is a small aspect of our health service and has traditionally been rather underfunded. Yet, we now see at this point of crisis how critically important the area of public health is. Clearly, Dr. Holohan is supported by a team of experts working day and night in this area. We owe them all a great debt of gratitude. It is also important to recognise all the health workers, in the broadest sense, throughout our health and social care services. I have in mind front-line people, including clinicians, but also the many support staff and administrators. Often administrators get a bad name and we say there are too many of them. At a time like this we are glad that we have them to do the vast amount of organisational and administrative work that needs to be done.

It is also important to acknowledge the great effort that we have seen on the part of other Departments and State agencies. There is no question but that, in the main, all of those public servants have put their shoulders to the wheel. They have done extraordinary things that would not be seen or heard of in normal times. They have very willingly agreed to redeployment and to work extra hours, very often putting their own health in danger. We have seen an enormous effort and I believe we have seen the public service at its best.

It is very important that we recognise the importance of public servants. Part and parcel of that is recognising the critical role of the State in any society or economy. There are proponents of a small state but I would say to them that at this point of crisis, we are grateful for the fact that we have a reasonably well-functioning State. Let us learn lessons about the need to strengthen that State and ensure that, no matter what issues arise or crises or difficulties face us as a country, we keep a central role for the State.

The State is about public provision. The current crisis underlines the need for the public provision of services. Whether that is in the critical area of health and social care, childcare, housing or protection for tenants, we now realise, if we did not before, how essential it is that there is public provision of those key services. Sometimes people feel that public services are for the poor. We know that is not the case, and it should never be the attitude of society. Sometimes it is the case that people think they are for those who are marginalised and everybody else pays their way. At a time of crisis like this, we see the importance of the provision of public services that are universally available and I hope that the work that has been done in recent days and weeks, in terms of unifying the health service, will be work that will never be undone in this country.

Deputy Eamon Ryan referred to Sláintecare. What is happening now was described by one senior official as “Sláintecare on speed”, and that is precisely what needs to be done and let us keep it that way. It is about having a unified, single-tier public health service that is available to people when they need it, irrespective of what money they have in their pockets. It is also about people pulling together, and the response from people with medical training all over the world and those working in other areas in this country has been quite extraordinary and encouraging in terms of the national effort and ensuring that everybody plays their part in providing services that are available and accessible to everybody. Let us learn those lessons. We must realise that we need to support all of the things I have mentioned, such as healthcare, childcare and good public housing, all of which are public goods, and ensure they are publicly provided.

It is also important to recognise the role of the community and voluntary sector, which swung into place quickly and is doing extraordinary work. GAA clubs, residents’ associations and community groups stepped up quickly to support older people and the vulnerable and ensure that we are putting a blanket of care around people. Most of all, it is individuals who have responded most encouragingly to this crisis. People have taken it upon themselves to take responsibility for their health and safety but, more importantly, through their co-operation with the guidelines on social distancing and all of the other guidelines provided they have taken responsibility for public safety and good public health. That is really encouraging and shows people living in Ireland at their best.

We also have to recognise the work of retail workers, suppliers, hauliers and other critical workers who maintain the supply chains on which we are all so dependent. They deserve our gratitude.

At a political level, there is a high level of co-operation across political parties. Key to maintaining that, of course, is good communication. Communication must be open and it must be two-way. We are all in this together at every level in Irish society and that means politically that we are in this together. That is why, in approaching this crisis on that basis, we have had a high level of success to date and there has been little, if any, attempt to score political points. It is essential that it continues like that. For this to happen it is important that there is openness, enthusiasm or determination to ensure timely responses to issues that are being raised by

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us right across this House because we are a filter for the public. Often we are the first line of contact for people looking for information. If we are in a position where we are given good quality, timely information, we can disseminate that to our constituents and help in the national effort. Of course, it is two-way then because we are finding out at a very early stage where there are problems in relation to supplies, services and responses to the Government decisions that are taken and it is important that we have a mechanism for feeding those back into the policy area. I ask the Government to pay some attention to that. I appreciate everybody is under a lot of pressure but we need to pay attention to that. That is essential if we are to maintain the cross-party united response to this crisis.

There are clearly significant issues in relation to procurement. Across all of the products required urgently, there is a worldwide competitive market. The HSE is doing its utmost in that. I refer to particular individuals. Dr. Colm Henry, especially, is worth noting in terms of his efforts. Not only should we be accelerating those efforts but the Government also needs to play a role in accelerating efforts to produce and manufacture any of those products that we possibly can here. Probably more attention could be given to that.

The messages have been heard and in the vast majority of cases, there is a very positive response. There are outstanding issues in relation to childcare. We have talked about how childcare arrangements might be made for healthcare staff - that has not yet materialised - and wage replacement, which I will reference later. At a European level, the noises from Europe are positive. There is no doubt about that. We must insist on the principle of solidarity prevailing throughout this. I welcome talk of the issue of eurobonds or coronabonds. That needs to happen soon. We must not ignore the lessons of the past where, when this country was in difficulty in the not-too-distant past, there was severe austerity. The issue of who the burden falls upon is critical. We must learn the lessons of the past to ensure that when we come through this crisis and get to the point of recovery, it is a recovery for everybody and that particularly vulnerable sections of the community do not pay a heavier price than others.

The nightly figures are, I would say cautiously, holding reasonably firm and that is thanks to the efforts of everybody throughout the country. It is important that there is absolutely no complacency in this. While the figures are encouraging, there will still be a surge. We are all clear about the message about the need to flatten that curve and to ensure that the surge, when it comes, is stretched out as long as possible so that the health services are not overwhelmed. I say, to everybody involved at every level, "Thank you."

**Deputy Richard Boyd Barrett:** We all understand we face an unprecedented threat to public health and to society. Our first priority must be to do everything we can to avert the tragedy and calamity that we see unfolding in Italy which, understandably, is striking fear into the hearts of many in this country and across the world. As others have done, I extend my condolences to everybody who has lost loved ones whether it is in this country, Italy or anywhere in the world. We must do everything we can to minimise that tragedy and protect people against the threat of Covid-19.

The first thing that must be done to do that is to support, equip and resource our health workers, who are the front line and who are putting themselves on the line to protect our health. As the European Centre for Disease Prevention and Control clearly underlines, we have not done that. We do not have enough staff, we do not have enough beds, we do not have enough ICU capacity, we do not have enough personal protective equipment and we do not have enough laboratory testing capacity. Consequently, we urgently need to provide those resources to sup-

port those health workers and all those who are volunteering in their droves - the heroes who are now volunteering to build up the capacity, support and resources that we failed to provide for health workers and services in this country. Our particular plea, which we have made over the past few weeks, is that given that we do not have that capacity, we must support health workers who are coming into the health system financially and in every other way, that is, by paying the student nurses and immediately and without hesitation, taking control of private laboratory capacity and private industrial capacity that could be used to produce personal protective equipment, as well as getting hold of any stockpiles of personal protective equipment in order that it can be provided to our health workers who are currently rationing it in hospitals. That is the situation. I urge the Government to do that. There should be no negotiations or discussions regarding companies that can produce ventilators. We need that productive capacity to produce that equipment.

We need to support our essential workers and reward them. Retail, public transport, power and water workers and public servants who are putting themselves on the line need to be supported and resourced and I hope we learn forever the importance of these people, who have often been very undervalued and underpaid in our society.

We need to support everybody - the millions of people who through staying at home and practising social distancing are protecting our public health and the ability of our health service to cope with the surges that are coming. We need to support them. While I welcome the Government's change of heart regarding increasing the €203 payment to €350, we must remove all stresses, burdens, anxieties and worries from the shoulders of people who have lost jobs and income and who are at home and contributing to the public health effort. I would say to the Minister and Taoiseach that we need to press the pause button on rents, mortgages and utility bills until we are through this emergency. We need an amnesty for the duration of this emergency in order that those pressures are not coming down on the shoulders who, through their actions, are contributing to protecting us all.

Finally, we need to protect the vulnerable. We need to protect the homeless, people with disabilities and people living in overcrowded conditions. As all public health advice says these things are bad and weaken our ability to prevent the transmission of viruses like this, we need any empty apartment blocks, hotels or spaces that could be used to ensure that people are not living in overcrowded conditions to be requisitioned immediately and made available to people in order that they are not living in those conditions. Many are asking that given that the Government has now recognised that €203 is not enough for workers who are laid off to live on, whether it enough for our pensioners, those with disabilities or those who happened to lose their jobs six months or a year ago and who are looking for work. The answer is "No", so I hope we will learn these lessons. What is essential? It is protecting our health services and the vulnerable so that we as a society can come together to face the threat of Covid-19 and come through it with the least possible tragedy and calamity.

**Deputy Paul Murphy:** I start by paying tribute to all the workers who are putting their health and lives on the line in the fight against the coronavirus. Above all, this includes everybody who works in the health service - the nurses, doctors, porters, cleaners, paramedics, care assistants and home care workers and many others.

It is also everybody who is engaged in essential work: the truck drivers bringing food to shops, the retail workers, the postal workers, the bin collectors, the pharmacy workers and the bus, Luas and train drivers bringing all those workers around.

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The crisis is laying bare many realities about society. One of those is highlighting those who are essential workers. People can see in that list there are no CEOs, no hedge-fund managers, no senior bankers. The workers who are doing the essential work in our society on the ground are workers who are invariably substantially underpaid, undervalued and working in sectors that have been underfunded by successive Fianna Fáil and Fine Gael Governments. For too long, our health workers have been underpaid and overworked. Their calls for improvement in staffing levels, hospital conditions and wages were met with shrugs by the Government. Now, when they have been called on they put their shoulders to the wheel and went beyond the call of duty. The same applies to the massively underpaid Defence Forces. It applies particularly to student nurses today who need to be paid immediately and all of this must not be forgotten when the crisis is over. Those workers are added to by all those workers who cannot go to work, who are making a huge effort to socially distance to protect themselves, their families and society at large, all the community groups that have been set up to help each other out and to drop food and supplies to older and vulnerable people and to help people who are self-isolating.

The very best of solidarity has been brought out in the vast majority of people. Unfortunately, their efforts are being undermined by a small minority, the non-essential companies that are still opening up, the call centres, the factories, the construction sites – stuff that is non-essential for the running of our society. They are putting their private profit before public health and endangering the health and lives not only of their workers but of people in the wider community. I have been inundated by calls in relation to this. I had a call yesterday from a guy about Heatons-Sports Direct asking part-time and casual workers to come in and do work, very evidently non-essential retail work. The Mandate trade union has done good work in highlighting it and in protecting the interests of retail workers. It must be shut down. The most blatant case of endangerment has been in the construction sector. Again, I have been inundated with calls. I was talking to a guy yesterday on a major site in Dublin who said, first, it is simply not possible to socially distance on big sites and, second, there is no hand sanitiser available on the sites. I got a message yesterday from Niall who says:

I really feel we construction workers are being thrown under the bus. I travel between 3/4 sites a day with a combined workforce of about 1,500 on them. Social distancing is impossible. My wife is working from home my son is home from school then I go out all day and bring whatever I've been exposed to back into the house.

Please fight for us.

People should go onto Unite's Twitter account. It has been doing Trojan work in exposing picture after picture of construction sites. The CIF said yesterday that 200,000 people work in construction in this country. If up to half of them got infected and became ill, which is the percentage estimated by Paul Reid, and even if the current mortality rates of 0.6% in Ireland was applied to those workers, we are talking about 600 workers who could die as a consequence. That does not include the risks to other people that construction workers come into contact with. One could expand that out to factories. I have a message from Ger, a factory worker who says he suffers from asthma:

I work in a factory that is not essential and will not close unless told to.

I suffer from asthma and am living with my parents. My father would be high risk as he is over 60 and has underlying health conditions.

I couldn't live with myself if I got infected and brought it home with me and god forbid passed it on to my parents.

So my query is can I refuse to go to work and if I do would I be eligible for the social welfare payment?

We need a clear direction from the Government to shut down all non-essential work. It is the only way it will stop. It is the only way to protect the lives and health of those workers and the wider society.

If that does not happen, workers will be left with no choice but to take similar action to which we have seen in the North in ABP Meats and in Moy Park where workers simply walked out and said they were not prepared to continue to work in unsafe conditions. We need action and direction from the Government now.

**Deputy Noel Grealish:** I pay tribute to all front-line staff and all who have answered the call, both at home and from abroad, to help meet the challenges facing our health services at this unprecedented time. These are the people at the forefront of this battle which faces our nation at this challenging and uncertain period. These are the doctors, consultants and all other medical professionals, as well as the Garda, fire services, local authority, Defence Forces and social welfare staff. In addition, we must acknowledge others who are working each day such as cleaners, those working in essential services, food suppliers, hauliers, pharmacists, supermarket staff and more. These are difficult and challenging times. Everyone who is playing their part must be acknowledged.

A Cheann Comhairle, I thank you, your staff and the staff of Leinster House who have kept the House open to ensure we can pass this emergency legislation. I acknowledge the tremendous work of an Taoiseach, an Tánaiste, the Ministers for Health and Finance and all other Ministers who have shown great leadership, as well as their staff and advisers. I also acknowledge the tremendous work of the Leaders of the Opposition and all Members who are working at this challenging time which faces our nation.

This is the biggest challenge ever faced not just by our nation but by the whole world. Covid-19 adheres to no borders or continent. Sadly, many lives will be lost over the world and, unfortunately, here. I offer my sympathy and condolences to the families of those who have lost loved ones to this virus. We can reduce that number if people listen to the advice of the medical experts. I call on all our citizens to heed this advice.

Many people in our country are sitting at home worried about the future. Their first worry is about their health and that of their families. Their next worry is the financial implications of this pandemic, namely, how it will impact on their livelihoods, how they will be able to put food on the table, keep a roof over their heads when all of this has passed and, in the long term, if they will have a job.

SMEs are particularly worried. SMEs, including hotels, restaurants and bars, are the backbone of this country, employing over 1 million people. The hotel industry alone employs more than 260,000 people with 27,000 of them in Galway. Some of these companies will have the resources to survive this but, unfortunately, many companies will not.

I have been contacted by the print media and local radio stations which have informed me their revenue has dropped 70% overnight as a result of this crisis. Cash flow has gone to zero

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overnight, particularly in the hotel and bar industries. Stock will go out of date but will have to be paid for, putting huge pressure on the limited resources they have. Many of these businesses thought they were covered by insurance. When they contacted their insurance companies, however, they were refused cover on the basis that they closed voluntarily. This issue must be dealt with and insurance companies required to pay out. These companies closed in the public health interest. Accordingly, they cannot be penalised.

I have spoken to many business people in the past few days and weeks. They are very fearful for the future and are not in the position to guarantee that they will take back all the staff who they laid off over the past several weeks. When the banks were in trouble, we were able to bail them out to the tune of €200 billion. It is time for Ireland and Europe to come to the rescue of our SME sector and put in place a rescue plan. The SME sector, as I have already stated, is the backbone of our society. We must help all the businesses affected by closure due to Covid-19 and give them incentives to take back all their staff. A grant system, not a loan, must be put in place. Rates should not be paid for the rest of the year, not deferred. There must be a six-month break on paying PRSI and VAT. These proposals will give them a chance to build up cash flow and take back all their employees.

Many of these small businesses were already on the brink of closure due to escalating and increasingly unaffordable insurance premiums. A Government-backed insurance scheme should be considered. This is the least we can do. These measures will help kickstart our economy when this public health emergency has passed. This is about the survival of our nation. If we do not support the SME sector hundreds of thousands of people will be out of work in the long term. I have been also contacted by a number of accountancy practices highlighting concerns regarding the operation of the wage subsidy scheme and I will be writing to the Minister for Business, Enterprise and Innovation later today about those concerns and to ask her to deal with these issues.

In respect of healthcare, I particularly want to mention the tremendous work of Dr. Tony Holohan, our Chief Medical Officer, and Dr. Ronan Glynn, deputy chief medical officer, who is a neighbour of mine in Galway. Their calm and assured approach to conveying a serious public health message without alarm is reassuring to the general public, and with their guidance I hope we will be able to flatten the curve and reduce the numbers of hospitalisations and deaths from this virus.

One issue which has been brought to my attention, and which I hope can be resolved, is the plight of student nurses, many of whom had part-time jobs to pay their way through college. Unfortunately, these jobs have been lost and they have been called to the front line to help with the crisis. They cannot avail of the emergency Covid-19 payment and they are now effectively working for less than they would receive if they had stayed at home. These student nurses must be paid for their work in recognition of their efforts. We must have a streamlined approach to getting the people who are coming back from retirement or returning from abroad following the big 'On Call for Ireland' campaign into the workforce quickly. I welcome the fact that this Bill addresses this issue. We cannot have these people being frustrated and bogged down in red tape when they are coming to us in our hour of need. I ask that extra resources be allocated to processing their applications if that is what it takes. I also welcome the fact that people coming out of retirement will be screened for their own protection. It is a very worrying trend that almost 25% of those contracting Covid-19 in Ireland are healthcare workers. This is a much higher percentage than in other countries. I welcome the decision that healthcare professionals will be prioritised for testing but we need to ensure that all healthcare professionals, in hospitals and

in the community, have the appropriate personal protective equipment. I have received calls from people providing care to vulnerable people in the community who are struggling to secure protective equipment. Perhaps the Government might consider the needs across the healthcare sector as a whole.

There are Government schemes that have ongoing deadlines that will cause huge inconvenience to people over the coming weeks, for example, driving licence renewal, particularly for those aged more than 70 years, who are still required to present in person; closing dates for the basic payment scheme at the Department of Agriculture, Food and the Marine; dates for lodging legal papers and many other things that we have not even contemplated. In an ideal world we could bring in emergency legislation to deal with each of these individually. However, because the absence of a new Seanad prohibits us from introducing new legislation we are looking for a simple provision to be written into legislation that gives Ministers the ability to postpone renewal dates and other deadlines for a period of six months so that they have the flexibility needed to ensure nobody is denied a right or a service, or is forced to leave his or her home in the coming weeks to renew such documents.

I ask that the Covid-19 emergency payment be made available to widows and to full-time carers who because they worked part-time are not eligible for social welfare top up. This needs to change because these households have lost a significant element of their incomes. This needs to be replaced through a social welfare or income support mechanism. Also, the habitual residency condition for welfare entitlements in Ireland which applies to Irish workers abroad returning home due to the coronavirus must be lifted as it may place many returning migrants in uncertainty and financial hardship.

I welcome this Bill and will support its passage through the House today.

**Deputy Mattie McGrath:** Ba mhaith liom mo bhuíochas a ghabháil leis an gCeann Comhairle agus le gach Comhalta as an obair stairiúil a rinne siad.

I thank the Ceann Comhairle for recalling us today and for convening our meeting of the Business Committee this morning. These are pretty strange and difficult times. I acknowledge the Taoiseach's address and the work he, the Minister, Deputy Harris, Dr. Tony Holohan and others are doing, and all their supporters, staff and advisers, as well as all public servants, both indoors and outdoors, who have continued to work under enormous strain and difficulties and are ag déanamh a ndícheall. Ní neart go cur le cheile. As has been said here this morning, it is a very important phrase. There is a sense of a meitheal, as I said last week. It is a huge, Herculean effort. It has to be done to defeat this beast worldwide. It knows no borders and respects no boundaries. People might think it is for people of my age and older. It certainly is not. We have seen that and I thank the media for the responsible way they have handled this, especially RTÉ and indeed our local print media and radio stations. Without those, we would not be able to function in rural Ireland. They are of huge benefit and must be supported. I am glad to see the Minister for Finance here and thank him too. At these times, we see and know the value of those institutions. People trust them now as if they were the Bible. They trust the local radio, having built up that relationship with them and with the local papers.

I thank and commend all the front-line workers. That goes for the nurses, and student nurses who have to be looked after too when they are called up. I raised this with the Minister, Deputy Harris, two weeks ago. A mechanism should be found under which they can be remunerated because they are answering the call of duty and putting themselves at risk. We have to ensure

that PPE is available. I saw a wonderful story the other night from a small business in Donegal. It changed from making garments for the clergy to making protective gowns. It is a wonderful initiative. We must find those entrepreneurs and use them. They are ready, willing and able to do this. We must not have nurses, doctors, consultants, surgeons or anyone of any rank being forced to buy their own protective equipment and, worst of all, being unable to get it. The Dáil is back today for specific legislation. Deputy O'Donoghue and I represent the Rural Independent Group and we are supportive of the measures in this legislation. We are willing, ready and able to engage at all times and to help in any way that we can to try to sort this out.

As for the issue of the private hospitals, of course this had to be done. People have complained to my office about it. It had to be done. This is an emergency time and must be treated as such, then we will return to normal. Valuable lessons will have been learned from this whole episode when we return to normal. Will normal ever be the same again? Maybe not. Will there be a mad rush for the commercialism that has taken over much in our society in recent decades? It is now that we see the value of local people helping one another. I encountered Séamie Morris this morning, a postman from Nenagh, and discussed the work An Post is doing. Postal workers provide that help every day. A blind eye is turned to it but they have that relationship and special bond.

We must think of the farming community and, in the same breath, of rural isolation. Farming has become a very lonely profession. When I was young, there were 13 or 14 around the kitchen table at lunch time. Now it is a different scenario. Many people have gone from the land. A farmer may be on his own and his wife may be working, perhaps as a front-line worker in nursing. We must think of them now and their difficulties with livestock. With the marts being closed, we must find a mechanism. Beef Plan Ireland has come up with a worthwhile app and I appeal to the Minister to look at it. It needs funding to get it up and running. People could engage with trusted sources to buy and sell their livestock by using this app. There is a huge population of calves now, since we have just finished the calving season, and the lambing season is about to start. Nature and farming must continue. Cows must be milked. We need the milk, the meat and the food supply chains too.

I thank the Road Haulage Association. I believe that the Road Safety Authority, RSA, should be asked to close down NCT centres. I raised this at the sub-committee on Monday with the Taoiseach and others. The waiting rooms are too small and are just not suitable. That is a quasi-national body and centres all operate to the same standard. They are just not suitable. I have had many calls from people waiting in those waiting rooms. The centres are only carrying out half the test at the moment anyway because it is not possible to inspect underneath the car. It should be suspended. It is not that I want anyone to drive recklessly - I do not - but we cannot ask people to self-isolate and take precautions with regard to distancing in these cases. There is not 2 m from one corner of these rooms to the other. I believe they are all standard. I have only been in two but they were standard. The Road Safety Authority must shut them down. Farm inspections must also be ceased by the relevant agencies. These bodies should be supporting self-employed hauliers and farmers. Every category of self-employed person - Deputy Grealish mentioned some - must be helped and supported.

I would also like to mention our clergy at this time. Regardless of denomination, people are flocking to church online services. I compliment the parishes of Tipperary and the many others which have been holding online services and looking at imaginative ways to put on extra services. It is only the clergy in the church but they are broadcasting to thousands. People are taking great solace from that, which they need. Goodness knows we need prayer now more

than ever. People of all denominations and none are helping. It is an interesting time from that point of view.

We have seen the difficulties with regard to childcare. Efforts are being made. As the Government makes an effort to solve one problem, another arises. We have to be forbearing and understanding and give the Government a chance to work through these issues because its efforts all have different unintended consequences. I am forever asking for impact analyses of how the normal legislation we pass here beds in. I like to call this wartime legislation because it is a war. It is a war against this virus and we must treat it as such. We must also support An Garda Síochána. It is wonderful to see retired members of An Garda and the armed forces volunteering to come back. They have great and valuable expertise. In addition, some 50,000 people have offered to work in the front-line services of the HSE. We would not normally see the likes of that. Mr. Paul Reid has told us that it would normally take a year to do some things which have now been done in a couple of days. Red tape is being cut through but that could not be done without the goodwill of staff, management, public servants and front-line staff. We must note that.

I will move onto another issue. I hate to divert a little but I wish to refer to a very important and vital service, the community air ambulance based in the south west, and to the funding crisis it faces. It runs almost totally on revenue from fundraising. It cannot fundraise in these times and is quickly running out of money. I plead with the Ministers for Finance and Health to find some money to keep it running. It carries out contracts for the State every day and rescues people in remote areas who could not be rescued by road. We need it.

The South Eastern Mountain Rescue Association, SEMRA, Civil Defence, the Red Cross and all such agencies are in a similar situation. I saw SEMRA out yesterday morning. Somebody had fallen in a wood and got hurt. These bodies are, and will be, on call but I ask people not to put themselves in the way of danger, forcing them to go out. Their members should not have to put themselves in danger. They have to look after themselves as well.

I will make another appeal to the Minister with regard to an issue with which the Minister, Deputy Coveney, is trying to deal. Many hundreds of our people are in Australia and other countries. Some are students on work permits and short-term visas and are working on farms which are being closed down. They are penniless and cannot get home. Some have got money together for flights but cannot get home. There is also a sizeable cohort of experienced nurses, paramedics and doctors who want to come back to work on the front line here. We must get chartered planes to fly them home to Ireland. They are going from one airport to another only to find them closing because of the lockdowns. We need those people here now. They want to come. They have decided to come back to make an impression here and to answer our need.

This is Ireland's call. We might sing a song of that name at rugby games, but this is a call for people to come out and support one another. It is in the interest of every man, woman and child in the State to look after one another - our siblings, our grandparents, and everybody else belonging to us. I have no time for the galoots or yahoos who spit at gardaí or those working in front-line services. That must be dealt with and dismissed. It should not be allowed to spread on social media. It is anathema to the 99.9% of people who want to do good, to do right, to help and to be supportive of each other in this time of crisis.

**Deputy Catherine Connolly:** I dtús báire, ba mhaith liom comhbhrón a chur in iúl do na teaghlaigh atá ag déileáil le bás a mhuintire de bharr an víris seo. Níl sé éasca dóibh agus níl sé

éasca a bheith sa Dáil arís ag cur reachtaíocht éigeandála tríd an Dáil. Tá cuid den reachtaíocht seo iontach agus cabhrach ach tá cuid eile de ag cur isteach go mór ar chearta an duine, go háirithe ó thaobh daoine atá ag streachailt le fadhbanna meabhairshláinte.

I have only a few minutes. First, I extend my sympathy to all the families who have lost loved ones. We are back in the Dáil for the second time in a week to pass emergency legislation. While I will support the legislation, I wish to highlight the serious implications for human rights in both this and the previous legislation, and particularly in this legislation with regard to mental health. I would have preferred if there had been two separate legislative measures. Last week it was all put into one measure, which makes matters very difficult. During the last week I prepared for legislation on housing and rent, which is very welcome although it does not go far enough. There are other aspects, particularly mental health, which are extremely worrying. The Mental Health Act 2001 was introduced after a long campaign to bring a rights based approach to the treatment of people who suffer from mental health problems, and in this situation particularly with regard to involuntary admissions. I wish to put that on the record. I note the legislation will fall in November unless there is a resolution of the Dáil before that, but it is important to put on the record what we are doing. What we have been forced to do because of this virus is extraordinary.

With regard to the Taoiseach's speech, I do not believe we will ever go back to where we were, and I hope we do not. I hope we have learned from this and the extraordinary measures that are now being taken on a rent freeze, which I and like minded colleagues have begged for repeatedly over four years. We were laughed at, derided and told it was not possible. Suddenly, it is possible for a small length of time. I hope we learn from that. We also asked the Minister to declare a housing emergency, given all that would ensue from that. He told us that was no good either and just symbolic. Look at what we have managed to do now.

I place that in the context of the new criteria, which I welcome. Vulnerable people should have been prioritised from day one. It is unfortunate they were not. I would not go so far as to say it is chaotic in Galway, but there are very contradictory reports about the delays in getting the test and the results of the test. I have repeatedly written to the Health Service Executive, not in an argumentative way but in an effort to inspire confidence and trust. I am finding that difficult when I do not get proper answers regarding the delays of ten and more days and then another ten days for the results of the test. There is also the number of testing centres. In addition, what deal has been done with the private hospitals? Where is the information on that? I welcome that we are using them, but is it being done at a cost? What are the details?

I am extremely worried about direct provision. I have written repeatedly to the HSE, but it has referred me to the Department of Justice and Equality even though it is a public health matter. What provisions, if any, are being made in respect of direct provision? We are inundated with concerns from people. The Minister knows the situation was intolerable before the virus and now we are dealing with the virus.

Another issue is factories. I come from Galway city and am very proud of it and the number of factories there. However, while there are signs and, in theory, everything is being done correctly on the ground, in practice there is no distancing of workers. We will have to address this. I am not sure why we are not giving a clearer direction to them or carrying out inspections. People are travelling from all counties to the various factories and there is no distancing in place. We have people whose permits have expired and there is no provision for them. There are also the nurses who have been called back and the student nurses. No financial provisions

have been made for them. I am told doctors are working for 24 hours. I am constantly hearing this.

Please have no more of “we know best” or “listen to us”. Just share the information. I pay tribute to the people on the ground who, by and large, have managed to socially distance and remain home. My foremost gratitude goes to them.

**Deputy Marian Harkin:** Like Deputy Connolly, I extend my sympathies to the families of those who have lost loved ones to Covid-19.

Like many Deputies, I have a sense that the measures the Government has put in place are, by and large, adequate to provide a safety net or comfort blanket for ordinary workers, retired people and so on. It means they can have a sense that they can survive this time and have a future to look forward to. I found it interesting earlier to hear the Taoiseach say some of the extraordinary measures put in place might be kept in place. While they would certainly be modified, it is a recognition that we as parliamentarians can and must step outside our comfort zones and that we must smash the *status quo* when we need to. I hope the lessons we have learned will remain.

More than anything else, this crisis is about people and the significant levels of uncertainty and fear they feel. The legislation we passed last week, as well as that which we hope to pass today, will deal with some of that uncertainty. There is confusion about the parameters for testing and I understand people’s frustration, expecting tests and so on. People want to know that tests will be available further down the line but each one of us must behave as if we have the coronavirus and must treat each person we meet as if they have it too. While the Government, the HSE and the WHO issue advice, how that advice is followed will ultimately determine the pathway of Covid-19 in Ireland.

In respect of the legislative proposal before us, my colleagues, Deputies Fitzmaurice and McNamara, and I have submitted a number of amendments which we will deal with as the debate progresses. They will address concerns about lodgers, people who share homes, the need for substitute consents in certain circumstances, and the possibility of speeding up the registration process for health professionals for a defined period. Other areas of concern relate to health and safety in care homes, asylum centres and emergency accommodation. I am not sure what plans the Minister has in that respect but measures need to be put in place immediately.

Two other groups, namely, farmers and business people, need to be provided with a more adequate safety net for their income and with a sense that they have a future. Our response in this regard has just been not sufficient up to now. In the case of the closure of marts, for example, the shock of that has been incredible for the beef and sheep trade. Farmers cannot move stock. I do not know whether it is possible, but perhaps we should investigate possible measures to determine whether, with reduced numbers and people linking in remotely, any solution can be found. At EU level, we must lobby significantly for intervention schemes. They are called intervention schemes because they are used to intervene when there is market failure, which is what is happening.

Businesses have received some relief but more is needed. I have examined some of the measures taken in other EU countries to give support to businesses and I think we need to do a little more. Some measures might include a rates exemption for six months or a deferral of VAT payments, payroll taxes and so on. Furthermore, businesses need more than loans. For

example, Belgium is putting in place a replacement income for self-employed people, with city tax to be abolished in Brussels, while in France there is the possibility to postpone part or all of the payment of employer and employee contributions. We also need to consider the rates on loans. The Microfinance Ireland rate, for example, is 4%, whereas the equivalent in Belgium and the Netherlands is 2%. It is hard to speak of using this crisis as an opportunity but there is an opportunity for Irish businesses to consider increasing their online presence during this time if they are given additional support to do so.

**Minister for Finance (Deputy Paschal Donohoe):** As every other Deputy has done, I want to open my words by offering condolences for those who have lost their lives as we battle this virus. I also want to offer recognition of all of those who are playing such a vital role in allowing us to respond to the virus and, I am confident, with the passage of time, contain it and then defeat it. To all of those who are devoting their lives and their time, at risk to themselves, we owe our great gratitude.

As other Deputies have done, I want to acknowledge those who have worked with myself and the Government, over the past week in particular, to look at how we marshal our resources in a new way to support those who are in need at the time of greatest risk. I want to thank my officials in the Departments of Finance and Public Expenditure and Reform, and I want to acknowledge all of those in the Revenue Commissioners who have engaged in extraordinary work in recent days and those working in the National Treasury Management Agency, all of whose unsung work in recent weeks and days has laid the foundation for the Bill we bring to the House today.

I want to pick up on a point made by Deputy Eamon Ryan when he placed the response to this pandemic in a global context. It is appropriate to do that because we are dealing with something that is global in context and that knows no boundaries or borders. I believe it is imperative in our response, which is always anchored in the nation state, always anchored in the Government which the citizens see so close to them, to do this in a way that is anchored in the project of the European Union and anchored in a project of international co-operation and response.

Deputy Mattie McGrath used the analogy of a wartime effort and, in so many ways, he is correct because what we are looking to do is defeat something that poses a risk to so many. However, in one area, that analogy could be used differently because war is about division, about separation, and what we are actually looking to do, as the Deputy acknowledged in his speech, is find how we can bring people together. That is why I believe it is vital that, within the EU, as acknowledged in the contribution today by the former president of the European Central Bank, Mario Draghi, there is a vital element of the response that is collective, a vital element to the response that is about solidarity. While I understand that concerns about moral hazard sometimes play a very prominent role in those kinds of debates, such concerns about moral hazard have to be seen in the light that we have European neighbours and friends who are experiencing a loss of life on a daily basis that is truly comparable to what sometimes happens in war. That is what we, here in Ireland, are devoting our resources to try to stave off and reduce in our own country. I know this is an issue the Taoiseach will address in the European Council and that will develop across today and in the coming days.

Deputy Shortall made a very important point in regard to the role of public services and the fact public services here in Ireland, nearly all of the time, are universal in how they are constructed. What I ask her and others to consider, when they are evaluating this Bill, is that this is precisely the concept this legislation is anchored upon. What I have always argued in many de-

bates in the House is that, as strongly as I feel about that role, I do not see the state as a response to the failure of others or as something that has to step in when the market fails. The state is a vital, positive, constructive force. It is the animating concept in our lives as citizens and it is the vital response at a time of need. However, it is also something that exists within constraints, it is also something that creates incentives, it is also something that needs to be able to fund itself.

It is precisely because of decisions made in recent years that we are at a point where we can marshal our responses to this extraordinary challenge ahead of us. I acknowledge the work of many who have allowed us to be at this point where we can respond. At the heart of *I o'clock* the sections of this Bill for which I am responsible as the Minister for Finance and the Minister for Public Expenditure and Reform is the concept that at the time of a loss of income the State should step in. It should look to guarantee and subsidise a portion of that income. By investing in that income, the State can keep a job, stand by citizens at a time of need and lay the foundations for a recovery that will come when the recovery in our public health allows.

Underpinning this idea is that by acting now we offer ourselves the ability, but not the guarantee, to stave off even worse challenges, that could be economic in nature, potentially, in the near future. By intervening now, we can stand by citizens at a time of great economic need and, hopefully, allow them and those who employ them to retain a contract, a relationship, an economic relationship, in the place of work at the very time in which we are aware of obligations and commitments to each other that are even deeper. All of this is being done at a time of relative consensus within this House on the need to do it.

As we acknowledge that consensus, however, we should not do so at the expense of not acknowledging what a massively significant intervention this is. The cost of this intervention to the State will be approximately €300 million per week. That cost is only based on estimates we are creating at a point of huge uncertainty. That cost could grow, depending on the challenge we face, or it could diminish if we are successful. That acknowledgement of risk and what could change, however, only deepens my view that this is the kind of action a state needs to take at a time of need. I spoke earlier about the employment contract between employers and employees. We take this action because at a time in which we talk about those contracts, we acknowledge a contract that is even deeper, that is the social contract.

At a time in which citizens experience a profound and massive loss of earnings at a speed for which we have no precedent, the State needs to play a role. We acknowledge that because, as Deputy Grealish touched on, at a time when we have small companies and the self-employed all over Ireland not knowing where their futures stand, where we have people who never thought they would be losing a job now finding themselves having to access a Covid-19 pandemic payment, we have to say to those people that even though the journey back to economic health will be long, could be fraught and could have new risks, we will complete that journey. Completing our journey in our public health is the first step back towards rebuilding an economy.

Listening to what Deputy Harkin said in her contribution, the economy we will rebuild will be different to the economy we are now seeing changing. It will be an economy that is very different in how it is organised, potentially, to before the crisis. Equally, however, it will be an economy that, with the right decisions taken now, will be capable of providing the incomes and employment so many need.

As I approach my last few moments making a speech, as would be expected, focused on

our economy, let me also state that the guiding light of our decisions is the public health of our citizens and of seeing them as citizens. In a day, and in moments, in which we reflect on other sources of nourishment, I think a poem was acknowledged this morning on our national airwaves by Derek Mahon. In that poem, he offers assurances to many that better days could be ahead.

It is an appropriate poem because during it, he acknowledges that “There will be dying, there will be dying”. In our efforts, led by the Taoiseach and the Minister for Health and supported by everybody here, we are looking to diminish those deaths. Elsewhere in that poem, about the act of writing a poem, he says “the hidden source is the watchful heart.” At this point, as citizens in our communities and families, let us use that watchful heart to ensure social distancing does not become loneliness. That is an act that all of us, public representatives or not, can be complicit in and can play our role in discharging.

**Acting Chairman (Deputy Catherine Connolly):** Ba mhaith liom cúrsaí a shoiléiriú ag an bpointe seo. I want to clarify matters at this point. The Minister’s speech on finance has just been circulated so we will take that as read.

**Deputy Paschal Donohoe:** The speech I have delivered could be different to the one that was circulated.

**Deputy Michael McGrath:** Just a bit but that is okay.

**Acting Chairman (Deputy Catherine Connolly):** It is slightly different. We will take contributions on finance now. These are five-minute contributions from each party. I wanted to clarify that, as there was some slight confusion.

**Deputy Michael McGrath:** I join with other colleagues in starting by conveying my deepest personal sympathy to those who have tragically lost their lives as a result of Covid-19 to date and to pay a heartfelt tribute to all of those working on the front line in our healthcare sector and in so many other vital sectors across the country at this extraordinarily difficult time; a time when we are asking the Irish people to make great sacrifices. It is difficult for so many people to do what we are asking them to do and it makes it all the more important that the State and the Government stand by those people and provide the supports, insofar as they can, to workers and businesses and give them a realistic and credible prospect of recovering once all of this passes, which it will.

Our overall priority, whatever the cost is, has to be to minimise the human toll of Covid-19 and we should spare no effort and no resources in order to do so. There can be no doubt there will be a sharp economic contraction as a result of this crisis. The ESRI has put initial numbers on this of a contraction of 7.1%, a deficit of close to €13 billion this year and unemployment potentially reaching 18%. It could be better than that and it could be worse. Those figures are based on certain assumptions. We must ensure the inevitable recession does not develop into a prolonged depression across our economy. That will require significant and seismic decisions to be made in the weeks and months ahead. We need support at an international level and we need cheap debt but we need more than that. I welcome the comments made by Mario Draghi, as have been referenced already today, in his article in the *Financial Times*. The support of monetary policy and what we can do in our fiscal policy here, underpinned by support from the European Union, will become all the more important in the period ahead. A lot of sectors will be badly damaged in our economy and it will not be a simple case of clicking the switch and

everything going back to normal once this health emergency has been declared to be over. That will not be the case. A lot of significant and costly decisions will have to be made.

Turning to the provisions of the Bill, and I look forward to Committee Stage later on, the Minister has put a cost of €3.7 billion on this. I would like to find out at some point whether the €3 billion that was already announced on 9 March, €2.4 billion of which is for social welfare, has been subsumed into this €3.7 billion or whether we can add that €3 billion to the €3.7 billion and arrive at a cost of €6.7 billion. The Parliamentary Budget Office has done up a good paper on that issue, as it always does.

I also seek clarity on the basis of those estimates. Is it the case that the Minister is assuming that about 800,000 people will be affected by these schemes, whether it be moving onto the Covid-19 pandemic emergency payment or the employees who will benefit from the temporary wage subsidy scheme? Are we talking about a number of that order? Can we extrapolate what the cost would be if the numbers ended up being different from that?

On Committee Stage, I will be raising several issues with the Minister relating to section 26, especially around the qualifying criteria for employers and the role of Revenue in that regard. There are employers who have cash resources at the moment and who perhaps can pay wages in the coming weeks. They may not benefit or avail of the scheme. We need to put some flesh on the bones of exactly how Revenue interprets this issue. Reference is made to a reduction of 25% in revenue for the period the Minister defines, but relative to what period? Is it relative to the same period last year? Is it relative to the forecasts for the period in question?

I believe the Minister should reflect on another provision. It states the Revenue will publish the list of businesses that will avail of the wage subsidy scheme. Is that really necessary given that state aid provisions have been essentially set aside by the European Commission? That needs to be reflected on. It could have trading implications for businesses down the line. Others may say they were not in as healthy a position as they had thought pre-Covid-19. I believe this issue needs to be dealt with.

I had thought I had a clear understanding of the position on the taxation treatment of the wage subsidy. I had understood it was not taxable and any top-up would be taxable and a change in the PRSI would be factored in. However, there is a line in the Revenue guidance stating that the subsidy will be liable to income tax and the universal social charge on review at the end of the year. Can that issue be clarified? It seems to me there is a contradiction there.

I am sure some positive things will come out of this. If anything, I hope it will be a stark reminder to all of us of what matters most in our lives: health, family, community and friendship.

**Deputy Pearse Doherty:** There is no doubt this is a time of great uncertainty for all of us and a time of great financial stress for those who have been laid off and for employers who have had to close their premises. All this brings hardship for thousands or hundreds of thousands of workers and families throughout the State. The Government must act fast to mitigate the damage caused by the public health emergency. It must do whatever it takes to support incomes and workers. It must ensure there is relief for business so that we are in a position to respond in the best way possible on the other side of this crisis.

The health emergency will be temporary. Effective Government policy must now ensure that the economic damage is not long-lasting. It will come at a great cost; there is no doubt about that. However, the cost of failing to act will be even greater. It is our view that this chal-

lenge, which is a European challenge, must be responded to at a European level. We submitted proposals to the Minister earlier in the week - we announced them at the weekend - on how the European institutions can respond through the issuing of joint bonds through the European Stability Mechanism without the conditionality that would previously have been attached. We welcome the fact that the Government is pursuing this course of action.

Others have their part to play too. I am keen to focus on several key areas. In my previous contribution I mentioned the banks. The Minister made a major public announcement last week. The banks came out with great fanfare and said a moratorium or three-month break would take place. The reality is that these banks will profit on the back of the pandemic and that is not acceptable. Let us consider Bank of Ireland. Its website shows this clearly. Someone with a 30-year mortgage of €200,000 will pay €1,804 extra to the bank because of this three-month break. That is how much extra the bank will take from such a customer. That is not acceptable. A vulture fund - let us name it - Pepper, is telling customers that it will give them the three-month break but it will increase the repayment from €1,500 to €1,600 each month until the amount of money the customer should have paid, including the interest, is paid off. The fund is not extending it over the full duration of the loan. Not only are the banks not waiving interest, they are charging interest on the interest they are rolling up. It is absolutely scandalous and the Minister needs to call them to task.

There is no surprise that those in the insurance industry are trying to wriggle out of the commitments they have made to policyholders. Policyholders have paid an arm and a leg in premiums throughout the years. I have before me an email from FBD to a policyholder. It states, "As outlined our VFI DPU policy which your policy will be written under is covering coronavirus and it is the amount specified on the policy. The pub must be forcibly shut down and cannot be voluntary". It is covered, but because the pub did the right thing for themselves, their customers and wider society - not under law because there was no requirement to do so - FBD, which says its policy covers coronavirus, has decided not to pay out. Multiple other insurance companies are doing the same. The Central Bank is writing to them, but we have seen what it has done in the past in regard to tracker mortgages. Banks had to be dragged kicking and screaming to do the right thing. We do not have time; we do not have four or five or years to get this right. The Minister needs to call the insurers in and talk to them in an upfront manner about the need to settle legitimate claims for which money should be paid out.

On the Bill, I have made the point that the pandemic unemployment payment is too low. I welcome that it has been increased from €203 to €350. However, the appropriate response is to make sure that the families of those workers who have been laid off at this time are not building up massive debts or are unable to pay their mortgages, bills or rent. We must guarantee a payment of up to €525, 100% of their income. We also have concerns about the subsidy scheme, whereby employers are not required to pay the remaining 30%. I have been inundated with messages from workers who have been laid off and have been told they must go back to work, but whose employers have told them they will not be paid more than 70% of their wages which works out at about €350. That is exploitation and it should not be allowed. We need to address that in the amendments to the Bill.

We also need to put in place safeguards to ensure that employers do not continue to employ staff while ramping up production during this period. Orders may have fallen by 25% and, therefore, businesses would be allowed to avail of this scheme. We cannot allow them to ramp up production while having their wage bills subsidised by the State by 70%, and then when the crisis is over and demand for products increases, laying off workers for a period of time.

They cannot be allowed to exploit the scheme and act in bad faith. We want to bring forward a number of amendments in respect of these issues. I know time is limited and we are under immense pressure. We will work with the Government and welcome the briefing we will get. Our amendments are about strengthening the supports, making sure the scheme is not abused and ensuring that families and workers are protected in the way we believe should be done.

**Deputy Neasa Hourigan:** I am mindful today that I am speaking in response to the finance portion of the Bill, not just as Green Party spokesperson on finance but also as a Teachta Dála representing Dublin Central. My constituency is home to many thousands of people who are among the most vulnerable in our society. We have some of the highest rates of homelessness, single parent households, children living in poverty, addiction and unemployment in the country. In short, I represent a constituency where many people will be unable to cope on their own with the impact of this unprecedented crisis and will not have the resources to make it through without the help of the State and their community.

I would like to commend my constituency colleague, the Minister for Finance, Deputy Pádraic Donohoe, on the work completed so far. While there is always more work to do, there is a clear intention in the Bill to ensure that our constituents are protected in the face of this national health crisis.

I am a new Member of this Dáil and I am sure there have been some years where Members proceeded with the business of legislation and governance with hard work and little fanfare. I am also sure that there have been some years that come along once in a generation, ones that, whether by design or necessity, reshape our communities, set a new course for our nation and set a new normal for all of us. This is one of those years, and I believe that this Dáil and the Minister have made a good start. In the coming weeks and months, we will see our economic outputs and infrastructure put under unprecedented pressure. A downturn triggered by a pandemic is different to other kinds of economic contraction and will require a unique package of financial measures, one that is broader and deeper and asks more fundamental questions than we have up to now.

The measures introduced last Thursday and added to today effectively begin the work of providing a basic income to all and is a meaningful safety net for a large proportion of people in this country. We will need to work together in the Chamber to ensure that is universal and every person is seen and cared for. In the short-term, all of our collective effort must be focused on saving lives but people's livelihoods must also be maintained. Our new normal recognises that everyone deserves a minimum standard of living and that the State can and should play a role in that. Our new normal recognises that the caring economy - one that has been so long under-recognised in this country - has real worth. Carers matter. People who work in the home matter. People who volunteer matter. Those people up and down the country who are buying groceries for their neighbours and who are ringing their elderly relatives matter. In an era where a pandemic is the reality now and may be again, our new normal should provide everyone with a basic income. As we move through this period of crisis, we should consider what it reveals to us about what we truly value as a society. A recognition of the need for and the achievability of a decent quality of life for everyone in our community through the provision of a universal basic income would appear to be one of them.

In this new normal we all have a responsibility to look seriously at the foundational core of our economy from its functional elements and its infrastructure through to insurance services and SME supports. The announcement by some banks over the past week of a reduction in

banking services, the closure of branches and the difficulty some will find in accessing mortgage breaks and the real issues with those breaks highlight like never before the real need for a more public-focused banking sector - one that is based on regional and community solidarity and that considers its responsibility to provide services to those with disabilities, older people and those who are unable to access online services as a public service. We can now see the critical role that our local post offices and our important credit unions must play in a fully functioning and caring society and how important it is that we now progress with serious proposals for public banking that utilise our existing resources.

As these measures take effect in the days ahead and as stimulus packages are developed in future, every Member of this House must prioritise industries and businesses that demonstrated solidarity with and responsibility to their community. We must resist the provision of our finite public funds to sectors which will go on to create further catastrophes for the planet and for the people on it. We must focus on the resilience of our communities and on our national infrastructure to ensure that we are better equipped to deal with this crisis and others to come. We must work with the European Union to provide responsible financial aid packages which will protect our public services and, importantly, our public assets. This legislation, which seeks to provide everyone with a safety net, suggests that it is time to trade our old habits for a new spirit of community, social equality and climate justice - an economy based on people's needs and their quality of life. The scale of this legislation is unprecedented but so is the severity of the Covid-19 crisis. Our aim to protect and safeguard everybody must be of a similar ambition.

**Deputy Ged Nash:** I welcome the opportunity to speak on this Covid-19 emergency Bill on behalf of the Labour Party.

It is fair to say that nobody could have predicted this pandemic but we can always predict the response of the Irish people when faced with a crisis of any description. It is only through shared solidarity, through community and collective action and a selfless concern for others that we can overcome this challenge.

Our front-line heroes are the embodiment of those values - the healthcare staff who are putting their lives and their health at risk to keep us all well, the workers who have helped to keep Ireland moving and vital supplies on our shelves, and the many thousands of others who have answered Ireland's call. I salute every single one of them and their families. It is important for their sake and for the sake of our loved ones, and for the sake of our own health, that we all adhere to the stated expert public health advice.

This crisis is undoubtedly our country's greatest challenge, and indeed, the European Union's greatest challenge of this age. It is perhaps the biggest challenge the EU will face. It puts Brexit in the ha'penny place but it also has profound implications for the State and for our people. Every crisis, as has been enunciated by colleagues today, is an opportunity for collective action and constructive change and provides the opportunity for all of us to reflect on developing something better to emerge from this crisis. We take for granted many of the social protection schemes, such as illness benefit that the Taoiseach referred to earlier on. They were introduced in the immediate aftermath of the Second World War when we were developing the idea of the welfare state. Likewise our battle against the coronavirus serves as an opportunity to reset the economy globally, on an EU basis and nationally and put it on a more sustainable and fairer footing than before. EU supports in the form of direct funds or low-interest loans via the ESM will be needed to cushion this unprecedented external shock. However, those supports cannot come with the strings and conditionality attached to those imposed post-2008.

This would only lead to prolonged economic and social crisis. Disaster is avoidable but only if the political will is there. Additional measures are also needed and I support the call from my colleagues in the Party of European Socialists for an EU-wide reinsurance scheme. This is particularly relevant to the financing of the temporary wage subsidy scheme contained in this Bill and I hope the Minister will join me in welcoming that call. I am sure he will have more to say on this in his contribution.

I now turn to the contents of the Bill and the wage subsidy scheme. The trade union movement deserves considerable credit for developing this concept, as indeed do employer bodies for the collective action they have taken together in working with Government over the past couple of weeks to develop this scheme. It shows what is achievable when social partners work together. We also need to be mindful of the fact that social partnership is not just for a crisis. Social partnership and social dialogue should be a concept that is maintained in ordinary times. Despite the merits of the principle of the scheme, it is important that the scheme works in practice so that the link between the workers and their employers can be maintained, as intended. To achieve this, we need to make sure all employers see the merits of the scheme because if it is deemed to be more hassle than it is worth, the reality is that employers will move to a default position of laying off workers which, ultimately, defeats the entire purpose of the scheme. I would welcome clarity from the Minister about the specific nuts and bolts of the proposed eligibility requirements for business. I have taken time in the past few days, as have others, to assess the merits of the scheme and to talk to local employers and local accountancy practitioners and auditors to get their sense of it. There is a view that there is insufficient detail from Revenue about how the drop of 25% in turnover will be calculated. Regarding businesses that face seasonal fluctuations in their turnover, how will Revenue factor those exigencies into the calculation in terms of meeting the thresholds for qualification for the scheme? In addition, it should and could be clearer as to how a business can precisely and persuasively demonstrate its inability to make the wages - effectively to pay those salaries. Some key concerns have been expressed and I look forward to teasing out this with the Minister on Committee Stage with regard to that section of the Bill. There is a significant fear that when an employer acknowledges it cannot make the salaries, it then becomes somehow exposed around insolvency. The message needs to be very clear. Companies should use this scheme to protect their business and maintain the relationship with their employees. We do not want the potential for creditors to circle around vulnerable businesses at this point. It is very important that we provide for legal protections for businesses in that regard.

There are many other questions I will raise with the Minister on Committee Stage. I conclude by saying that we need to look very forensically at the Redundancy Payments Act. Some work has been done around this in the Department of Employment Affairs and Social Protection. We will propose an amendment later that seeks to ensure that periods of lay off are included in terms of calculating redundancy entitlements if it is the case that a worker in the future is made redundant. I look forward to looking at that in detail with the Minister on Committee Stage.

**Deputy Róisín Shortall:** The Social Democrats very much welcome the proposals in respect of wage replacement and the co-operative approach that has been shown in terms of the proposals brought forward by the Irish Congress of Trade Unions and IBEC. We know from all of the academic advice on this and the experience in other European countries that this is the right thing to do and I commend the Minister on that. Wage replacement is clearly critically important to keep workers attached to the workforce, to maintain demand in the economy and liquidity and, essentially, to keep companies afloat because we know from experience in

other downturns, particularly the crash, that when companies go to the wall in a recession, very many of them never get back afloat. That is why it is important to keep as many companies as possible afloat, to keep people attached to them and to keep money in the economy in order that demand is maintained and we will be better placed to reboot the economy when we come through this crisis.

I do think a bit of time was lost. This is a crisis situation for everybody and we might have moved quicker on it. I am not sure also why it takes so long to put the system in place. In the meantime, it is welcome that the welfare payments are to be increased to €350. That, in itself, raises questions if that is deemed to be the minimum that is required to survive in the current circumstances. What does that say then about all of the other welfare rates? One might say that somebody who has suddenly lost his or her job is hit with a lot of unexpected additional costs but the fact of the matter is that there is an impact, not only in terms of health, well-being and anxiety that people are encountering at the moment, but also in the substantial additional costs for all families in coping with the present situation, whether that is difficulties in accessing food, additional heating and lighting costs and other such costs and trying to keep children amused. All of those things have costs associated with them. Where people are or have been just about keeping their head above water on the basic welfare payments, there is not a recognition of those additional costs impacting on families who have been on welfare. My concern is that unless that is recognised, what we are then creating is a two-tier welfare system, which is very undesirable. Points have been made about universal basic income, which I support. Coming out of this crisis I hope we will learn lots of new ways of doing things and that we will maintain some of those new systems, in particular in respect of income support, the health service, child-care, all of those things which I hope will not be undone but it is not desirable that we would have a two-tier system and I would welcome a response to the issue. It is those people who are in receipt of welfare payments who are on the lowest incomes who are likely to take the brunt of the crisis that is affecting all of us at the moment and that is not acceptable.

I also have a couple of questions on the operation of Part 7, in particular the provisions of section 26(3). Does this infer that payment will be made in arrears? If that is the case, how can company cashflow sustain that? Otherwise, how does the business prove the 25% reduction over the period specified? I know the Minister has had to move into this very quickly but there are questions that arise in that regard.

The Minister is aware that moneylenders have been to the fore recently in the media. Following on from what I said, there are lots of families in a highly vulnerable position financially. What we see now is licensed home collection moneylenders going on a marketing spree and calling around to people's homes at a time when they are particularly vulnerable and offering them cash. As we know, the charge is 187% APR. That, in itself, is problematic and should have been dealt with by now. As we do not want people to get into further difficulty by this kind of promotion of very expensive debt, could the Minister put out some message about that and encourage people to use the services that already exist, such as MABS and the credit unions?

**Deputy Paul Murphy:** Everything possible has to be done to allow workers to effectively socially distance. We need to ensure workers do not have a situation where they are laid off in this crisis not to be taken on again in the future or to be taken on at lower pay rates and worse conditions. We need to ensure all workers are guaranteed a continuation of their jobs and employment rights. We must ensure all workers who are affected by the coronavirus and should not or cannot go to work for any variety of reasons, namely because they are self-isolating, minding children, looking after vulnerable people or their work is not continuing because it is

non-essential work, are guaranteed 100% of their income. Workers' lives are built not around 70% but around 100% of their income. While 70% is a definite improvement on what we were facing before, it is not enough unless one has a situation where rents or utility bills are frozen, as in do not have to be paid for the period of the crisis. Unless that happens, then workers need to get 100% of their wages and we have an amendment tabled to do that. This should be paid for, particularly by big businesses from the profits they have accumulated, unless on the basis of proven need, as will be the case for many small businesses, that they simply cannot do that.

I want to raise a broader point relating to a point made by the Taoiseach on St. Patrick's Day, which I thought was significant. Then he said that the bill for dealing with the coronavirus crisis will be enormous and may take years to pay. The question of who is going to pay that bill is going to be a central question in this country and around the world for the coming years. As the crisis deepens and the months go by, will we see massive bailouts for the airline industry, banking system and the hotel industry? Are these bailouts going to be paid for by workers over the next several years? Instead, will we see a bailout for workers starting now, guaranteeing 100% of income that is good not just for the workers and their families but for society and the real economy to ensure there is not a downward spiral in terms of demand?

The bottom line in my opinion is that workers must not pay the price, now or in the future. There are simple things which can be done now by the Government to raise the revenue to deal with this crisis, rather than placing it on the shoulders of workers in the future. First, the Government must immediately drop its case for Apple to keep the €14.3 billion which is now sitting in an escrow account. We need that money now for tackling the crisis. Second, we need an emergency substantial levy on the wealth of millionaires and billionaires in this country. A 5% levy would raise €8 billion. Third, we need an emergency levy on the reserves of the insurance industry which has disgracefully been seeking to avoid paying out for this crisis when it is precisely moments like this for which small businesses have paid insurance.

People will tell us that dropping the Apple tax case or these levies are not possible. The problem is that these are the same people who told us a one-tier health system was impossible and that the banning of evictions or freezing rents was unconstitutional. When faced with the enormity of this crisis and public pressure to do what is necessary, many of the sacred cows of neoliberalism have been sacrificed in Ireland and around the world. The Minister for Finance said we will never be returning to the old normal. I agree. People will see that if it is possible to ban evictions, to take private hospital beds into the public health system, to pay workers substantially more than the dole now in a time of a crisis, then it should be possible at other times.

We face a crisis right now in terms of Covid-19. We all know, however, that working people, the very people on the front line who are facing this crisis, face crises every single day, crises of rent, cost of living and healthcare. These supports should be made permanent and we will be fighting to make that happen. We will also be demanding that we go further.

The Government is, thankfully, largely attempting to do what the science around coronavirus demands. For decades, scientific experts have also been warning of the existential threat of climate change and of the need to take far-reaching radical measures now to save lives. Just like with the coronavirus, the free market, production for profit, capitalist system is the barrier and at the root of these problems. All the talk of putting capitalism to rest like a sleeping beauty to be re-awoken at some future date by an economist prince is ignoring the reality. Things will not be the same after this crisis. People will fight for the most radical and far-reaching change possible. We need a set of policies that will restructure society and the economy to focus on

the needs of people and our environment, not the desires of billionaires and the super wealthy; a green new deal, with socialist policies, to deal with the economic fallout from this crisis and to prevent the climate crisis; a jobs programme; public ownership; democratic control and planning.

**Deputy Peadar Tóibín:** I recognise that the Government is working around the clock and is under massive pressure. I also recognise that this is a gargantuan task and there is little or no rule book on decision making for the Government to follow at this time. However, while we should all put on the green jersey, that does not mean that the Opposition should delete scrutiny. Oversight of the Government's actions is more important now than it ever was. I believe the response of the Government to the financial impact of the virus at the start was slow and inadequate, compared to the financial responses of our near neighbours. The €203 a week that was proposed for six weeks was seriously insufficient and would have pauperised families. We in Aontú called for companies and businesses not to lay off staff. We looked for staff to be paid at least 75% of their salaries during this crisis up to a limit of €30,000 and we called for the ability of businesses to then be able to draw down these funds as rebates from the State. This we felt would be necessary to maintain a proper income floor under families and to maintain the relationship between workers and employers during this time. We welcome the fact that the Government has changed tack in regard to some of this in recent times, especially around the debt chain in the State. There is a necessity for forbearance on credit. We cannot allow the debt to be crystallised in the hands of people who cannot pay rent or mortgages. The Government has recently changed tack on that and we welcome that change.

One of the key questions that is not being addressed is how all of this will be paid for. There is a debt chain between the renter of the home, the Government and possibly the European Central Bank, ECB. Where on this chain will the debt be crystallised? Ireland is already emerging from a debt crisis. The health service, infrastructure and housing have all been hammered over the past ten years due to the fact that we are carrying such levels of debt. Over the past ten years we have paid approximately €60 billion to service the interest on that debt. We already have one of the highest national debts *per capita* in the world. The ECB treated Ireland radically differently from other countries during the last debt crisis. That led to a direct cost to this State of €41 billion. We believe that now is the time to negotiate with the EU on how this debt will be resolved. Some might say this is not the time to be worrying about how we will pay for this. I would argue completely differently because if we do not negotiate on the terms and conditions of any debt that will be created at the start of this process, we will enter into agreements that could massively overburden this State with debt in the future.

EU treaty arrangements prohibit the ECB from directly funding nation states. This is absolutely wrong. There is no doubt that Britain, the US and other countries will allow their central banks to print money and put that money into the economy to make sure it functions. There is a history of the EU being against this but we are living in different times. We need to make sure that a mechanism for funding is there and that the sovereign debt of this State is not increased. If it is, we will see another lost decade when we emerge from this crisis, when health, infrastructure and housing will be hammered again. That is not an option. I ask the Minister for Finance to make sure that negotiations are entered into with our so-called European partners at this stage in order that we do not suffer from that as well. With regard to investments for workers and those who are employed, it is interesting that Britain has indicated that it will invest approximately €400 billion into its society and economy. Adjusted *per capita*, that would be the equivalent of approximately €30 billion in this State. We have heard the Government mention

€3.7 billion so far. New Zealand, which has a smaller population than this State, has announced an investment level of about three times what this State has indicated so far. I ask the Minister to detail how much is expected to be invested by the State to make sure that society, enterprise and workers do not suffer.

There is an all-Ireland dimension to this. The Executive in the North and the Government in the South have been at sixes and sevens with regard to how to deal with the crisis. I ask the Minister what efforts are being made to make sure that we have all-Ireland management of the economy and the health response.

**Deputy Richard O'Donoghue:** I offer my sympathies to the families of people who have lost their lives due to Covid-19 and other illnesses, and to the families and friends who could not attend funerals to show their respects due to the health restrictions in place. I have questions for the Minister about payments, which have been increased from €203 to €350, which I welcome. I get questions every day from part-time workers, apprentices and trainees, whose incomes might only have been €200. They are afraid that when they apply for this funding, if it is €350 when they were only earning €200 to €300, they may be told that they have to repay the balance at the end if they have been overpaid.

Our front-line services are doing an amazing job, from our healthcare services, to shopkeepers, to chemists and across the board. If one is an apprentice blocklayer, plumber, electrician or plasterer, one is paid a wage when doing one's training. The nurses in our front-line services do not get anything while they are training, and should get an immediate subsidy to allow them to survive, since we need all of our healthcare staff.

People who are over 70 are made to turn up to the motor tax office in person to renew their licences. They have to travel by themselves because they have nobody who will take them because they are afraid to pass anything on. This has to be changed.

The banking sector is freezing repayments, which is welcome, but if one has a term loan of two, three or four years, a bank will freeze it for three or six months, but it wants the full payment within the term of the loan. That means that when this comes back to normality, one has to pay the full amount to the bank within the term of the loan. This has to be changed. Due to this crisis, people might be living in rental accommodation with someone elderly and with their children, because they are on a housing list. They are now looking for alternative accommodation so that they can have a separation distance from their loved ones, so they are working. Many people need to be looked after in this crisis.

Some insurance companies have shown that they are liable and some have shown that they are not. As a goodwill gesture, all insurance companies should freeze all insurance payments at this time for three months to allow businesses that had to close down not to pay the premium. Their cover should be held in place for three months as a goodwill gesture. It should be made law that this must happen immediately. The companies that are liable can be dealt with afterwards. In the interim, insurance should be frozen for small, medium and large businesses and everything should be kept in place. In order to maintain one's insurance cover, a hotelier must have somebody in the hotel 24-7. Otherwise, one's insurance is invalid. A measure must be introduced to deal with this.

To return to our nurses, if anything comes out of today it should be that our trainee nurses and our front-line staff immediately receive a payment to allow them to continue to provide the

help and front-line services we are asking for.

**Deputy Marian Harkin:** In his contribution, the Minister, Deputy Donohoe, spoke of global and European solidarity. This word, “solidarity”, can help us to defeat this crisis. If we can put it into action, we will come out of this a better society than that which went into it. I am very pleased to see that Ireland is part of a group of countries seeking a so-called coronabond. As Members will remember, some time ago there were proposals with regard to eurobonds, but that concept never really saw the light of day. Some member states are still talking about moral hazard. The number doing so, however, may be fewer and their voices may be less strident. As this crisis plays out, I believe there will be more support for this approach at an EU level. We did not do it during the last crisis, but we must do so now to deal with this one. The EU must not only put in place a €750 billion loan fund, but must look at coronabonds in order to provide both a stimulus and a safety net. In many ways, the future of the EU will depend on it.

Speaking of solidarity, we have to ensure solidarity from our banks. Several speakers have referred to this need. I spoke to some people on the front line in the banking sector yesterday. They are coming under terrible pressure. The Minister of State and the Minister, Deputy Donohoe, are in constant contact with the banks. Using whatever further pressure they can exert, they must ensure that we do not see the interest on interest of which some of my colleagues have spoken. It must not be the case that payments deferred now still have to be paid within a specified time. People are outraged at the idea of interest on interest. I know the Minister of State does not have complete flexibility, but these are extraordinary times and we require real and meaningful solidarity from our banks and financial institutions.

My colleagues, Deputies Fitzmaurice and McNamara, have drafted our response to the Covid-19 crisis, which we have sent to the three major political parties. This response is based on ensuring as much certainty as possible in these uncertain times. We support the Government’s proposals but, as in any crisis situation, the first thing to do is to steady the ship. I believe we are doing that. Of course, in addition to short-term measures, there must be longer-term measures. At the moment we are firefighting but when businesses close, many owners will question whether to reopen. Unless we put proposals in place to support those businesses, some owners will still have that question in their heads. That needs to be dealt with in the weeks and months ahead in order to give those people hope and confidence. That also applies to everybody else. As I have said, the *à la carte* approach shown by many financial institutions with regard to loans, mortgages and so on cannot continue. I have spoken to many business owners who are shell-shocked and feel their future is uncertain. We must follow the example of some of our European colleagues, as I mentioned earlier, and give more support and hope to all those people who plan to re-open. It is not just loans. We must consider cash injections, deferral of payments to the Revenue Commissioners and so forth. We always say SMEs are the backbone of our economy so now is the time to show it.

Like many speakers, I wish to recognise the heroic efforts of so many people in our communities. However, one group in particular was mentioned by my colleague, the student nurses. Every Member agrees that they must be paid for the work they do. An extremely negative message will be sent if that does not happen.

Debate adjourned.

**Gnó na Dála - Business of Dáil**

**Acting Chairman (Deputy Catherine Connolly):** That concludes this session. Deputy Burke wishes to make an announcement regarding the Order of Business.

**Deputy Peter Burke:** It is proposed, notwithstanding the order of the Dáil of this day, that the proceedings on Second Stage of the Emergency Measures in the Public Interest (Covid-19) Bill 2020 shall, if not previously concluded, be brought to a conclusion after six hours and any division demanded on the conclusion of Second Stage shall be taken immediately. Speeches on Second Stage shall be in the following order and shall not exceed the following times: Taoiseach and leaders - ten minutes each; Minister for Finance - five minutes followed by five minutes each for each party or group; Minister for Health - five minutes followed by five minutes each for each party or group; Minister for Employment Affairs and Social Protection - five minutes followed by five minutes each for each party or group; Minister of State at the Department of Housing, Planning and Local Government - five minutes followed by five minutes each for each party or group; Minister of State at the Department of Defence - five minutes followed by five minutes each for each party or group and a ten minute response by a Minister or Minister of State. The Minister for Justice and Equality, Deputy Flanagan, will take health.

**Deputy Róisín Shortall:** On a point of order, there was a lengthy discussion in the Business Committee this morning about the order for today. Why have we had no notice about this new change? It is very unsatisfactory. I appreciate that people are under pressure, but umpteen changes are now proposed by the Government. That has upset the rhythm of the day and Members' preparedness for the debate.

**Acting Chairman (Deputy Catherine Connolly):** I am informed that the changes relate to providing a slot for the social welfare brief so Members will be able to ask questions. That is my information at this point. Perhaps, subject to clarification, we can return to that point. Deputy Flanagan, you are here to take health.

**Minister for Justice and Equality (Deputy Charles Flanagan):** I can let matters stand for the moment if Members have other contributions to make.

**Acting Chairman (Deputy Catherine Connolly):** I am just clarifying matters. We have finished with regard to finance and we are moving on as agreed. I thought the next section was on housing but it is health.

**Deputy Róisín Shortall:** That is what was agreed, but the new order has been introduced by the Deputy. It is very hard to understand the reason for that. Will it be statements?

**Deputy Charles Flanagan:** For the information of Members, I have an opening statement on a series of amendments with particular reference to health and social care professionals.

**Deputy Róisín Shortall:** I am sorry, we are at cross purposes. We expected health to be the second slot. A new section is being proposed now. I do not know why that was not brought to us at the Business Committee this morning or why we were not consulted about it. It had not been the plan to take social protection. Where has that come from? Why was the Business Committee not involved in that decision?

**Acting Chairman (Deputy Catherine Connolly):** You are correct, Deputy Shortall, that it was not mentioned this morning. I understand that the Minister for Finance was to deal with fi-

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nance and social protection and that did not happen, so an extra slot is being included for social protection. It is extra time. Is that agreed? Agreed.

**Deputy Louise O'Reilly:** We are in agreement on that, which is fine, but can we also secure an agreement that there will not be any further changes without a meeting of the Business Committee, if that is in order?

**Acting Chairman (Deputy Catherine Connolly):** I think that is in order. There was a meeting of the Business Committee earlier. I call Deputy Nash to make a point of order.

**Deputy Ged Nash:** Are we dealing with just the Department of Health, or with that Department and the Department of Employment Affairs and Social Protection?

**Acting Chairman (Deputy Catherine Connolly):** We are dealing with the Department of Health.

**Deputy Ged Nash:** The Acting Chair might advise the House on the timeline of the revised order.

**Acting Chairman (Deputy Catherine Connolly):** I have advised the House that there will be an additional session. I understand that the only change that has been made is for an additional session to debate the social welfare measures, and while the proposal was not brought before the Business Committee, it has been agreed to. That is my understanding of the matter.

Más féidir leis na Comhaltaí éisteacht liom, is féidir liom soiléiriú a thabhairt. We have dealt with the Department of Finance and we will now move on to the Department of Health.

*2 o'clock* Thereafter, with the agreement of the House, we will move on to the Departments of Employment Affairs and Social Protection, Housing, Planning and Local Government, and Defence. After each set of contributions, there will be a ten-minute response by a Minister or Minister of State. The opening statement will be made by the Minister or Minister of State with responsibility for each area, and when that is complete, a Minister or Minister of State will have a general closing slot. The only question, which has been rightly raised, relates to the Order of Business but we have agreed that additional time will be given.

With the agreement of Deputies, we will move to the Minister for Justice and Equality, Deputy Flanagan, who will contribute on behalf of the Minister for Health.

### **An Bille um Bearta Éigeandála ar mhaithe le Leas an Phobail (Covid-19) 2020: Second Stage (Resumed)**

### **Emergency Measures in the Public Interest (Covid-19) Bill 2020: Second Stage (Resumed)**

**Minister for Justice and Equality (Deputy Charles Flanagan):** I thank the Acting Chair for her assistance and apologise to Deputies if there is a lack of clarity on my part. My contribution will relate to Parts 4 and 5, which will amend the Health Acts that make reference to health and social care professions, as well as the Mental Health Act 2001.

In this emergency, additional healthcare staff will be required to cope with staff illness and

an increase in the numbers of patients. The national action plan published by the Government on 16 March identified the need to facilitate the recruitment of retired health sector workers, some of whom are members of professions subject to regulation under the auspices of statutory independent regulatory authorities, namely, the Medical Council, the Nursing and Midwifery Board, the Pharmaceutical Society of Ireland, the Health and Social Care Professionals Council, CORU, and the Dental Council. Some professionals have indicated a willingness to rejoin the health sector during this emergency. In an effort to maximise the number of people being restored to the register, consideration must be given to what barriers exist to their speedy and easy restoration, and how they might be removed or mitigated against. In a review of the legal impediments to prompt restoration, barriers to quick restoration were identified. For example, in the case of CORU, the restoration process can be lengthy, depending on whether the person had paid a fee to leave the register or had allowed his or her registration to lapse. Restoring a nurse, for instance, can take a long time if documentation is incomplete or if it is awaited from another country where he or she has engaged in practice. In light of this, it was decided to amend the five regulatory Acts to create a specific Covid-19 temporary restoration that will sit apart from the normal restoration process and will provide such practitioners with a simpler registration process, with a clear-cut route for removal from the register if appropriate and necessary.

The Covid-19 application provisions for restoration under the five Acts have the following common features. They apply to previous registrants, applicants must be persons of good standing in their practice here, and they will be subject to temporary registration that will cease on 31 July or on a different date by order of the Minister for Health. The Bill makes clear that registration under this provision will not attract the payment of any fee. Applicants will be subject to the normal processes of complaint in respect of fitness to practise. In the unlikely but nevertheless possible event that some returnees may decide to return to work on a more permanent basis, persons under this provision can apply in parallel for full registration. In this regard, the temporary registration will end under the various Acts by 31 July this year or by order of the Minister for Health to be laid before the Houses in the normal way. Finally, there is temporary modification of section 105 of the Medical Practitioners Act 2007. Under this provision, a person who is not a registered medical practitioner who is suspected of practising medicine may be investigated by the Medical Council and the findings given to An Garda Síochána.

As it is important to provide the HSE with as much flexibility as possible, it may be necessary to redeploy staff and to assign tasks outside their usual roles. In this regard, a further provision relevant to all regulators, including the Pre-Hospital Emergency Care Council, PHECC, amends temporarily section 105 of the Medical Practitioners Act 2007 to provide clarity to registrants that, where they are practising medicine and where they do so under the direction and control of, or in accordance with a direction in writing from, a registered medical practitioner, they are not practising medicine for the purposes of the Medical Practitioners Act 2007. In this regard, such persons will, of course, be mindful of their skills and mindful to act at all times in the best interests of patients. It is worth noting that regulators have already put in place additional resources and designed IT systems that would enable streamlined fast-track restoration of practitioners. Much good work has already been done in terms of restoring persons to the register. It is hoped these provisions will further assist regulators in effecting these restorations speedily.

I can see that amendments have been put down which seek to facilitate Covid-19-specific registration processes for people who have not worked in Ireland before. In this regard, there is already a provision within the various Acts for dealing with applications for first-time reg-

istrants. It is simply too high a risk to circumvent the important checks that are and must be applied to people who have never worked in Ireland before.

**Deputy Stephen Donnelly:** I wish to share time with Deputy James Browne.

**Acting Chairman (Deputy Catherine Connolly):** Is that agreed? Agreed.

**Deputy Stephen Donnelly:** I want to acknowledge the huge efforts that every individual and every family in every community are making. The daily growth rate is coming down and yesterday was 18%. However, at even 15% we will still be tracking the number of confirmed cases in Italy, so more will have to be done. Today's legislation will help but all of us - every family and every individual - will have to work together to bring this daily growth rate down, and do so very quickly.

I want to acknowledge the extraordinary work and dedication of our healthcare professionals - our doctors, nurses and the wide range of other professionals in our system. They are putting themselves at risk, they are working night and day and they are not seeing their families. They are getting us ready for a surge that will come and trying to run an entire healthcare system at the same time.

I want to bring up the issue of personal protective equipment, PPE. One in four confirmed cases are now healthcare workers, as we know. Hospitals are now missing hundreds of doctors and nurses. I spoke to one clinical director this morning and in his hospital, he is missing several hundred clinicians. They are very worried. I have reports from around the country that the required care for non-Covid-19 and Covid-19 patients is not happening as it should. An example from yesterday involved three Covid-19 patients in a ward, where the nurses had sufficient masks to pick just one of them to go in and help. Obviously, that is not a situation we can stand over. We all hope this aeroplane lands with PPE this Sunday. However, clinicians are being told they will not have those supplies until Tuesday. Every effort needs to be made to make sure that gear is unloaded, packaged and sent in vans and trucks immediately so our clinicians, starting with hospitals and intensive care units, have that PPE within hours of it landing. That has to happen.

The provisions for healthcare in this Bill are welcome but they do not go far enough. The Minister referenced that we must have sufficient checks and balances in place for healthcare workers who qualified abroad. I would argue that any nurse who has spent ten years working in the NHS and who wants to help us now should be allowed back in, and burying them in red tape is not something we should be doing right now. We want to see more happen. Critically, we need detail on the student nurse payments, which need to happen, but we have no detail. Similarly, we need detail on consultants. We are essentially treating the entire hospital system as a public health system, and that is the right thing to do. However, the consultants need a contract in place whereby everybody is treated the same, so they can get on and do the job we need them to do.

**Deputy James Browne:** We are in the Dáil today to discuss the Emergency Measures in the Public Interest (Covid-19) Bill 2020. The challenges we are facing as a nation are truly extraordinary. We in Fianna Fáil will support the Bill but not without questioning or without seeking to amend, although we will do so in a constructive and positive way. How we respond to this crisis will determine the outcome. We need to act intelligently, systematically and based on science and the advice of our public health experts. Only by working together can we con-

front this threat with an unrelenting and unyielding effort. We will face significant economic adversity. In turn, this will have serious effects on our mental health. There will be a greater demand than ever on our mental health services during and after this crisis. Mental health funding is often the first to feel the cuts and one of the last to benefit from any recovery. This cannot happen in this case. Our nation's mental health is at risk. Whether through job losses, general anxiety, physical illness, the isolation and loneliness many of our vulnerable and older people, in particular, are now facing or those with psychiatric illnesses, mental health is having a massive impact on this country and it will get worse.

I extend my condolences to the families and friends of those who passed away in the past weeks and to those who will pass away in the near future. They will not be able to attend the funerals and say their goodbyes. I extend my thanks to the majority of people acting on the advice of public health professionals by exercising precautions such as social distancing. They are saving lives and we are seeing the results in the extent of contact tracing being reduced regarding the number of people interacted with by those with Covid-19.

I also thank our front-line staff and our healthcare workers. I especially mention our student nurses and their pay now needs to be reviewed. I also thank the Garda, the Defence Forces, our council staff, retail and postal workers, our truck drivers and our port workers, and all who are putting their own lives at risk to keep the country moving and to reassure the population. I have seen these real efforts in my county of Wexford, but this is happening across Ireland. I thank our local radio stations and newspapers. They need more support while they are combating fake news and keeping our community informed. They are, however, under serious threat and risk.

**Deputy Louise O'Reilly:** I extend my deepest sympathies to those families bereaved by Covid-19. I wish all those ill with the virus, in hospital or at home, a full and speedy recovery. This Bill is another extraordinary piece of legislation. We were here last week, and we live in unprecedented and strange times. Part 4 concerns changes to allow former registered health workers rejoin their professions and work at the front line, while Part 5 concerns a number of substantive amendments to the Mental Health Act. I welcome the provision and changes being made in Part 4 and I hope this allows for the speeding up of the process for re-registering those health service staff who are retired but who want to come back and do their bit. It will also help those who practised here and moved abroad to re-register quickly on their return.

I offer thanks to the relevant boards, the Nursing and Midwifery Board of Ireland, NMBI, the Medical Council, CORU, and the Pharmaceutical Society of Ireland, all of which will be processing the huge numbers, we hope, of new applications. I know these regulators and their staff are doing great amounts of work at all hours of the day and night to get these applications processed in a timely manner. Similarly, I thank the human resources department of the HSE. The staff there are also working day and night to process the applications and to get as many health workers as possible to the front line. In the midst of all this, I thank them for their hard, and often unseen, work. I thank the staff in the health service, our retirees and our emigrant healthcare workers coming home for all the work they are doing. It is regrettable, however, that we will not be able to register people, particularly where there is mutual recognition of qualifications. We need everybody, and if those people are willing, then I think the Minister should look at that again.

From speaking to many front-line healthcare workers, I note the kindness and generosity shown to them by the public is a powerful motivator. I also note from speaking to these health

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workers that they are concerned about the lack of personal protection equipment, PPE. Politicians will know health workers do not reach out to us unless they really believe there is an issue which requires being raised publicly. Doctors, nurses, home helps and ambulance personnel have all reached out to me in the past 24 hours to raise concerns about the lack of PPE items as they go about working at the front line of the fight against Covid-19. They are aware there is a global shortage of PPE. They reached out, however, because they were angry and upset at claims being made by health officials and health service management that we have an adequate stock, when the reality on the ground is that we do not.

I want to read a message sent to me by a worker on the front line. This person asked to remain anonymous and I am respecting that request, but we need to hear what that person had to say. That person said that “healthcare workers are putting ourselves on the line for the nation. The minimum soldiers expect is armour. For us, that is PPE.” Quite frankly, it is an insult that legitimate concerns about low PPE stocks on the ground were disparaged by a senior HSE official in *The Sunday Business Post*. That official was quoted as saying the healthcare workers were panicking. That was humiliating and it was an insult. We were doing nothing of the sort. We were telling the truth. We know there is a global shortage and we know the HSE is trying but let us be honest. We should not be this low this quickly. No one should die at work because of not being protected. When the stocks are short, the HSE must be honest and tell us and prioritise those who are most at risk. The situation is becoming more difficult as we wait for supplies of PPE to arrive, with 24% of those affected by this virus being healthcare workers. I know we are being told we have orders of PPE arriving, and that is most welcome. However, in the here and now, front-line healthcare workers are telling us there is a real shortage of PPE. This is reflected in the campaigns many hospitals are running, asking for immediate donations of PPE from companies or individuals who might have some, and I urge anyone who has any such equipment to come forward and to donate it.

We are all in this together but our healthcare workers are on the front line of this emergency. I urge the Government to secure a reliable domestic production line of various items of PPE in order that we can be assured we have a stable, steady and reliable supply of this vital equipment. Yesterday, I asked the chief clinical officer, CCO, Dr. Colm Henry, to brief Deputies with the specific advice from the World Health Organization that prompted the change in advice on testing. The WHO says “test, test, test”. It is very clear on that matter. The Minister needs to understand there is a real fear in our communities and this fear is added to when people who were told last weekend that they needed a test are now told they do not need a test but that they should stay at home and behave as if they have this virus. This change is causing a huge amount of worry and these people are coming to us. They are nervous and upset and they are worried to be told one day to have a test and then to be told the next day that they do not need that test.

I thank the Bills Office and the various Departments that worked long and hard to draft this legislation. I also thank the ushers, the catering staff and all of the workers who keep this House running. The implementation of this legislation will go a long way to getting healthcare workers to the front line as quickly as possible as we work to tackle this crisis.

**Deputy Ossian Smyth:** The Taoiseach made a frightening prediction last week that 15,000 people would contract this disease by the end of the month. Then on Thursday, the Tánaiste added to that by raising the possibility that tens of thousands of people could die. Since then, the country has pulled together and people have followed the advice. The data show that although the disease is still spreading, the speed of that spread has slowed down somewhat. The changes in public behaviour have just bought us some time. Doctors are saying clearly that

people have to save one another by avoiding the disease because there is no health system that could cope with mass infection. It is up to us.

The Parliamentary Budget Office estimates that this week's and last week's emergency laws will cost a total of €6.7 billion. Political parties need to work together but we still need some scrutiny of such a massive project in the coming weeks. During the coming weeks, we will not have the time to reshuffle the Cabinet but we will have time to agree a way to provide democratic input from all parties into the decision-making of this Government. The Green Party is supporting this Bill but is also seeking to improve it. The Bill makes it easier to add retired medical practitioners back onto the medical register but can we also consider faster and wider recognition of overseas qualifications? We should consider broadening the power to prescribe. Optometrists could prescribe antibiotic eye drops, for example, without having to distract GPs. We need to find every way possible to broaden the power of prescription in order to reduce the burden on GPs. We also need to protect our dentists. They are in close contact with patients and they fear for their safety. Dentists generate a large volume of aerosols during normal practice, which heighten the risk of contracting of this virus. They are at a high risk and I suggest that dentists be advised to stop all elective work, while emergency work could continue with the appropriate personal protective equipment, to protect dentists and patients alike.

**Deputy Duncan Smith:** I spoke this morning about our concerns, which are held throughout the House, about personal protective equipment. Following on from Deputy Ossian Smyth's contribution, I want to focus on the dental profession for a moment. There is great concern among those in the profession. They believe they are still getting conflicting advice that is putting them in danger. The view coming from several dentists is that much of the work they do is elective and can be put off. They are willing to do emergency work that needs to be done, but they need personal protective equipment to do it. They do not have the equipment and they believe they and their families are at risk. There is also risk of further spread throughout the community. These concerns have been around for several weeks now. The Government and the HSE need to get ahead of the matter and bring some clarity to the situation.

I am keen to focus on one section of the health service, namely, the disability services. Many of the largest providers of disability services are section 38 organisations but a considerable amount of vital work is done by section 39 groups, such as Rehab, the Irish Wheelchair Association, Enable Ireland and the National Council for the Blind of Ireland. We are all aware of them and they are well known. They provide incredible front-line services. Like many front-line providers in the State, they are certainly not immune to the effects of Covid-19. In January, just as the election was called, service providers were informed that the HSE planned to make a 1% efficiency saving throughout the disability budget. This amounted to a €200 million cut from a budget of €2 billion. If implemented, it would mean services would be cut and planned services would not go ahead. In the current climate, organisations like the National Council for the Blind of Ireland and the Irish Wheelchair Association have had to close down their shops. These shops have been a vital fundraising arm for them, especially since they have been cut to the bone and face more cuts this year. With that funding arm closed due to the Covid-19 restrictions, they are under immense pressure at the moment. There is extraordinary pressure throughout the entire health service but we need to ensure the organisations providing these services are able to sustain them at current levels, at a minimum, in order that we can survive Covid-19. We can then take a fresh look at it when things settle down and we return to some form of normality.

We welcome many of the measures in the Bill relating to health. The re-registering of staff

was raised previously. We have no wish to see people being bogged down in red tape. Many former medical professionals are willing and ready to work. Several in my constituency have contacted me - I imagine they have contacted my constituency colleagues too. They are chomping at the bit to get onto the front line to save lives. It would be fantastic if we can get them through as quickly as possible.

The provision of ventilators is a concern. Going into this crisis, the figures for Ireland and our intensive care unit capacity were not great. We were at the bottom of the class compared to our European colleagues. We would like to see more clarity on the provision of ventilators and the time lags we are looking at before they will be delivered. I hope we will not have to use what we purchase or get and I hope we stay ahead of this crisis as best we can. However, we need to plan for the worst. People are really concerned about this.

**Deputy Róisín Shortall:** The Social Democrats support the health measures set out in this legislation. The measures are largely technical and facilitate good practice in the response that is required. Several issues should be included but have not been covered by the legislation. A point made by several Members to date is the whole question of trainee nurses' pay and the need to ensure that is addressed quickly. People have been extraordinary in the way they have come forward to support the national effort but it is really important that everything be done to maintain morale among people. That is an obvious point that needs to be addressed.

There are also issues relating to differentials between healthcare staff in the public and private sectors. Now that we have a single-tier service, for the time being anyway, issues arise about differentials affecting those who have come from the private sector, who would generally be on a lower rate of pay than those in the public sector. There needs to be some equalising.

Another issue that has been brought to our attention by several groups, including the Irish Family Planning Association, is the position of the current rules around abortions. The current rules are effectively unworkable in the present circumstances with regard to the three-day wait periods and the need for repeat visits. This should be dispensed with for the duration of the emergency. I hope this will receive early attention because it is a real and present issue.

Another issue of concern is what is happening on construction sites. I have been told that just outside my constituency in north Dublin there is a site which has 1,000 workers on it. There are significant issues on construction sites, including a lack of proper health and safety measures and social distancing, the sharing of tools and small confined spaces. This is a recipe for disaster. Similar issues are arising in some factories and large companies. Someone got in touch with me to say that apprentice solicitors in a large legal firm are being required to work from the premises and not respect social distancing. All of these issues need to be tackled.

Who is responsible for policing or overseeing the guidelines and strong advice in respect of social distancing? We are receiving complaints about these types of issues and it is hard to know who to contact that will be in a position to intercede and address the matter. It would be very helpful if we have responses on this and there was a targeted approach to the various workplaces where large numbers of people are congregating.

Part 5 of the Bill refers to mental health. If this provision is to be reviewed or extended, it should be done with the approval of the House and not just laid before the House. That is important because the extension of emergency powers is a very serious issue and should come before the House.

The changes in case definition which occurred in the past couple of days is a major change in policy, and is something which is confusing and causing concern for many people. We need to redouble our efforts in terms of communicating very clearly why the change in policy has occurred. Up to now we have been told that we must test, test, test and trace. That policy cannot be pursued in the context of large numbers of people not having access to tests. I appreciate that the low positive rate of the tests that were being done, at just over 6%, meant there was a need for a change in strategy, but the other side is that we are in a situation whereby one in four healthcare workers have tested positive. That is an intolerable situation for them and the health service generally in terms of its ability to respond to this crisis.

At the root of this is, I believe, the shortage of personal protective equipment, PPE. That is the single most urgent issue that needs to be addressed. We have been told that various shipments are coming into the country. There is no room for delay and we must redouble efforts to acquire as much of this equipment as possible. Ideally, some of it could be manufactured here. That is the single most important thing to protect our healthcare workers and enable us to get back to a situation whereby we are doing adequate amounts of testing and tracing.

**Deputy Bríd Smith:** While acknowledging in this section of the Bill the tremendous and courageous efforts of our health workers, we should also acknowledge all front-line and essential workers, including shop, transport and council workers and all of those who are doing everything they can to help get us out of this crisis.

I agree with the Minister, Deputy Harris, when he said that there is no place in the crisis for a two-tier health system. Overnight nationalisation of the health service has been impressive. The Minister has said that healthcare should be based on medical need and not the size of one's wallet. Should it take a pandemic that threatens the deaths of thousands of people to convince our political class that we need a one-tier health system or that it was unacceptable to force our nurses out on strike in pursuit of decent pay and conditions in an effort to stem the haemorrhaging of health workers from our system? When this crisis is over we will never return to a dysfunctional two-tier health system or the routine disregard for workers like nurses and other staff. There must be no going back. We need to emerge from this crisis with a truly national health service.

The measures in the Bill do not address many of the key issues facing the country. It is beyond belief that, in the middle of this crisis, we are still allowing non-essential businesses to function. The call has gone out several times today, but it is a policy that will only rapidly increase the spread of the virus. We need to shut down all non-essential work. I repeat this call in the case of the construction industry, in particular. Yesterday, in Moy Park in Northern Ireland and in ABP meats, workers walked out to protect their own health and safety. That scene should be repeated collectively by workers around this country if the Government does not make the right call. It is right to do it sooner rather than later.

I will highlight a couple of gaps in the Bill. I do so because we are acutely aware of the most vulnerable in society, particularly those in direct provision, in Traveller sites, people living in overcrowded homes because of the housing crisis, the homeless people living in emergency accommodation and those who are forced to wander and cluster on the streets because they have nowhere to go during the day. Along with that, another cohort is women who are vulnerable in the case of crisis pregnancies. We have put down an amendment to the Bill to allow for telemedicine rather than GP visits for early intervention in crisis pregnancy. I appeal to the Minister and to the Government to allow that amendment.

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Something we need to tease out is the tolerance of not taking necessary measures. We need to take into public control facilities, factories and industries that can produce personal protective equipment, PPE. We need to instruct them to stop producing other equipment but to produce the PPE that is urgently required. There are hundreds of factories producing medical equipment in this country and we need to bring those sectors into the control of the State rather than leave it to the chance of the market or to decisions of some shareholders or CEOs.

Today we have more than 40,000 anxious citizens who were promised a test and who now are not getting it. They are at home wondering if they have the virus, if the symptoms are showing and they are told to not worry, to self-isolate and that will be good enough. With know from the past with the HIV virus that knowing one's state of health encourages and ensures a person knows and understands the ramification of his or her actions and that others understand the ramifications around one's actions, which also matters. The question of changing the testing regime has as much to do with the lack of capacity as it has to do with the statistics. The Taoiseach frequently refers favourably to the South Korean model where they tested, tested and tested and where they ferociously contact-traced. South Korea tests five times as much as we are doing and in the course of that, they are ferociously contact-tracing. If one self-isolates alone there is no contact-tracing follow-up.

I make the following suggestion. There is a factory in Northern Ireland called Randox and it is working, along with other companies, to produce a testing kit that will give us results in two and a half hours. In this all-island crisis I encourage the Government to approach the Northern Ireland Executive to open up discussions with it so that the plant can be taken into public control for the health of the island. The testing equipment should be produced 24-7 as soon as possible and rolled out in the interests of public health. Polymerase chain reaction, PCR, machines that check tests all over this island currently lie idle in universities and in pharmaceutical plants. They need to be audited, requisitioned and taken into public control. We have no time to waste. The sooner we do these things the better. It may seem like an ideological challenge to the Minister but I am sure so did nationalising the public health service. It can be done and it needs to be done urgently.

**Deputy Peadar Tóibín:** I pay tribute, first and foremost, to the men and women in the healthcare services who are working day and night at the coalface of this crisis. This relates to the issue of personal protective equipment. It goes without saying that it is no easy task to procure personal protective equipment internationally at present. However, it is really important that we take care of our healthcare professionals. They are extremely exposed. Right across the world, healthcare professionals are far more likely to catch this illness than probably any other section of society. We have an enormous duty of care if we are to send those people into the front line that they have the necessary equipment to deal with that front line.

A week ago the HSE stated that it had an adequate level of personal protective equipment, PPE, and yet I and many Members in this Chamber have been inundated by contact from healthcare workers, for instance, by social media, by phone and by WhatsApp, to say that they are scrambling about the place trying to get PPE. Can the Minister state what exactly is the situation? Can he guarantee that healthcare workers have what they need?

Regarding the primary issue of the crisis, I wish to draw the focus back. There has been precious little debate thus far about the State's strategy. Countries like China, Singapore, South Korea and Hong Kong have adopted the strategy of trying to stop this virus. They have looked to suppress the transmission of this virus and have done everything they can to do that. There

is a second strategy, which is called mitigation. Mitigation is about slowing down but not stopping the spread of the virus until at least the very long term. In other words, it involves seeking to reduce the peak healthcare demand while protecting those most at risk from this severe disease from infection. The European Union, the US and Britain have all opted for a strategy of mitigation - obviously, at different levels of severity. Until this Thursday, Ministers of the Government stated that the measures this State will take will not stop the spread of the virus. My understanding is that it seeks to mitigate, not suppress, the situation. Today for the first time, the Taoiseach said that the Government is seeking to suppress the transmission of the virus. Could the Minister tell me whether it is the case that the current strategy and all the other strategies of the Government at the moment will stop the spread of the virus? Aontú believes that mitigation is wrong. The EU is now the epicentre and soon Britain and the US will be in that position. I believe Ireland should follow the lead of those countries that have successfully suppressed the virus. The house is on fire; we need to do all we can to put it out now and to play for time.

Last week, the Minister for Health stated that there would be 15,000 tests done on a daily basis for coronavirus in this State. It followed the logic of the WHO, which said that we need to test, test, test. The countries that have brought an end to the spread of the virus have done so in large part because of testing. South Korea, which was mentioned earlier, is testing at a rate 3.5 times the rate of this State and five times the rate of North of Ireland. In Vò, Italy, where the first cases of the virus in that country were diagnosed, they have managed to stop the spread of the virus through aggressive testing. They have gone a step further. They are testing asymptomatic people in order to get ahead of the virus. In other words, there is a ripple in the pool and they are looking to go to the farthest ripple to stop the virus at that stage but this Government is not doing that at the moment.

We have seen two high-profile media personalities recently tested for Covid-19. I believe they have done the State some service in discussing their own symptoms here. However, given their statements, they would not have met the current criteria for testing in this State and it is likely that they would have gone undiagnosed. If there is a mismatch between capacity for testing and the demand for testing, it should be addressed by increasing the level of testing in the country.

I also want to mention an amendment that seeks to reduce further the human right to life. Given that so many people at this really difficult stage are doing their best to save human life, it would be shocking for us to weaken the human right to life in the State any further.

**Deputy Mattie McGrath:** I thank the Minister for filling in for the Minister for Health with regard to this section. At the outset, I want to gabháil comhghairdeas le gach éinne who are working so hard in front-line services along with our medics. We see Dr. Tony Holohan every night along with the Minister for Health, the Taoiseach and everybody, including all the group leaders. As leaders, we get support from our individual Members. A lot of stuff has happened and changed and a lot of legislation is changing here without proper scrutiny and input and without Members being allowed to come in to speak on it, which is the usual process. I thank all my colleagues in my group for putting their trust in Deputy O'Donoghue and me to deal with it on their behalf because people in rural Ireland are worried, as are people in urban Ireland. I again salute the tens of thousands of people who have offered to answer Ireland's call and offered their services to the HSE and front-line services. I commend them and all the doctors, nurses, paramedics, civil authorities, civil defence, the Irish Red Cross and Mountain Rescue Ireland. They are going above and beyond the call of duty and want to do so for the good of the

people. Ní neart go cur le chéile.

However, I have worries. Misleading is the wrong word, but I refer to the different stories that come out about the availability of PPE, where it is and where it is coming from. There are different reports on different programmes. We need the basic tools of the trade. I hope we never again get caught napping, as we have here, given the necessity to have that kind of equipment. It should be stockpiled. I accept it might go out of date but we should have access to it. I do not agree with Deputy Bríd Smith's insistence that we should nationalise some of the producers. We have some great pharma companies in this country and many of them are stepping up to the plate. I believe we should enter into greater dialogue with them to offer their services. We saw what the small firm I mentioned earlier could do in Northern Ireland in terms of making changes and producing protective gowns. Encouragement is important. We need a carrot and stick approach. Thankfully, people have not been found wanting yet in any part of society. I do not believe we should be in a mad rush to nationalise this, that or the other.

I have a question on Part 5 which relates to mental health. This is a very difficult area. In parts of Tipperary we do not have a long-stay bed for people who suffer from mental health issues in general. I believe we must come back to the House to debate the legislation again before it is extended. We need to look out for the mental health and well-being of our people. Various counselling services are in place and helplines have been set up. The Garda Síochána are doing a great job. Postmen, fir an phoist agus mná an phoist, everybody is helping out, including the alert groups, Neighbourhood Watch, GAA clubs, soccer clubs and everybody else. It is very important that we do look out for each other, especially for people who may be a bit down in themselves.

I also have a question about private health insurance. People are contacting me on the issue. We have seen much bad faith on the part of insurance companies. Given that private hospitals are now operating in a public capacity, could a stay of perhaps three or six months be put on people's premium payments for those who have private health insurance? We are all in favour of the hospitals becoming public. Will people get an extension without paying extra money? People have been asking me those questions, rightly so, and we should try to get answers from the Minister, if he can respond.

I mentioned personal protective equipment. Like Deputy Tóibín, I also have issues about the threat to human life in the womb before babies are born. In this time of crisis it is appalling to think that people would try to extend the measure and have a more cavalier attitude to the taking of human life. I believe the lifeline is from conception through to natural birth and death. I hope the Government will reject the amendments that have been tabled. This is no place for them. Some people will not stop at anything to pursue their narrow cause. Thankfully, in these times many people are turning back to wise ways, to faith and their belief in prayer as well. I make no apology for that. People are damn glad to have places to go and pray. They are worried in case churches are totally closed, which they may well be. At present, churches are closed for masses but people of all denominations are encouraged to go in and pray. People must leave when a mass is being said as there cannot be a group there but there can be small numbers and safe distancing. People are glad to have that refuge at the moment.

**Deputy Catherine Connolly:** I support what has been said about sections 4 and 5. I believe much of section 4 is technical. I have the most serious concerns about section 5. I already expressed those this morning. I see that there is a sunset clause, which I welcome, and that the legislation will come back before the Dáil for discussion. That is a learning from last week

where we did not have such a provision in the other draconian legislation. It would be remiss of me, given my previous life as a psychologist quite some time ago, to allow this to pass without comment, given the extraordinary length of time it took to bring human rights into the mental health area and with the stroke of a pen we have now taken it away for a period of eight months, from 30 March to November. One has to comment on that. It should have been put in perspective in the Preamble to emergency legislation such as this, as should have been the case last week, in terms of proportionality and necessity. We must use language properly in a time of emergency such as this when the Minister wants us behind him, which indeed we have. Since this emergency, I have not done a single press release or made any comment in a negative way. I am using the Dáil now to raise legitimate questions because there are serious questions which have to be raised. I hope the Dáil continues to sit. I will not be supporting any effort where the Dáil will not sit and we rely instead on briefings.

I realise the Government is under pressure and that we are in a time of emergency. However, the type of draconian legislation which we brought in last week, which I supported most reluctantly, and this week has to be matched by openness and candour regarding facts. I, as are many other Deputies, am receiving constant representations on the failure to protect health workers. At this stage, we should have clear answers on protective equipment, ventilators and the precise number of beds. There should be no more waffle, patronising statements or reassurances. Empowering Deputies will empower people on the ground to believe in the system. The change in criteria is by health guidelines. It does not make sense to me, however, as a Member or an ordinary person that we do not prioritise the most vulnerable from the beginning. Why that was not done is beyond my comprehension.

The Minister for Justice and Equality is here today instead of the Minister for Health. That is helpful in a sense regarding direct provision. I have played by the rules and made numerous representations to the Health Service Executive on this issue. Finally, I was referred to the Department of Justice and Equality on direct provision. As a human being, a woman and a Deputy, I have the most serious concerns about the conditions which exist in direct provision centres, two of which are in Galway. I am in receipt of a letter which I cannot read out but suffice to say that it is extremely worrying. People feel they are being punished if they stand up for social distancing and proper procedures by being moved.

What happened regarding student nurses simply should not have happened. Provision should have been made immediately to pay adequate compensation to student nurses who are doing their best. I am really worried that the social distancing measures are not been adhered to in factories and employees are in fear. We are all in receipt of the most extraordinary letter signed by over 350 dentists telling us that the advice from the Department of Health was dangerous. That is an extraordinary statement of which I am sure the Minister is aware. It begs a question.

On the delay in testing, I have received representations concerning waiting times of ten days and longer. It should not be my role to make representations. It should be open and accountable when one gets a test as to how long it will take. That gives reassurance to people. Nobody wants to be prioritised over vulnerable people. In fact, my representations related to vulnerable people. I have no idea how they will be able to do tracing weeks afterwards.

The impact of these measures on people experiencing domestic violence and child abuse has been repeatedly highlighted. I am not sure what measures are being taken about this. Another issue is young doctors working 24 hour shifts. These are practical issues. The Government

must give us actual information that this is not happening on the ground and practical information on protective equipment. I am sick listening to sound bites and press releases telling us that they will come in at the end of the week. It reminds me of the legislation for the Irish language. I was told it would be introduced this summer, before Christmas and so forth. I forgot to ask which year. Which week will they have sufficient protection equipment in hospitals?

**An Ceann Comhairle:** We are moving on to the employment affairs and social protection aspect of the Bill which will be taken by the Minister for Finance.

**Minister for Finance (Deputy Paschal Donohoe):** I want to address Part 8 which concerns changes to the Redundancy Payments Act 1967. The provisions set out in section 12 of that Act provide that an employee who has been temporarily laid off or kept on short term for four consecutive weeks has an entitlement to claim redundancy from his or her employer. It is clear to all sides of the House that these provisions were not designed to deal with the situation we are now facing. In section 27 we are providing that these arrangements will not apply during this emergency period. As we are only too well aware, one of the impacts of Covid-19, and the measures we have had to take to address this pandemic, is that there has been an immediate and significant volume of temporary lay-offs in our country. There is a very real possibility that these lay-offs and short-term working arrangements may have to be extended for a protracted period. We are seeking to deal with that reality through the wage subsidy scheme which I addressed earlier and through a range of enhanced income supports being provided through the Department of Employment Affairs and Social Protection. If we leave section 12 of the Redundancy Act 1967 as it stands we could potentially face mass redundancies in a short time. Then the financial impact of mass redundancies would have a disastrous effect on the potential for business to recover when we emerge from the crisis we are now in. All that this would lead to is insolvent and bankrupt enterprises and more job losses. Section 27 of this Bill suspends the relevant provisions of the 1967 Act for the period 13 March to 31 May. If it proves to be necessary, and I hope that it will not, the period could be extended. I want to stress, however, in the clearest terms that an employee's right to claim redundancy after a temporary period of lay-off or short-term work is not being removed. It is simply being curtailed for a temporary period in this emergency situation. This has to be seen in light of the income subsidy scheme that the earlier part of this Bill introduces.

Part 9 of the Bill concerns the civil registration process. The aim of these amendments is quite straightforward. It is to ensure that the civil registration service can continue to operate effectively throughout the duration of the emergency. The amendments proposed here will ensure that births and deaths can continue to be registered during this crisis. The House will know that it is important that this service is available to ensure continued access, in particular for child benefit payments. Medical cards for children are also dependent on registration of a birth. Equally, the continued ability to register a death will allow a joint account holder to have access to accounts that are held jointly with the deceased in a situation where the authorisation of both account holders is ordinarily required. Currently a person registering a life event is required to attend in person before a registrar and to sign the register in the presence of the registrar. This would be very difficult to do in situations where citizens are being asked to self-isolate and maintain physical distancing. To address this, measures are being introduced in sections 30 and 31 of the Bill to remove temporarily the obligation to attend the registration office in person to register a birth or a death and to sign the register. From an operational point of view the intention is that the particulars required for a registration can be submitted by email or by post and that the signature can be captured subsequently when the current emergency situation

has come to an end. This, therefore, is only a temporary measure in order to ensure that where local registry services become unavailable the Registrar General will have the power to appoint members of his own staff to perform these functions on a temporary basis pending recovery of the local registration service. These are a few measures that have been taken to ensure that we can discharge our fundamental public services to citizens but in a different way and at a different time, and the measures in respect of the rights of workers have to be seen in the light of the income subsidy scheme brought in under the early part of this Bill.

**Deputy Robert Troy:** I welcome the opportunity to speak to this Bill on what is primarily a public health issue. We can never acknowledge or thank enough the people serving on the front line in our health service, shops and transport for the efforts they are making on behalf of the nation. I want to use the opportunity to call for any manufacturers who can help with the provision of protective gear for our public health workers to come forward and make this gear available, because it is needed. In Mullingar hospital last night, a senior clinician used Facebook to ask people if they have any garments in hairdressers or such to make this gear available. I think it is very important that anybody who can help would do so. I want to focus my attention, in the limited time, on the parts of the Bill dealing with employers and small and medium enterprises, SMEs. One sure thing is that this virus will pass, and we want to ensure that sustainable, viable businesses are protected for the duration of the crisis, to ensure that employees have jobs to return to in a number of weeks or months. I acknowledge that there has been a very swift response.

I welcome the change of the Covid-19 payment to €350 per week. Only last week, when we were debating here, the Government seemed reluctant to even allow employers themselves to increase that payment. The change is very welcome. There are unintended consequences in that change. Some people, due to the hours they were working, are perhaps now financially better off when in receipt of the Covid-19 payment. We have to think of the unintended consequences, in that certain areas and essential services may have difficulty in recruiting or retaining staff in those areas. I want to raise a number of issues about the temporary wage subsidy and hope the Minister can bring clarity to them. I am told that the wage subsidy is only paid to businesses that have no tax liabilities. Any SMEs that may have struggled or have had some marginal arrears are disqualified from applying. If that is the case, one may see certain small companies laying people off and just going for the €350. I do not think that is the Minister's intention and that needs to be looked at. Revenue's website states:

Income tax, USC, LPT, if applicable, and PRSI are not deducted from the Temporary Wage Subsidy. However, the Subsidy will be liable to Income Tax and USC on review at the end of the year.

Is the subsidy liable for tax or not? If it is, people need to be made aware of it, and if not, it needs to be clarified.

Another matter is that if one declares a 25% reduction in turnover, one is effectively saying that the business is insolvent. Are employers who were prudent and put by some money to be precluded from availing of this provision? Will employees on a lower wage receive more than some employees on a higher wage? The net effect of that will be that certain companies, instead of retaining the employer-employee relationship, which I think is the Minister's intention, will just temporarily lay people off, and that needs to be looked at. We will table amendments on Committee Stage about commercial rates and commercial leases, as well as examinerships, which I will speak to.

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I welcome the intervention by the Minister and the Central Bank about insurance cover. Keep on top of that. SMEs took out legitimate cover and are entitled to compensation now.

*3 o'clock* Everything must be done to ensure that this happens in a timely fashion. We cannot have protracted arguments over months and years. Liquidity is not the Minister's responsibility, but the responsibility of the Department of Business, Enterprise and Innovation. Asking businesses to take out loans that they will have to repay at interest rates of up to 7%, as they look at the edge of a cliff, is not the answer.

We need to examine how to get much-needed liquidity into viable sustainable businesses now, before it is too late.

**Deputy John Brady:** I will start by thanking all the front-line workers who are doing extraordinary work in very difficult circumstances. I extend those thanks to all staff working in the Intreo offices across the State, who have seen an unprecedented level of new applications come before them over recent weeks. More than 100,000 have been dealt with at this stage. I commend and thank those staff members for all their work under extremely difficult circumstances.

I welcome this Bill. Many of the social protection measures were dealt with in last week's legislation. There are a couple of bits to be dealt with in this legislation with regard to redundancy and civil registration. Over recent weeks, we have seen many employers behaving responsibly but we have also seen some acting very irresponsibly and taking advantage of very difficult circumstances. We need to ensure that workers' rights and entitlements are protected in all legislation we pass. That is why Sinn Féin has tabled an amendment to Part 8, which deals with redundancy payments, to ensure that workers' rights with regard to redundancy payments are not affected at a later stage by a temporary loss of employment. We have tabled an amendment to deal with that issue which I hope will be accepted by the Government because we need to ensure the protection of workers' rights.

A minority of employers are also taking advantage in a number of other areas. Some are forcing workers to take annual leave against their will and without notice. Resources need to be greatly enhanced for the Workplace Relations Commission, WRC, which is under extreme pressure, to allow it to deal with the level of inquiries and complaints it is receiving at present and will continue to receive into the future.

I will raise a number of issues. One issue which has come to the fore in recent days is that of frontier workers, that is to say people from the North who work in the Twenty-Six Counties, who have been made unemployed. Many thousands have been made unemployed in Border counties from Donegal right the way over to Louth. They pay their taxes and contributions here. Many have applied for the pandemic unemployment payment, PUP, and been turned down. Clarity is needed in that regard because conflicting messages are coming from the Department. I attended a briefing by Department officials yesterday. They said it was their understanding that such workers are entitled to the payment but applications are being turned down. We need clarity on that. They should be entitled to this payment. We need a guarantee that will be the case.

I also need clarity with regard to people who were on the X's and O's or casual docket. Many such people have been made unemployed and there is no clarity as to whether they can access the PUP. Can I get clarity on this? I raised the issue with the departmental officials last night but they had no information on it. I need that information as soon as possible. I ask the

Minister for some clarity in that regard.

I, and I am sure many others, have had contact from members of the public who are engaged with JobPath through Turas Nua and Seetec. These companies are still insisting that people referred to them attend meetings, go out to seek employment and ring businesses. They say that if people do not do so their payments will be curtailed. We need referrals to JobPath to stop with immediate effect. We also need the JobPath programme to be suspended for the duration of this crisis. I want to see it gone completely but it should at least be suspended while this crisis continues.

There is another issue with regard to workers. Thousands of workers are to be seen on unsafe construction sites across the State. I have had contact from employees who work in food processing plants in which there have been confirmed cases of Covid-19. They have genuine concerns because of vulnerable loved ones who may have underlying health issues. If they take a decision to self-isolate to ensure their loved ones are protected, there is no payment for them. The only option for them is to go to a community welfare officer. That must be examined. While the business might still be operational and the jobs are still available, if people take that decision to protect their loved ones there must be a payment available and they must be entitled to get that payment.

There are many other issues that I and other Deputies have been putting to the Department. Information is very slow to come back. There are explanations for many of these issues, but clarity is needed. There must be a proper line of communication so answers are forthcoming to ensure that people who need these payments can get the appropriate information.

**Deputy Roderic O’Gorman:** Like other Deputies, I begin by offering my sympathies to the families of those who have lost loved ones due to Covid-19 infection. We can only begin to imagine what a difficult time it is for them. I also join Deputies in thanking the front-line workers who continue to make such huge efforts to contain the spread of this disease across the country. It is also important to acknowledge the efforts everybody is making in their lives to limit their interactions with others, practise social distancing and practise cocooning where necessary. When we look at the rate of increase each night we acknowledge that it is not the worst case scenario at this stage even though the figures are scary. Much of that is due to the efforts being made by the general population and we should always remind people that their efforts are bearing fruit.

I thank the Minister for the opportunity to deal with some of the social protection elements in this legislation. An issue that has been raised to a significant extent with me and my colleagues is rent supplement. The Minister, former Deputy Regina Doherty, has said that she intends to bring forward proposals on this in the next week or so. Families where the wage earner or even both wage earners are self-employed only qualify for the pandemic payment, not the higher wage subsidy scheme. Those families, particularly those where there may be only one wage earner, are very nervous that they will be left with significant rent debts once the rent moratorium period has passed, which we are voting on today, and be at risk of eviction. There are various options we can take. There was talk about continuing to grant welfare officers discretion as regards going past the rates of rent supplement, but my view is that we must increase those rates. In areas such as my constituency of Dublin West rents are already very high. As regards putting it in a discretionary model for the social welfare officers, unless a direction is given to raise everybody there will be an avalanche of claims and the discretionary model will not work in a practical sense.

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A number of other issues have been raised with me and my colleagues in respect of social protection by our constituents over the last few weeks. There are people on short-term contracts who would often work above the contracted number of hours. They will only receive 70% of the contracted hours under the temporary wage subsidy scheme. We propose that there should be a baseline payment of €350 to protect workers in that situation. Another issue is where somebody is of pensionable age and only receives a partial pension because the person is still in work at present. Those people are concerned that this payment is a working age payment only. Perhaps the Minister can provide some clarity in that regard.

Employers need clarity on whether inability to pay is required to qualify for the temporary wage subsidy scheme. Different advice is being received by employers I have spoken to. Again, the Minister might take the opportunity to clarify that issue. An issue that has been raised with me is the need to protect workers against the potential opportunistic misuse of the payments to rationalise workers, perhaps by taking the opportunity to lay off longer-term employees who might be on higher rates of pay in favour of younger employees who might receive a lower rate. We should do anything we can to prevent that. Like Deputy Brady, we have had representations in respect of the cross-Border issue, particularly in the case of people who might work in Northern Ireland but live in Letterkenny or elsewhere in the Republic, and their ability to receive the payments.

**Deputy Ged Nash:** We covered the Department of Finance measures earlier but I apologise to the Minister that I was not in the Chamber to hear his reply. He will recall that in my previous contribution, I raised the issue of employers that seek to engage on the temporary wage subsidy scheme and issues that may arise with creditors and insolvency. I referred to the potential for them to trade recklessly or fraudulently and all that arises from that, and to the exposure of employers that may wish to get involved in that scheme. The Minister may have already addressed that point in his earlier response, but if he considers it inappropriate to comment further on it at this juncture, given that we are discussing social protection issues, we might develop the point a little more on Committee Stage with his permission and that of the House.

I pay tribute to the work being done by thousands of members of staff at Intreo offices and at the Department of Employment Affairs and Social Protection over the past two weeks in particular. An extraordinary amount of work has been done to support those who are in unprecedentedly difficult circumstances. Nobody predicted we would ever be at this point but the response from the system has been extraordinary. I wish to put on record my support for staff at the Department and the work they are doing. I hope the Minister is satisfied that the Department has sufficient staff to process the number of claims coming through the Department at this time and the anticipated number of claims that are, unfortunately, expected over the next few weeks. Is it the intention of the Department to engage additional staff on a temporary basis or is it the case that the Department envisages engaging staff from the wider Civil Service to assist in the work that staff are doing at present to process the volume of applications for support? I ask that at all times, notwithstanding the legislation that will govern the new payments, a wide degree of discretion and flexibility be shown by the Department to ensure that those who need the support most will receive it at this unprecedented time.

Our amendment relating to the Redundancy Payments Act is important. There has been mixed advice, and I am sure the Minister will later share the advice that the Department received, in respect of the requirement to make the amendment we have proposed. A similar amendment has been tabled in the name of Deputy Ó Broin of Sinn Féin. We want to ensure that in the event that workers laid off over the next period are subject to selection for redundan-

cy at some point in the future, the period of layoff will be considered to be continuity of service for the purposes of calculating their redundancy entitlements. We do not want to expose people to such problems somewhere down the line, inadvertently or otherwise.

I fully support the measures that are to be introduced in respect of civil registration, which are obviously required.

The issue of short-time work was mentioned in Deputy Brady's contribution. Many people have been placed on short-time work in recent weeks. There appears to be a question mark over their ability to qualify for the pandemic unemployment payment. We do not want those on short-time work to be treated worse or to be at a less advantageous position to those in receipt of the payment. That is unfair and inequitable. It is an anomaly that has arisen. I understand and appreciate that the Department has been rushing to try to ensure we have some form of payment available to as wide a number of people as possible to get us through these circumstances. It is an anomaly that has arisen and I would appreciate it if the Minister will explore that in his response.

Of course, all of these payments are being targeted at people of working age and there are some anomalies around those who are under 18 and who are working full-time but are out of education and who do not qualify for the payments. Similarly, there are those who over the age of 66, as referenced by Deputy O'Gorman in his contribution.

**An Ceann Comhairle:** The Deputy should conclude.

**Deputy Ged Nash:** I want to raise a brief point in regard to building workers. If in doubt, we should simply ensure that building sites are closed. There is no way in this world that we can, at every single juncture, ensure that all building workers are protected and adhere at all times to social distancing. I will leave it at that.

**Deputy Cian O'Callaghan:** I want to raise several points. As Deputy Shortall said, we effectively have the introduction of a two-tier social welfare system. While these measures are very welcome, we need to look long-term at what we can do to ensure sufficient income protection, not just at this time of crisis, but recognising that every time people lose their work is a time of crisis for them. Given the social and economic advantages of having proper income protection in place at that point, there are strong arguments for this.

I bring Members' attention to some points that have been raised with me. Fuel allowance is an issue now that people are staying at home more, in particular for families. We need to look at extending the fuel allowance in order that we can support families in that circumstance. There is a particular issue with children of lone parents in regard to who will look after the children if the parent becomes sick, and we need to examine what supports can be put in place. There is also an issue for people in situations of domestic violence where they are trying to leave home but cannot get into a shelter. We need to take what measures we can to support people who are not able to access traditional shelters or refuges but who need somewhere safe to go. I ask for those areas to be looked at.

**Deputy Bríd Smith:** I appreciate the Minister for Finance is not the Minister for Employment Affairs and Social Protection and we will support the measures that he has introduced in the Bill. Deputy Connolly highlighted the need for more Dáil sittings to discuss these issues. This is an area of particular importance to many people. As somebody suggested, we have got rid of a two-tier health system and created a two-tier social welfare system. It begs the ques-

tion of whether, if €205 is not enough for people to live on and it has been raised to €350, it is enough for pensioners, jobseekers, those with disabilities and many more. We would argue there should be a straightforward social payment of €350 for everybody.

A number of questions need to be teased out with the Department of Employment Affairs and Social Protection. One that has come up quite a bit concerns workers who feel vulnerable because they have an underlying health issue or somebody they live with at home has an underlying health issue. If they believe they need to self-isolate but do not have the two symptoms plus a fever that the doctors now require to tell them to isolate themselves, and they do not have access to a test, are they to continue to work in conditions of extreme worry and stress about the potential threats or risks to their families or would they be entitled to the payment of €350? I asked this at the briefing the other day and it is very unclear. It is a question that constantly comes up and it particularly arises, and was mentioned this morning, in regard to building workers. In the interests of all of society, those who believe they need to self-isolate should be entitled to that basic payment in order to live. I raise the question of the Health and Safety Authority, HSA, because I think it falls in the area of this Department. In all of this discussion about non-essential work, the exposure of building workers, the lack of oversight on protocols needed to keep us safe and prevent the spread of the virus, what is the role of the HSA? Should its staff not now be checking furiously on the building sites and shutting down those that are not compliant with the protocols concerning Covid-19? It strikes me that many of those staff probably are either working from home or sitting there not doing much. Their role, however, is fundamental to this situation. At the end of the day, if the virus does spread throughout the building industry because it is not being shut down, will the HSA stand over that? Is it not the role of the HSA to stand over the health and safety of workers and the conditions in which they work?

I was also asked to raise another anomaly concerning lone parents. Lone parents applying for a lone parent payment are in a long queue already. Part of the application involves the visit of an inspector to applicants' homes to check out the details. That is not going to happen when we all have to keep socially distanced. I would not argue for inspectors to call to homes, for their safety and that of those in the homes of the lone parents being visited. In this context, I am requesting that the payment be made in faith and that the inspections be carried out later, when we come through this crisis.

There is also the question of rent supplements. There is discussion about their reintroduction, but there is very little clarity concerning the criteria and conditions under which those payments might be made. Again, I think the right thing to do in this crisis is to have a rent freeze. That would cut out all the need for red tape around a supplement but would ensure that nobody, as in the case of mortgage holders, would have to pay rent during this crisis. I know the Minister is not in a position to address all these questions but it does raise the need for some forum where we can talk to the Minister and tease these things out properly.

**Deputy Denis Naughten:** I welcome the presence of the Minister for Finance in the Chamber. I have a specific issue to bring to his attention and that is the mortgage freeze he agreed with the banking sector. It was a very welcome development. It has been brought to my attention, however, that Ulster Bank is implementing this in a different manner to the other mainstream banks. I have been informed by a constituent, who has a mortgage with Ulster Bank, that rather than putting the three-month freeze to the end of the mortgage, Ulster Bank is adding it on to the existing mortgage term. That means there is an increase in payments, because the principal and the interest have to be paid on top of the existing mortgage. We should not be put-

ting additional financial pressure on families. There is an agreement to put the repayments to the end and extend the lifetime of the mortgage by three months. That should be implemented across the board.

There also needs to be clarity concerning the financial payments available through the Covid-19 illness benefit for those who must self-isolate because they are immunocompromised or because other people in their homes are immunocompromised. I understand there is some flexibility regarding the issuing of a doctor's certificate regarding an individual who is immunocompromised and that the Department will look sympathetically on that. People who are employees, however, and have someone in their home who is immunocompromised are left in a situation where they either take a drop in income or compromise the health of someone within their own home. There needs to be clarity on this issue, because one of the main focuses of this emergency legislation is to ensure people are not put in that specific dilemma. Yet, this is happening in homes where there are people who are immunocompromised and we need to have clarity in this regard.

Regarding measures being taken in social welfare to provide income support, they are all welcome but they do create several anomalies. One of those concerns widows and full-time carers who work part time and are over the age of 66. They are not entitled to the €350 payment because they are over the age of 66. That age anomaly needs to be removed from the provisions of this Bill.

The other issue that needs to be addressed is the habitual residency condition within social welfare law. As the Minister knows, we have thousands of young people across the world who cannot get income supports in the country they are currently in. They are looking to come back home to Ireland and it is causing a huge problem for the Department of Foreign Affairs and Trade. When they come home, they will not be eligible for a social welfare payment, other than a supplementary welfare payment because they will not be able to comply with the habitual residency condition. Some discretion needs to be brought into that condition.

I want to raise the issue of individuals who are exploiting the crisis. One group that has been highlighted by St. Vincent de Paul is moneylenders. Licensed moneylenders that can charge up to 187% interest rates are exploiting the situation. There is a responsibility on the Government to make people aware of the different supports and services that are available through the Money Advice and Budgeting Service and through their local credit unions. There is an opportunity to help to support local media outlets such as local radio stations and provincial newspapers by taking out public awareness advertising of the Money Advice and Budgeting Service and other support services that are out there for people. That would give people access to that information, which is timely and appropriate. It would also provide a vital income source to those regional and local media outlets that are struggling to keep their doors open. Those local media outlets, particularly for people who are cocooned in their homes, are a vital source of information. As the Minister knows, the restrictions that are in place may stay in place for a considerable period of time. We need to ensure those local sources of information are available to people.

**Deputy Richard O'Donoghue:** I am sharing time with Deputy Mattie McGrath. We have heard here that people have been looking for the building sector to close down but we have to take a holistic view. Workers in the building sector get paid through the banking system and the banking system is holding building contractors and others to ransom because one gets paid in accordance with the work one is doing. That work has to be signed off by engineers and that

sign-off goes back into the banking sector again in order for the banks to pay out on the work that has been done. Many of the building contractors who are working at the moment and who are keeping people separated at appropriate distances should be commended for the work they are doing. There are other contractors out there who are exploiting the situation and they should be dealt with by the heavy hand of the law. However, we have an awful lot of small contractors throughout this country who are building farm buildings for the farming community in order to keep food on the table for us.

There are two different sectors within the construction sector. There is a lot of building ongoing in the big cities and there is a lot building ongoing in rural areas. Building sites in rural areas can accommodate bigger separation distances whereas the big construction sites can find it hard to do so. The Government needs to implement measures that will look at the knock-on effects if it closes down the building sector. The suppliers the Government has asked to stay open in order to supply the food chain, the building contractors and the farmers are all depending on the payments they get from different sectors. The banks have to play their part again in making sure the funding comes at the time it is needed and that if one sector is closed, the suppliers the Government wants to stay open are not being pushed to provide all the other supplies such as fodder for our farming communities so that they are not forced to close as well. We have to implement measures so that all sectors can be covered and that when it comes to a point where the building sector can recommence, the suppliers will not take it out on the contractors for delayed payments due to the banking sector and the regulations that are in place.

**Deputy Mattie McGrath:** I have a number of questions for the Minister. Are there any supports or payments for those who have no choice but to stay at home because they do not have a childminder and are forced to use their holiday pay to cover themselves? Can we offer them a payment or family leave on compassionate grounds or whatever? Are there any supports for at-risk people who are still at work but who would prefer to self-isolate and leave their jobs in the interests of their health and safety and the health and safety of their families? Can the Government advise on whether people who have applied for the pandemic unemployment payment and have received or will receive the €350 payment will get it at a weekly flat rate? Will they have to pay back the difference if they have been overpaid? For example, what about a part-time worker who has lost his or her job and was getting an average weekly income of €150 but will now get €350? Will he or she have to return the €200 additional payment? Many people are asking that question. I believe this should be the case. I believe it is unfair that people who continue to work are disincentivised to work as a result of this flat rate of pay. That is happening as a result of the payment. I commend those in the Department of Employment Affairs and Social Protection on their Trojan work to date. When things have been sorted out, the Department should try to retain workers on the average weekly income rather than give them an overpayment. In saying that, I am glad the rate has been increased from €203 to €350 because people needed that kind of income.

The issue of pay for student nurses arises. A broad range of other students who have lost part-time work will receive €350. It is vital that we pay the brave student nurses adequately for their amazing work. Many of them are working as normal qualified nurses during a crisis and some do not even have the proper equipment. Will the State consider the possibility of giving all our frontline workers a tax-free income as an incentive during this crisis? As usual, the nurses, doctors, care workers, assistants, attendants and paramedics are working above and beyond. Such a move would be a major gesture and demonstrate our gratitude to them. We all remember when these nurses took to the picket line 14 months ago for a pay increase. They are

yet to see an enhanced salary. Now is the time to do that.

I received a call this afternoon from an intensive care unit nurse in one of the biggest hospitals in the country. She informed me that nurses who have to self-isolate after being in contact with cases while at work are given a Covid-19 leave payment. This is a flat pay cheque and they are not paid as they would be during a normal working week. The nurse who contacted me does not want to be named. Anyway, she is down €300 per week as a result. That is a shocking amount of money. This is a kick in the teeth for our most valued workers and it needs to be reviewed. Earlier, I said many of the situations that have arisen were unexpected but we need to tease them out and work through them as fast as we can.

**Deputy Michael Fitzmaurice:** I welcome many of the different measures brought in during recent days. They are helpful to people throughout the country. There are anomalies in certain areas. We have told our elderly to isolate as much as they can. If they have to isolate in the coming months, the fuel allowance should be paid to them. Obviously, they have to keep themselves warm. We should ensure we put that in place.

This morning mixed signals came out. Officials in the Department of Employment Affairs and Social Protection sent letters to people throughout the country. The letters said it would be preferable if people used the banking system for social distancing rather than the post offices. Let us be clear on this: post offices have brought in as good a system as the banking system to ensure proper social distancing. It has now been cleared up but such mixed messages need to stop.

One sector that has been forgotten in all of this is the farming sector. At the moment the marts are closed to farmers. Will the Minister confirm whether farmers are entitled to the €350 payment? They are self-employed. They are struggling to sell cattle at the moment for the obvious reason that the marts are closed. It is well-known that there is a slowdown at the moment in the export of beef. I welcome the green lanes announced today. They have been introduced in Europe to try to get through this. However, we need to consider the sheep sector, which relies on the French market at Easter. Prices are falling flat on their face at the moment. I welcome every measure the Government has taken. All of them are needed and fair play to the Government for taking them. There are sectors which need help. There are 300,000 people involved in the agricultural sector and 130,000 farmers. We have to make sure that something like the beef exceptional aid measure, BEAM, scheme is introduced because at the end of the day, the food system has to be kept going. I ask the Minister of State to consider those points.

**Deputy Michael McNamara:** I support the call for the fuel allowance to be increased beyond the anticipated date of 18 April, even after the immediate stage of the crisis has passed. A lot of elderly people will continue to self-isolate for longer than the rest of the community and they need to be supported.

Like many other constituencies, tourism is an important aspect of the economy in Clare. I received an email which I wish to bring to the attention of the Minister of State. I have received many calls from seasonal employees and their employers and this email is from an employer. It states:

We were due to take on most of our staff for the season this week and next week. We will not be able to do so now before May, if not June, such are the current conditions. Social welfare is refusing to give our seasonal staff the increased payment as they were not em-

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ployed on February 29th. I was going to take the staff on directly and pay them through the Government scheme for the next two months. This is also being disallowed on the basis that the staff were not in employment on February 29th. Young students who only worked for six hours a week are getting paid the €350 but regular seasonal workers are being refused.

That seems, to this particular employer, to be unfair. It also seems unfair to me and I ask the Government to look at this because seasonal employment is an essential facet of tourism, which is an important sector.

I would also like to focus on agriculture and in particular the BEAM scheme. It was an exceptional measures scheme introduced by the Government in 2019, one of the conditions of which is a reduction in stocking numbers in the time period from 1 July 2020, which is quickly approaching, to 30 June 2021. Given that marts have closed farmers will not be able to sell cattle. I suggest that the time period specified in the scheme for stock reduction be extended to next year because of issues of *force majeure*. I have looked at the Commission implementing regulation and my proposal does not seem to be precluded by that. I ask the Government to look into that, as well as how the self-employment measures could be utilised by farmers, in particular beef farmers, who are unable to sell produce and raise money but are still working on their farms. This is creating a difficulty.

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** We are moving onto the provisions dealing with the rental sector, housing, planning and other areas. This is a Second Stage debate but I want to be clear that we are moving on from social protection to the housing element of the Bill. There was some confusion with spokespersons earlier. For clarity, I wish to state that we are moving onto the next section.

Before I move on to discussing the various amendments which have been put forward and what is in the legislation, I offer my condolences to the families who have been affected by coronavirus and have lost loved ones. We all recognise this has already hit home for some families much harder than others. I wish those who are unwell and receiving treatment a speedy recovery.

I also wish to recognise that the offices of all Deputies and Senators are available to assist people as much as we possibly can. I understand most offices are officially closed but all of the services we provide continue behind the scenes. In line with many other community groups, we are available to help as best we possibly can. Likewise, the offices of Ministers and Ministers of State are open to any Deputies who may have issues they want to raise with us. I recognise the co-operation we have had in trying to piece together legislation quickly over the past couple of weeks. Members have made suggestions, amendments and so on. While we cannot accommodate everything, there has been a lot of co-operation from all involved, from representatives of all parties and none.

The Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, and I want to recognise the work that is being done on the front line by all involved with the Department of Housing, Planning and Local Government. A lot of work has been done in recent weeks to put plans in place to deal with all of the scenarios which might arise in the weeks and months ahead. We received much co-operation from local authority level, from NGOs and from all the various stakeholders, including front-line teams working with the homeless, as well as the stakeholders, both private and public, when it comes to family hubs, hostels etc. Everybody has

played their part and got involved with us on the plans as well. I recognise all the hard work that goes on there too. Other Ministers and Deputies have mentioned other Departments. I will keep to the Department for Housing, Planning and Local Government for now, but I recognise there is good work going on there being led by the local authorities.

In relation to Part 2 of the Bill, the Bill provides for amendments to the Residential Tenancies Acts 2004 to 2019 to prevent both tenancy terminations and rent increases during the Covid-19 emergency period. The aim is to keep people in their homes. We need to restrict the movement of people to protect the health and lives of our citizens and this Bill will help reassure tenants that they will not be forced to leave their home during the unprecedented emergency.

No notice of termination can be served during Covid-19 and, except in exceptional circumstances, those served before the emergency cannot take effect until after the emergency period has passed.

These emergency measures do not mean tenants can ignore their obligations. Tenants willfully in breach of their obligations can be pursued by landlords, but only with the approval of the Residential Tenancies Board, RTB, in extreme circumstances. That still must be allowed for. Generally, such determinations would take up to 16 weeks to execute.

Rent increases are prohibited during the Covid-19 emergency period. However, landlords and tenants are free to enter into informal arrangements to allow for rent decreases for the duration of the Covid-19 emergency.

The Bill defines the Covid-19 emergency period to be of three months' duration but this period can be extended, if necessary, by Government order.

This legislation seeks to protect both tenants and landlords. Landlords accept that some tenants will face serious financial challenges over the coming weeks and months and landlord sector bodies have confirmed in recent engagements with the Minister, Deputy Eoghan Murphy, that they will work to support tenants to the greatest extent possible. The banks, and in turn landlords, recognise that forbearance is required. The Minister for Finance, Deputy Donohoe, dealt with that on a number of occasions in recent weeks.

While tenants are legally obliged to continue to pay rent during this emergency, the Government is fully conscious that some tenants have seen a reduction in their working hours, some have lost their job, and others have been forced to self-isolate to protect their communities and in some cases have contracted Covid-19.

The Government has made available a range of income and rental supports to anyone in financial difficulty. I encourage tenants encountering difficulty to engage with their landlords and the Department of Employment Affairs and Social Protection at the earliest opportunity to seek whatever income and rental support might apply in their case. There are quite a lot of supports but, naturally, these are individual in nature.

Section 3 of the Bill provides for standard definitions, including a definition of the Covid-19 "emergency period" to be of three months' duration. The Government is empowered under section 4 to extend this emergency period by order, if necessary.

Section 5 provides that a landlord cannot serve a notice of termination during the Covid-19 emergency period. Where a notice of termination was served before the emergency period, it

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cannot take effect during Covid-19, except in certain exceptional cases as outlined earlier. For tenancies of less than six months' duration, a tenant will now have 28 days, as opposed to 14 days, from receipt of a rent arrears warning from a landlord to pay overdue rent. Where the tenant fails to pay, the aforementioned tenant protections will apply so the landlord effectively can only serve the notice of termination at the end of the Covid-19 emergency.

**Deputy Darragh O'Brien:** I wish to share time with my colleague, Deputy Butler.

I thank the Minister of State for outlining the provisions of the Bill. I assure him that Fianna Fáil will work constructively to improve this legislation. We welcome many aspects of the rental package contained in the Bill but we believe that it needs to be strengthened further.

We need to protect renters. We need to secure the long-term viability of that sector. We need to prevent any additional homelessness but we also need to make sure that we look after those who are in emergency homeless accommodation.

We need to further strengthen protections for mortgage holders and we have put forward an amendment to do that.

I will briefly cover some of them. Oireachtas oversight is incredibly important and that is why I have an amendment down that any of these measures would come back to the Dáil and Seanad within 90 days to strengthen the Residential Tenancies Board role in this to make sure there is adherence to these measures, particularly with regard to forbearance to renters.

We must look at the issue of any accumulated debt during this crisis as well and I welcome amendments from others on that. I will be interested to look at it.

On business relief for employers, I want to make sure that there is protection for the business sector from unscrupulous landlords at a commercial level using non-payment of rent to trigger break clauses in leases. I have seen that already, unfortunately, with a couple of the commercial semi-State bodies, which are big employers in this area. That is not acceptable.

I refer to strengthening mortgage holders support. I want to bring the non-banks into the legislation through legislation brought forward by Deputy Michael McGrath in 2018. I have tabled an amendment on that as well. We need to bring companies like Haven and Pepper under this legislation. As I said, we need to support renters and make sure that HAP top ups are dealt with. Fianna Fáil has amendments in this regard to make sure those who cannot pay those HAP top ups due to being made unemployed because of the Covid-19 crisis are dealt with. We then need to look into the future.

In the remaining 50 seconds of my contribution, like others, I pay particular tribute to all those on the front line who are working at an incredible level of commitment to our country and Republic. They deserve all the support they can get. We have our job to do in the Dáil and I believe that working together, we can strengthen the legislation to make things better for our people during this crisis. I acknowledge the work of our local authority staff across the country and all those on the front line, including our transport staff and those in the aviation sector who, hopefully, will continue to work to get Irish people home during this crisis. I have amendments tabled, for which I will argue on Committee Stage. They are put forward in a constructive way to try to make this legislation better. We support the thrust of this legislation and look forward to working constructively together to make this a good piece of legislation that will have a real and positive effect for our people.

**Deputy Mary Butler:** The coronavirus emergency is the most dangerous and life-altering event Ireland has faced in any of our lifetimes. It has completely changed the way we live our lives and how we go about our daily business. We have all seen the horrific numbers from Italy and Spain, our European neighbours, and we now pray that their present is not our future. We cannot call to our parents for a cup of tea and a chat but this is a price worth paying if it keeps them safe and healthy. Up and down the country, people are paying this price. Many thousands of people have lost their jobs and are unsure of when they will be back in employment. Many thousands of employers and small business owners have had to close their doors and wonder whether they will open again. Many thousands worry whether they will be able to keep a roof over their heads, pay their rents or make mortgage repayments. What will the future hold for them?

I welcome the opportunity today to support the Emergency Measures in the Public Interest (Covid-19) Bill 2020 and look forward to debating amendments that will strengthen the Bill. However, I believe all is not bleak. One only has to look at the front-line healthcare workers up and down the country to find hope. Homecare workers and carers are delivering care in the community to our most vulnerable. Our people have rallied and will not be found wanting. We hear of doctors and nurses coming out of retirement and returning from across the globe to fight this virus. We have seen innovations such as 3-D printing companies pivoting to make respirator valves. We have seen many Irish companies change their business models to create products such as face masks and hand sanitisers.

South Korea has shown how this virus can be slowed - social distancing, testing and contact tracing. The Irish people must play their part in this. We must all follow the HSE guidelines - washing one's hands, coughing and sneezing etiquette and social distancing. The value of social distancing will become apparent as the weeks go on if people comply with the guidelines. We are already seeing the benefit with contact numbers significantly reduced.

**Deputy Eoin Ó Broin:** I start by offering my deepest condolences to families who have lost loved ones to Covid-19. My thoughts are with all of those people who are sick or unwell, be they self-isolating or in hospital. Like other Deputies, I express my sincerest thanks not only to all of the outstanding health and emergency workers but to all of those other people, be they in the public service or private sector, who are keeping our economy and society moving - people like retail workers, delivery workers, taxi drivers, local authority staff and, of course, the front-line staff in the community and voluntary sectors.

As everybody here knows, tens of thousands of workers have lost their jobs and many of those jobs are in hospitality, retail and services. They were on low or modest pay. A very significant number of these people are renters. For people who are paying their full rents, rents are due from next week and many people who are on HAP have top ups to the landlords that are due this week in many cases. There is a significant amount of worry and fear among this group of people about what the immediate future will hold. Some landlords are responding very responsibly for which I thank them but I am hearing reports, as I am sure are other Deputies, of landlords not responding in the spirit we would have expected. While the measures in relation to housing and rents in this Bill are very welcome, my concern is they do not go far enough. One of the single biggest concerns, which Deputy Darragh O'Brien has raised, is what will happen at the other end of this crisis when renters will end up with a very significant rent arrears debt burden and the impact that will have on them, the rental sector and the economy overall. That is why we have been arguing in recent weeks, first, for an emergency rent supplement payment. I understand the Department of Employment Affairs and Social Protection is looking at

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that, but we have yet to see a formal announcement of the nature of the scheme. Also, we are going to need to see a serious discussion around rent reductions and rent waivers, in particular in cases where landlords of tenants unable to pay their rent have been able to avail of mortgage moratoria for the period of the emergency. Sinn Féin has amendments on those issues. I urge the Minister, the Minister of State and the Department to work with Opposition spokespeople over the coming weeks to deal with some of these issues and deal with us in the same spirit that we are dealing with the Government on the primary legislation.

I welcome the prohibition on eviction notices and rent increases. This will, undoubtedly, take the immediate pressure off the private rental sector and that is a good thing. However, I am concerned that particular groups of people are not covered; people with licences, people in digs, and those in informal lodging arrangements, etc. If we are going to protect renters we need to protect all renters and not just those with formal tenancy agreements.

I am also concerned about some aspects of the community that is in emergency accommodation. I know significant work has been done by the Department, local authorities and the voluntary service providers but more needs to be done and there is a need for greater communication, in particular for those people in communal settings such as dormitory-style accommodation, to try to get them out of that accommodation as quickly as possible and into environments that are much safer. That is not just in emergency accommodation but, crucially, also for those in direct provision which, while I appreciate is not within the remit of the Department of the Minister of State, still needs to be mentioned.

There is enormous concern among the Traveller community, in particular where sites are either very overcrowded or do not have adequate facilities or in illegal sites. We need to hear some very clear signals from the Minister and, again, to communicate some of the positive work that has been happening behind the scenes but maybe to go a little bit further. If we are saying that nobody should be evicted over the period of this emergency, that means all sections of society, including the Traveller community. We need to get clarity on that.

I fully understand the need for both the planning regulations and the primary legislation in front of us but I have some concerns about the impact it will have on the ability of the wider public, third parties and advocacy groups to engage fully in the planning process. I will return to that, but also we have yet to hear what will happen with other licensing processes that have statutory timelines, be that licences granted by the Environmental Protection Agency, local authorities or other bodies where the same types of measures are going to be required. If the Minister could enlighten us on any of that I would be greatly appreciative.

This is a national emergency. It is a global emergency. It is a time for all of us to put party politics aside when dealing with these kinds of emergency measures. The Minister of State can rest assured we will work with him and his Department in the way we have on many other issues before in that spirit, but we need greater levels of support for workers, families and small and medium sized enterprises to ensure that while we deal with the immediacy of the crisis they do not end up with a very substantial debt burden on the other side with all of the negative consequences for them, the economy and society.

**Deputy Francis Noel Duffy:** We are here today in different circumstances. I believe I have entered the Dáil in a time of great change and where unity is required. It would be remiss of me not to acknowledge how truly honoured and proud I am to be the first Green Party Deputy to represent the community of Dublin South-West. I sincerely thank the voters for my mandate

and the opportunity to effect change. I also applaud and commend all party leaders and their health spokespersons for the decisive actions and the leadership they have shown. In this crisis, we are witnessing, albeit quietly, a unity of purpose. We are in a period of extreme change, one which is bringing huge challenges for this country's people and services. Today, we will pass legislation that will protect renters who live in more than one quarter of our national housing stock and protect anyone who during this crisis might be at the risk of eviction. The Green Party fully endorses and welcomes the moratorium on evictions and welcomes the interim stimulus packages for those in the workforce who have recently lost their jobs. However, we contend that rent supplement reviews must be suspended in line with the other moratoriums being considered here today. We also call for tenants to be afforded supplementary funding to meet their payments where they have been made redundant. It has taken a health crisis to implement a rent freeze. The Green Party is encouraged by this decision, supported by all parties, illustrating that no Government policies or positions are immutable. It should not be forgotten that the rental market is out of control. The National Economic and Social Council, NESC, reported in 2014 on this type of housing crisis. It pointed to the open market not being able to provide the stable environment for the provision of homes that people desperately need. Strategic housing developments, SHDs, are not innocent as they have failed to fulfil their remit to fast-track housing for our communities. Instead, they line the pockets of institutional investors using the system to construct build-to-rent units which prohibit people from buying in their own neighbourhoods. The State should not be complicit in these housing models, which only serve to create transient workforces instead of sustainable communities.

The State is currently making vital housing assistance payments. However, these payments are now meeting the cost of a mortgage. The State is fuelling the market by competing with the private sector by paying out approximately €700 million last year in rent subsidies. This has to stop. This money should be invested in public housing which the State would own in the long term. Some 35,000 houses could be built with this money over ten years.

Change is the solution. The State has to weigh in to provide cost rental, affordable purchase and social housing units *en masse*. The market is only interested in profit. The State, however, has a duty to provide and to protect its citizens with an affordable, stable housing environment. The institutional investment housing schemes are purposely keeping units vacant to ensure high rents. A vacant unit levy is required to open the units to the rental market.

The Green Party is also acutely aware of the crisis in our rural towns where the hearts of urban centres are lifeless due to bad zoning and commercial planning decisions. We need a town centre-first policy where we bring back people into our towns and villages and revive these cultural habitats with sustainable communities.

My father used to say that one left one's pride at the gate when entering his house. This is what we should be doing in this House. Party pride has no place in the Oireachtas. When a health crisis of this magnitude is meeting us face on, such pride should be left at the gates of this House. On the first sitting of the Thirty-third Dáil, I was humbled by the discourse of Deputies who spoke of their individual mandates that went beyond party affiliation. We all have personal moral responsibility. As many said that day, we must seek to balance that responsibility between duty to our constituents and our party policy platforms.

The past is the past. Today the present is a harsh reality. Parties should today now consider the fundamental needs of the people they represent, the need for security in their homes, for bread on their tables and for the safety of their loved ones. People need to work together to

shape a future that will be welcoming and not fearful, a future which includes and a future that does not sacrifice local needs for the financial gain of hidden and unknown others. Partisan politics will wait until we get over the other side. Only then can we begin to consider a return to politics as normal.

**Deputy Duncan Smith:** The Labour Party welcomes the Bill's elements concerning the moratorium on rent increases and tenancy terminations. It is common sense and will provide some comfort to people in vulnerable housing and tenancy situations in this scary time. It must be said, however, that we cannot have a scenario where landlords who have been given a break on their mortgage payments by the banks do not pass that on to renters and that renters accrue a debt through the next three months or beyond. This will only widen the wealth gap in our society, leaving hard-working people, who have been driven to the rental sector with little potential of getting out of it, in a more financially precarious situation. In an attempt to save sectors of the market economy, we cannot increase the burden on ordinary working people who, for the large part, have been ahead of politicians in their actions and adherence to the measures brought in over the past several weeks.

This crisis has laid bare something we have known for a long time and which the Labour Party and Senator Humphreys have raised, namely, the number of properties taken away from the market by short-term letting organisations such as Airbnb.

*DAFT.ie* and *The Irish Independent* reported this week that there has been an increase of 64% in rental accommodation available to the private market. We cannot waste this opportunity to use these dwellings and ensure that we get people in there who are vulnerable, who may be coming out of homeless services and who need secure tenancies. The State needs to act now to secure those dwellings for long-term tenancies. The model of having so much of our city dwellings on short-term lettings is profit-driven, has had a disproportionate effect on our housing crisis and is a cause of shame to our country over recent years.

The Government must take control of these dwellings by appointing voluntary housing bodies and local authorities to do that. I know much of that work is being done but we need to drastically improve that. The Government must move to safely house the most vulnerable in our society. There are people living in direct provision, asylum seekers, members of the Travelling community, who are as much at risk as the rest of us, if not more so, from Covid-19 and we must not forget them during this very worrying time. Housing and family circumstances are not cut and dried and we cannot simply say to people who are living in uncertain and desperate situations that we must care for the majority first. We must care for everyone now and always. Those in direct provision must be given safe and adequate accommodation, not only through this Covid-19 pandemic but afterwards and for the foreseeable future. We cannot continue to stand over that system. It is inhumane and as a country that is now showing its true heart and community warmth, we cannot stand over it in the future. Those who are in homelessness or are stuck in short-term accommodation cycles must be provided with absolute certainty of shelter and freedom from the possibility of being moved out. This cycle cannot continue. People who live on the streets cannot maintain an adequate social distance. They cannot adequately protect themselves from the virus, or from the harsh conditions on the streets, day in day out, pandemic or other.

More important, the level of homelessness and people in uncertain housing going into this crisis has been disgraceful. We need to come out of this crisis as strong as we are now and tackle the housing and homelessness crisis. Attention has been paid more to how we deal with

it than the physical result of people coming out of homelessness. The radical change I call for is, I believe, supported by most in this House and I believe there is an appetite for it in the Government. This Bill and these elements of the Bill are most welcome. We feel they will make a big difference. The Minister of State has our support and we will table some amendments this evening which we feel will improve the Bill.

**Deputy Cian O’Callaghan:** In éigeandáil mar seo, tá orainn oibriú go han-dian chun daoine leochaileacha a chosaint. We must do everything we can to protect those most vulnerable during this crisis, especially those who have been working in precarious conditions and renting precariously. Many people who have lost their jobs and income now face huge uncertainty in their rented accommodation. These workers often live paycheck to paycheck with little or no savings to cushion a sudden drop in income. This Bill will go some way to addressing their fears but not far enough. We have tabled several measures to strengthen it.

I have several concerns that are not adequately addressed in this legislation. First, the Bill makes no provision for people renting a room in licensed and owner-occupied accommodation. Those renting in a property owner’s home are already in an extremely precarious situation and there are reports of evictions from owner-occupied accommodation with little or no notice given. This practice constitutes a significant public health risk, in respect of where these people will go and will also potentially place undue pressure on our homeless services. While the freeze on rent increases and evictions is helpful there is huge concern that potentially thousands of people will be evicted once these emergency measures come to an end, due to their inability to pay. People are asking why, if there can be a break in mortgage payments, can there not be a legal guarantee that this is passed on to tenants. We need stronger action to protect incomes and support renters to prevent a tsunami of evictions in about three months’ time. Significant changes are happening in the rental market, with an additional supply of short-term lets coming on-stream. There will be a decline in rents in the coming months as incomes drop, so it is in the interests of landlords to actively work to keep their tenants *in situ*. Given the changed context that is emerging in the rental market, it is important that the Department and local authorities do not get into any long-term commitments right now. It certainly would not be the right time to sign long-term, high-price HAP leases and 25-year enhanced leasing arrangements. We should wait for a number of months before signing new leases in that regard and look for prices to come down.

The policy of permitting co-living as a housing option, which has been heavily promoted by the Government and the Minister, must be reviewed in the context of the virus. Our housing policy must not seek to create new and additional cohorts of vulnerable renters at greater risk of infection from use of shared facilities.

I want to talk about people living in direct provision and about homeless people. When I spoke in the Dáil a few weeks ago, I said that we must take particular care to ensure that vulnerable groups such as homeless people and those living in direct provision are protected in this crisis. Some 17,000 people live in high-risk accommodation, sharing kitchens, bedrooms and bathrooms. Some 6,000 of those are children. There were reports today of threats being made in one location against asylum seekers who are raising their concerns about Covid-19. This is not just about people and families living in direct provision centres. It is a risk to the entire community and the health services, and it needs to be urgently mitigated. Homeless people from one shelter had to write a letter to the papers this week to raise their concerns, and I want to quote from it. It reads:

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Many of us believe that by now we must have been exposed to the virus, and it would be surprising if the authorities did not suspect this too.

Yet we circle the city with nothing to do and nowhere to stay, in all likelihood carrying the virus with us, spreading it as we go.

If, in the unlikely event that we haven't been exposed, we surely will be if we're forced to remain out of doors, involuntarily, for much longer.

Or, indeed, if we're forced to return to shelters in which self-isolation is virtually impossible.

It is our understanding from how the virus is transmitted that if one of us becomes unwell, the chances are that all of us – living cheek by jowl – will become unwell too.

It continues:

Or are we to understand that the appalling selection process in practice in Italy, in which some patients are deprived of medical help in order to save the lives of others, has begun in Ireland already, with at least one group in Irish society effectively left to fend for itself?

The question is not as unfair as it might seem. To evict people during a deadly pandemic in a city of empty hotels is about as morally dubious as exporting food during a famine.

I appreciate that a lot of work has gone in to create space for self-isolation but I think that many of these efforts need to be moved forward as quickly as possible.

To conclude, I want to echo many comments made by previous speakers about the efforts that are needed to make sure that these protections are afforded to everyone in society, including members of the Traveller community. We must do everything that we can at this point to take decisive action to protect renters and those who are vulnerable.

**Deputy Bríd Smith:** I welcome the Damaskan conversion of the Government on issues that, before the Covid-19 crisis, were impossible and unconstitutional, such as a ban on evictions and a rent freeze. It is very welcome that these are being brought in now. I do not think anybody should be left with the impression that the housing system that we were operating in before we came into this desperate crisis was anything normal. There was nothing normal about it. In reality, the housing system that we had before the Covid-19 crisis was a disaster. It was life-threatening for many people who were the victims of it. People have died in our streets because of homelessness and people have suffered badly because of overcrowding and long waits on lists. These measures should be seen as the first steps in trying to utterly change the housing system that we have in the future.

The rent freezes are very welcome, but like other proposals on mortgages, it is not enough. If we simply store up the rents to be paid back in the future, then we are putting people into unsustainable debt. When Covid-19 is gone, they will face a crisis in their own lives, trying to meet that unsustainable debt. We have tabled amendments to the Bill on these issues. We need an amnesty on rents and mortgages. For the next month or two, we should pretend that, in financial terms, this period never happened. Of course, we have to deal with it very seriously in health terms, but it needs to be treated as a period in history that just did not happen when it comes to paying rents, mortgages or utility bills. In that way, people will be able to deal with things in a much better and more sensible manner and we can return to a society in which

people will be able to go back to work unhampered by deferred rents, utility bills, mortgage payments and so on. We cannot continue to enrich the real estate investment trusts, the banks, the vulture funds, and the property developers. We need to state that the days of megaprofits for the vulture funds and bankers are over and that the costs of a future recession after this crisis recedes will not be borne by ordinary people but by those who can afford to pay: the giant corporations, the vulture funds, and the bankers that have enriched themselves on the back of our housing system.

With regard to this specific Bill, we need clarity on the impact of some of the measures, especially with regard to the situation of some of the cohorts of people that have been mentioned. These include those living in digs and students who have been forced to leave accommodation and who are trying to get back their deposits. We are very fearful of what might happen to the Travelling community because, as the Minister of State knows, there are two categories of halting sites: those that are legal and those that are not. We need reassurance that there will not be any evictions of members of the Travelling community. We also need to be able to tell anybody, regardless of their type of lease or rental agreement, that they will not face eviction or be penalised.

I echo the calls made earlier for tougher action with regard to lenders, bankers, vulture funds and so on. It is not enough to have a gentleman's agreement or understanding and sympathy over tea. We do not need to hear that the situation is awful and that the banks are doing their bit, as the head of the banking system has said. The banks' bit is not enough because it turns out that their bit will give them more interest and profit in the long term at the cost of ordinary people. That must not be allowed to happen.

I was reading over the Government's action plan on the Covid-19 virus again and there are many references to direct provision, Travellers, the most vulnerable, the homeless, and people in emergency accommodation but we are still not clear on what actual steps have been taken. As we can see from the contributions made in the House, those in direct provision and those involved in the homeless sector are greatly worried that not enough is being done quickly enough. Tens of thousands of people are being put in real danger because of overcrowding and the inability of homeless people who have been put out of their accommodation and forced to hang around streets all day to isolate themselves. Not enough is being done quickly enough. It is in the interests of public health for this to happen. I suggest that the empty hotels littering the country be used to allow people to self-isolate in their own rooms. There is no point in having shining hotels - which is not intended as a reference to the scary film - littering the country in the middle of this health crisis.

**Deputy Denis Naughten:** I welcome the provisions in this legislation with regard to protection against eviction and a rent freeze. I will flag an issue which I flagged earlier with the Minister of State's colleague. It relates to those getting a break or freeze on their mortgages. While many of the commercial banks are implementing the agreement they have with the Minister for Finance, which is to extend the mortgage by a further three months at the end of the term and to provide a payment freeze in the short term, I understand that Ulster Bank has taken a different approach. It is not extending the mortgage but is lobbying the repayment of the three months arrears and the compound interest on top of future payments. In three months' time, those families will face an increased mortgage repayment as a result of this approach, which will add to the financial hardship of families that are already under pressure. There must be a consistent approach across the sector.

In addition, an approach must be taken to provide alternative accommodation for healthcare workers who are living with an older person or a person who has an underlying health condition. We must be able to provide those front-line healthcare workers with alternative accommodation free of charge. It is bad enough that they are risking their lives in providing front-line services, and we commend them on the work they are doing, but they should not be in a position where they are potentially bringing this virus home to someone who is immunocompromised. I ask the Minister to examine the opportunity of using vacant hotels across the country to facilitate that.

One of the main reasons we have such a problem in the private rented sector is that many families cannot purchase their own home. One of the problems in that regard is that investors are buying blocks of apartments and housing estates for the rental sector. The UK has introduced legislation that prohibits an investor from buying any more than a quarter of a particular development, allowing people who wish to purchase homes to buy up to 75% of that development. Similar primary legislation must be introduced here. It is emergency legislation that is required to deal with our overall housing situation.

I wish to raise two other issues. The first relates to businesses. We are giving a break to people who are under financial pressure in renting private residences, but there are many businesses renting from landlords. They have no income coming in at present so a break should be given to them and in some cases to the landlords where the rent is the only income available to them. A similar type of flexibility must be introduced in that regard. There is also a need for flexibility in terms of commercial rates. Some local authorities are taking a proactive approach in that regard, but others are washing their hands of it and saying it is not their problem.

On the final issue I wish to raise, I started with the health sector and I will finish with that sector. There are many front-line staff in this country, such as An Garda Síochána, health service staff, Defence Forces staff and staff in the Department and across the public service. The practice of coughing or spitting into a person's face must be outlawed. There must be a specific provision in this legislation to prohibit anybody from carrying out such an appalling act. We must use the full rigours of the law in respect of anybody who would contemplate doing that, not to mind carry it out, particularly against the front-line staff in offices, hospitals and in the community in this country who are providing a tremendous service.

**Deputy Richard O'Donoghue:** I commend the last speaker on speaking out about people who would spit or cough into anybody's face. I am in full agreement that the full rigours of the law should be brought to bear on those people. Where people are under age, the responsibility should be on their parents. I have seen at first hand people walking down streets thinking it is funny to cough and spit when they see people coming towards them. Do they not realise it affects all ages and that it will be brought home? I support the Deputy on that.

I wish to declare that I am a small-time building contractor and have been since 1993. I welcome the rent freeze and the provisions regarding evictions in the Bill. However, I am also a member of many school boards and bring my experience with the different schools that are being built around Limerick at present. Provisions for their construction need to be made between the Department and the schools, and for contractors that are on deadlines to complete schools such as Coláiste Chiarán in Croom, which was due to be finished soon. If such buildings close because of social distancing, the contracts will have to be extended and provision will have to be made in order that the schools and the contractors will not be put in a position whereby the schools cannot open when this crisis subsides. Measures also need to be introduced for people

whose houses are being built by contractors waiting to be able to get into the houses. They should not face the same regulation. In the case of people who have rented a house for at least 12 months while they wait for their house to be built, if their lease ends within the 12 months, they should be able to continue to rent the property where they live and their lease should be extended.

I have received many calls in recent weeks from parents who are separated and who share visiting rights. I have heard of a couple of cases of people who are now living with their parents and cannot fulfil their agreement with the courts. Their children cannot visit because their grandparents are elderly, and they are unable to rent a house because the provisions are not in place. We also need to protect such people in order that they will not be deemed by the courts to have broken their agreement. They are protecting the elderly and we need to protect them.

**Deputy Mattie McGrath:** I thank the Minister of State and his staff for their briefings and the support they have given us during this pandemic. I wish them all well in their endeavours and I echo the support for the front-line staff. I reiterate what Deputy Naughten stated earlier about the behaviour of certain people, which I had referred to in my opening contribution. Such behaviour is shocking and should not be tolerated. If the law needs to be expanded, we should do that when we sit again next week, although we should have considered doing it this week because such actions should be nipped in the bud and got rid of. Spitting at somebody is a dirty, rotten habit at the best of times but to do it now is wholly unacceptable and must not be tolerated.

What measures are in place, or might be put in place, for someone in the following circumstances? A landlord has an existing mortgage on the house and is letting it to a tenant. As the landlord, the property owner's job is still in place and, therefore, she is not entitled to the mortgage holiday the banks are offering. Her private tenant, however, who contacted my office, has lost her job. Even with the pandemic unemployment payment, she has experienced a significant loss of income and is unable to pay rent. The landlord, on the other hand, still has her job, which may be a one-off house she inherited or whatever. There are many such cases. As she cannot qualify for the mortgage freeze, she cannot pass on the savings to help the tenant.

**Deputy Catherine Connolly:** I welcome the provisions of the section, namely, that there will be no evictions and that there will be a rent freeze. They are limited, however, and like Deputy Bríd Smith, I could not let the Bill pass without saying we have asked the Government repeatedly to declare a housing emergency. Now it will be done for a limited period. Various Deputies, including from Sinn Féin, my group and others, have repeatedly asked the Government to declare an emergency and to take appropriate steps, but it refused to do so. There is now a Covid-19 emergency on top of the housing emergency. Perhaps the Government will learn a lesson this time and realise that the housing situation was simply unsustainable. Some €1 billion was to be spent on housing assistance payment this year alone, not to mention-----

**Deputy Damien English:** That is not true.

**Deputy Catherine Connolly:** The Minister of State should correct me if I am wrong-----

**Deputy Damien English:** I am correcting the Deputy.

**Deputy Catherine Connolly:** I am always open to correction in the Government's time but not in my time. The payment increased from more than €200 million, to more than €500 million, to more than €700 million, ultimately approaching €1 billion. That is not to mention

the top-up payments. If anything showed how unsustainable and ridiculous the housing policy was, it was that we were housing the homeless in hotels and housing tourists in our homes.

While I welcome the Bill, there are a number of things that concern me. We have a three-month time period. I understand where the Government is coming from with that yet, at the same time, the mental health provision and the draconian legislation of last week had 9 November as the time limit. Can the Minister explain the inconsistency in terms of having one emergency run up to 9 November but these sections in regard to the freezing not going anywhere near that time?

Deputy Naughten raised a point on mortgages. It would be very worrying if Ulster Bank or any other bank would do that in regard to mortgages and make people pay dearly after three months, rather than putting it at the end of the mortgage term. The position is similar with regard to rent arrears. It is not sustainable that somebody in arrears would have to come up with the money after three months when we are in serious difficulties.

I have already mentioned direct provision, which is certainly a housing matter. I am going from Billy to Jack in regard to health, housing and the Department of Justice and Equality, but there is still no clear action for people in direct provision.

**Deputy Michael Fitzmaurice:** To families who have lost a loved one, I want to send our condolences. We need to commend front-line staff, such as nurses, doctors, catering staff, porters and cleaners. We also have to remember the people who are bringing food and medical necessities around the country, such as lorry drivers and the haulage sector, as well as those who are keeping water, electricity and shops going. The student nurse issue has to be addressed urgently because we are in a crisis and it is a totally different Ireland to six weeks ago.

I welcome much of the legislation. On the planning side, councils need to keep prioritising houses rather than the building of hotels, which are not needed at the moment. Many council staff can work from home and it is welcome that the decisions on building hotels can be left for a while.

The Bill gives emergency powers to the Minister to make decisions. I have put forward an amendment, given Bord na Móna cannot work this year unless the Minister makes a direct intervention. It was agreed that it would work until the end of this year but, unless the Minister makes an intervention in the next couple of days, it will not be able to work and will have to close down. That is the reality.

With regard to rent, it is nearly like going to sleep for six months. We need to make sure that renters are not put under pressure. I believe the banks have to put what is due at the end of the mortgage term for landlords. Bodies like the Residential Tenancies Board and the banks need to be a joined-up circle with the landlords, with everyone together to make sure no one is shafting anybody else.

While the issue of students may not come directly under this Department, it is involved. With regard to rent, there are students who paid in the first week of January for accommodation for the rest of the academic year but they are not now in college. There are landlords who are ringing up students, looking for the last two months' rent. Issues like this have to be sorted out.

I welcome many of the measures in the Bill. Fair play to the police in the North, who have brought in a thug who spat at somebody. It is about time. Such people should be brought before

the courts as it is disgusting what they are doing. They need to be dealt with, and dealt with hard in this country.

**Acting Chairman (Deputy Bernard J. Durkan):** We now deal with the Department of Defence. I call the Minister of State, who has five minutes, followed by five minutes for each group or party.

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I welcome the opportunity to speak on section 25 of the Bill. At the outset, I acknowledge the important contribution of the Defence Forces and the entire defence organisation in support of the HSE in its effort to combat this silent enemy. Most visible is the presence of the ships being used as testing centres in Dublin, Cork and Galway. A military task force has been also established to co-ordinate the support drawn from across all the services and formations of the Defence Forces. Huge efforts are being made behind the scenes by civil and military staff to co-ordinate our actions, administrative and logistical, to sustain the Defence contribution to the whole-of-Government effort. I also acknowledge the support and commitment of the Civil Defence organisation in supporting the principal response agencies across the country. These volunteers and the Civil Defence officers are deserving of our praise and acknowledgement of their unwavering commitment in times of need.

I had announced previously that the re-enlistment of former PDF personnel was one of the range of initiatives to address capability gaps in the Permanent Defence Force. Last December, I brought a draft Bill to Government which provided for the re-enlistment of former enlisted personnel. It was published last January as part of the Defence (Amendment) Bill 2020. I previously commenced a scheme for commissioned officers to return to service. In the past year, several former pilots returned to serve in the Air Corps. There is also scope to re-commission officers in other specialist streams across the Defence Forces where shortages exist. While officers can be re-commissioned under the provisions of the Defence Act, there is no such provision under which enlisted personnel can re-enlist. I am aware that there are former enlisted personnel who wish to return to the organisation and I was determined to facilitate this. The Covid-19 crisis has added urgency, and hence the inclusion of this provision in the Bill.

The intention is that the provision will be used to enlist suitably qualified and experienced former enlisted persons in the PDF to fill key specialised appointments. The provision is identical to section 4 of the published Defence (Amendment) Bill 2020. The scheme is targeted at former enlisted personnel who have completed a full term of their original enlistment, including any required service with the Reserve Defence Force, or who have been discharged by purchase. There also may be former members who wish to re-enlist for a short period to answer the call to support the response to Covid-19. There also will be those who wish to re-enlist for the full three years. The facility, therefore, will be to enlist for a minimum of six months, but up to three years. There may be an option to extend service once the period is completed, subject to vacancies existing and the Chief of Staff recommending it. Those wishing to be considered for re-enlistment will be able to register their interest on [www.military.ie](http://www.military.ie). Work is ongoing to put that in place and it is planned to go live early next week. Full terms and conditions will be also available to view at that stage.

Turning to the Reserve Defence Force, the Government appreciates the service of the members of the RDF, which comprises a First Line Reserve, the Army Reserve and the Naval Service Reserve. Regarding calls on the resources of the Defence Forces at this time, the necessity for the general call out of the Reserve has not arisen. Some reservists with skills required in

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the response to Covid-19, and whose personal circumstances allow them to do so, are already undertaking certain tasks voluntarily, including support to the civil authorities. I welcome their contribution. Members of the Reserve are paid in such circumstances. When I visited the *LE George Bernard Shaw* yesterday to see the excellent work and great contribution being made by the Defence Forces, I was delighted to hear that members of the Naval Service Reserve are on board assisting with the response to Covid-19.

I also confirm that, following discussion with the Chief of Staff and the general officers commanding, GOCs, that the GOCs are activating the Reserve to assist with the Defence Forces contribution to our national effort. I encourage qualified ex-members of the Defence Forces to consider re-enlistment, particularly at this difficult time in our lives. I look forward to welcoming them back as part of the Irish Defence Forces' family.

**Deputy Jack Chambers:** I am sharing my time with Deputy Murnane O'Connor. I thank the Minister of State for his contribution. I echo some of his words and acknowledge the work of our front-line staff across the Defence Forces, the healthcare system and the whole public service. They are putting in a phenomenal and Trojan effort in responding to this crisis. The collective effort shows their stellar contribution during what will be a very difficult time over the coming weeks and months.

I welcome the re-enlistment proposals from the Minister of State. It is important that it is incorporated into the Bill. I have some questions which will be fundamental as we progress this Bill that perhaps the Minister of State might be able to answer. There has to be equity across the public service. People who re-enter the health service for a period of weeks and months will get to keep their pension as it was. That same equity, fairness and equality has to apply for anyone who re-enlists as a member of the Defence Forces so that there is abatement equity across the board. We cannot have Defence Forces personnel who re-enter as the poor cousins in the public service. That is important.

We have a campaign from student nurses, who should be paid, and that is also important. Cadets who are putting in 12-hour shifts, recruits and apprentices also deserve full pay and the full military service allowance. That needs to be recognised for them and it is important that the Minister of State signals today that the military service allowance will be paid to the recruits, cadets and apprentices.

On the re-enlistment proposal, while some might return, it is important we signal to members of our Defence Forces that we still want to deal with the retention difficulties that exist and are continuing. While re-enlistment might help in the short-term, we still have to ensure there is a focus in defence policy on retaining the staff who still have morale difficulties. The Covid-19 crisis is a worrying sign for the future because while it is a healthcare virus, we know that in the policy document drawn up about the danger to our communications channels, a virus could hit our State infrastructure, which would require a huge defence effort at the front line and which would require backup from other areas. We face serious threats going forward. Covid-19 is an example of one of them but we will face serious threats in the area of defence that we will have to focus on. This is a sign of how we need to ensure defence policy is a focus of this Dáil and how we need to ensure the capability is there to respond.

**Deputy Jennifer Murnane O'Connor:** We are living in extraordinary times but I am concerned that with the whirlwind pace of legislation, many things are being overlooked and are not being scrutinised. It is important that we applaud our healthcare workers and also our police

force, Defence Forces, postal workers, community care workers, business community, teachers, press, workforce and in particular, our parents and children out there who are managing in what is an upside-down world where everyone seems to be afraid.

Overall, I am supportive of this Bill and there are certain measures I wholeheartedly support. I commend the civil servants across the island for their hard work and for the long hours spent away from precious family time to come into work and make sure these Bills go through. While we have seen our soldiers out building mobile test centres in collaboration with our communities and GAA clubs, I am concerned that the language used in the new testing criteria has made people more afraid. Cases might not be found because of the new testing criteria and people are afraid of what will happen and that people will continue to carry this infection. I also want to highlight the people who are on the Rebuilding Ireland home loan who have not yet been contacted about what is being done to help them with their loans. Local authorities have been given no instructions on what the Government is doing for them in this regard. The same thing is happening with people who are on the local authority housing list, in receipt of HAP or with approved housing bodies, AHBs. I am concerned about the lack of information for and communication with local authorities. It is not right. I have been on to the local authorities and there is no information being given to them.

Our Defence Forces members have had their leave cancelled and many will be recalled to service under this Bill. Let us not forget that a mere few weeks ago, many of them were being denied mortgages. Their incomes are so low and many were so badly paid that many of them qualified for the working family payment. When this is all said and done and we no longer need this sacrifice, we must pay them back with a living wage.

There is also huge confusion around landlords availing of relief from the banks during this emergency period. They are duty bound to pass on this relief to their commercial tenants. This is my opinion but clarity is needed. I have received many phonecalls from my constituents with small businesses who have had to close those businesses indefinitely and their landlords are still asking for full rent. There needs to be rent relief and guidance for people in these scenarios.

We also need to look at our students who are no longer resident in student accommodation, and due to the third level closures, need to have their rent refunded. I know many institutions are already doing this but not all are. Again, we need clarification on this.

The Covid-19 payment of €350, which I am delighted with, is meant to begin tomorrow. There is huge confusion with casual workers. I have been on to different Departments and some Departments tell me they are entitled to the payment and others tell me they are not. We need to sort this. We need to extend the fuel allowance. I believe all of us working together will come through together. It is about all of us helping one another.

**Deputy Aengus Ó Snodaigh:** Ar dtús báire, gabhaim buíochas leo siúd ar fad sna Fórsaí Cosanta atá ag déanamh tréaniarrachta cheana féin chun cuidiú leis an éacht atá ar siúl againn mar thír bheag chun troid i gcoinne an ghalair seo atá ar tí an tír a réabadh. I salute the members of the Defence Forces and all other front-line services who are going above and beyond as our small nation tries to prepare for the worst of Covid-19. As always, the Defence Forces are available. They are reliable and we appreciate their extraordinary effort. We have seen some of this effort already with 96 cadets on contact tracing duty. We have seen the work of engineers, infantry and the Air Corps. We have seen the naval crew of the *LÉ Samuel Beckett* building a test centre along the quays in Dublin. The crew of *LÉ Eithne* in Galway and Cork as well as

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the Reserve members on board the vessel have managed to ensure it sails. Many more are on stand-by as all leave has been cancelled - this was mentioned previously. The entire Defence Forces are available to aid the State in our time of need. Leave has been cancelled from 12 April to 16 May. I presume that will change quickly if matters are not righted by 16 May - I do not believe they will be.

It is a pity that neither this Government nor previous Governments ever got to grips with the drain of Defence Forces personnel. It means we have much-reduced Defence Forces capacity to rely on in this time of need but that is a debate and a criticism for another day. Today is about ensuring that the legislative basis for the Defence Forces to be as full an aid to the civil power as possible is in place. It is about ensuring that we can in fact call on those on whom we can call in times of need. It is about ensuring that they will put their full weight, strength and wisdom into helping us during this time.

The amendment to the Defence Act 1954 that the Minister of State is proposing will in fact have limited impact, if any, on the current situation. My party agrees with the re-enlisting of personnel who have expertise or knowledge that is required. Such a move should ensure that the Defence Forces, as they move towards the full establishment figure in the future, can operate as they should. However, many issues have not been sorted out fully with the Defence Forces personnel unions, including RACO and PDFORRA, in respect of what is being proposed. I do not believe this measure, while welcome, will have as much impact as expected. It could be months before we see any effect or before the gaps within the Air Corps, Naval Service, ordnance corps or medical corps are addressed. I welcome the proposal. The Defence Forces are playing as great a role as is possible given their reduced numbers. Each and every member should be valued and appreciated for going over, above and beyond, like many others in our front-line services.

Will the Minister ensure that all Defence Forces personnel receive the military service allowance? This applies especially to the cadets and recruits who are on basic training wages of approximately €330 per week. They are expected to do 24-hour duties, 12-hour shifts and so on to help out. We have seen the related fanfare and photographs. Unlike the trainee gardaí and doctors, they remain cadets, apprentices and recruits. In fact, when this crisis is over they will have to return to their basic training and cadet courses. They can expect to be on meagre training wages for longer. There are other consequences too. I believe it is time to get real and pay each of these soldiers the military service allowance.

Another point needs to be considered. We will come to the relevant amendment later. It relates to the hundreds or thousands of ex-military personnel who are in the Civil Service. They could, and probably should, be reassigned at this point to help the Defence Forces in their tasks. It would be good to harness their goodwill and expertise. It is not about money, fitness or age. It is about their ability to respect structure. It is about the order they often bring, as well as their loyalty and ability to act. I know many former soldiers who would be willing to play a part in such an initiative but who are not in fact part of the first line reserve or the Permanent Reserve. There are others who are in private employment, and giving compensation to their employers would mean they could be released from those duties to help.

I presume the current detachments on overseas missions such as the Golan Heights and Lebanon will, given that we do not have the capacity to rotate them by flying them in or out on military planes, have to remain in place. As far as I know, some of those rotations were due to happen in April and May. It is to be hoped the Minister of State will tell the families as early

as possible when and if those rotations are happening or whether the tours of duty need to be extended.

**Deputy Roderic O’Gorman:** I am speaking to Part 6 of the Bill and the submission I made yesterday regarding items beyond the scope of the Bill. In considering Part 6, it is important that we acknowledge the significant role the Defence Forces play in times of crisis. Many of us have relatives who serve or have served in the Defence Forces and there is a huge sense of pride felt by the entire nation when we see them playing vital roles in international peacekeeping and rescue operations such as Operation Sophia in the Mediterranean and capacity building in post-war states. In recent times, we have felt that pride and gratitude much closer to home because we are seeing members of the Defence Forces assist in the fight against Covid-19 through the utilisation of barracks, the positioning of testing centres on naval vessels and the transportation of samples. We must bear in mind that there may be a need for a greater involvement for the Defence Forces should this crisis deepen, particularly in the maintenance of essential services.

The Green Party fully supports the elements of the Bill that would allow former members of the Defence Forces to re-enlist during this time of emergency, in particular in areas where there is a skills deficit. However, I feel obliged to make reference to the fact that many rank and file members currently live in poverty and the State must seek to improve the pay and conditions of lower ranking members of the forces. Our Defence Forces are there for us in difficult times, such as the current crisis, and we should be there for them when times are good.

I ask the Minister of State to provide further clarification on why the Bill applies only to the Permanent Defence Force and not to the Reserve Defence Forces. I suggest that the Government re-examine this, in particular for former members who have skills that may be lacking in the Reserve Defence Forces and may be interested in re-enlisting during this emergency.

Following the submissions I made yesterday, I would like to briefly reference the need for additional measures for persons who are forced to live in congregated settings, in particular those in direct provision and in our prisons. There are currently more than 5,500 people living in direct provision centres and others living in emergency accommodation. This cohort of people are particularly at risk from Covid-19.

Central to the Government’s entire message has been the importance of social distancing and very little attention has been paid to the near impossibility of social distancing in the context of direct provision centres. In many such centres residents are sharing sinks, showers, bathrooms and cooking facilities. They eat together in canteens and the majority sleep in common dormitories. I understand the Department is limited in what it can do within a tight timeframe, but for those in high-risk categories due to their age, having immunosuppressive conditions or working in the health or care sectors, the solutions based in direct provision centres are simply insufficient. People in these categories need to be moved to living-space accommodation. I gather the Dublin Region Homeless Executive is doing this for those living in emergency accommodation. The same should be done for those living in direct provision.

I understand the Department of Justice and Equality is running a pilot project of new accommodation for people in direct provision. It would be useful if Deputies could be briefed on how advanced the scheme is and how long it will remain a pilot scheme, given that we are in the middle of a crisis, and whether only those with or suspected of having Covid-19 or those in the high risk categories I mentioned will move to that accommodation.

Due to the unique nature of the prison environment, the Covid-19 outbreak poses a particular threat to the 3,900 people currently serving sentences, and there is a consequent threat for those working in the Prison Service. The service and the Department of Justice and Equality outlined a number of measures recently. Reducing the numbers in prison is the best way to avoid spread within our prisons as long as those reductions are done in a way that does not risk public safety. The Minister might clarify whether they will attempt to achieve a situation where all prisoners will at least have access to single-cell accommodation and how many prisoners would need to be released in order to achieve that. Has the Prison Service identified prisoners in those vulnerable categories I mentioned earlier and does it have a plan for them? While I understand these measures are outside the scope of the Bill, with the suspension of parliamentary questions this is the only opportunity we have to secure answers on these vital issues, particularly for those groups who are not in a position to advocate for themselves.

**Deputy Cian O’Callaghan:** It is in a time of crisis that society realises just how crucial a role people working on the front line, including in the Defence Forces, play. I take this opportunity to extend the Social Democrats’ strong support and solidarity with all those working on the front line, including in the Defence Forces but also the public health officials, GPs, pharmacists, nurses, doctors, shop workers, gardaí, paramedics, firefighters, transport workers, delivery drivers and cleaners, all those working to keep the healthcare system and the food and supply chains open, and indeed, the civil servants who are working in the background as well. Their commitment in these challenging times is something that we are all very proud of.

Indeed, one could see when the Army cadets were drafted in to assist the HSE with contact tracing that, as well as giving the practical support that was needed, it gave the public a lift. It showed a sense of pride and a sense of confidence, not only in the cadets but also in the public services and how they are stepping forward at a time when they are needed most.

A point has been well made by others that those who are in the front line in a time of crisis are human, the same as the rest of us, and they bring their own fears and frailties with them. Often they do not choose to be on the front line at a time of crisis but realise that they have to step forward. They are heroes but they are also parents, husbands and wives going out to work hoping to come home to their families safe and healthy and we need to appreciate that. If we are truly to support the Defence Forces personnel and all those working on the front line in the public and essential services, we must support them not only at times of crisis but also in the times that will emerge after the crisis.

Other Deputies have mentioned the need for a living wage. They have mentioned the poverty that many of the families of members of the Defence Forces live in and we will need to address those issues after this crisis.

The Social Democrats support these measures in the Bill to facilitate the re-enlistment if former members of the Defence Forces to plug specific skill or expertise gaps.

**Deputy Paul Murphy:** It is important to do as other Deputies have done, which is to draw attention, at a time when we are rightly applauding and pointing to the role that Defence Forces staff can play, to the reality that these people have been underpaid and under-appreciated for a long time, and to remember the extreme exploitation of Defence Forces personnel that takes place. As 85% of them are on less than the average industrial wage and more than 120 rely on the working family payment simply to survive, that has to end. It cannot merely be a rhetorical commitment to what a great job these personnel are doing, and similarly the nurses etc. If the

Minister of State, Deputy Kehoe, is serious about the importance of these roles, he has to pay these personnel properly and he has to give them the right to be organised in a trade union.

Workers need to be provided with everything that they need to do their jobs safely. That means Defence Forces personnel and all the other workers on the front line being given access to the personal protective equipment that they need, and that is not currently happening. I will read a message I got from a health worker in Tallaght Hospital yesterday. She states:

I work in a hospital. Today we had ambulance men come onto the wards several times to bring patients in or collect them to go to another place. They had no PPE when dealing with Covid-19 patients. They were told the hospitals have to give it to them. We do not even have enough to use because of how quickly the virus is growing. I think this is disgraceful to put the paramedics lives in danger like this.

Also, our PPE is not good enough. [There are] no surgical hats, no visors, just ordinary masks - not the right ones and we are told they cannot get them.

We need to support those who are fighting the virus on the front line. We need to ensure they have the masks, gloves and other protections they need. The same goes for other essential workers in supermarkets and delivery companies. They need to have the screens, hand sanitisers, masks and every other piece of equipment they need. We need to put public health decisively ahead of private profit and private property when it comes to ensuring that happens. Weeks ago in France, they requisitioned PPE to ensure that those who needed it got it first. They also put price controls on hand sanitiser to stop the profiteering. The price gouging and profiteering I highlighted a couple of weeks ago is still ongoing. I got an email this morning telling me that a small bottle of hand sanitiser that was previously on sale for 99 cent in January is now on sale for €8. Similarly, there has been a massive increase in the price of face masks. The Government has the power under the Consumer Protection Act 2007 to introduce price controls at the stroke of a pen. It should do so for hand sanitiser and PPE. We need to requisition private supplies of PPE so it can be directed to where it is needed now. We need to redirect production to make testing equipment, PPE and ventilators as quickly as possible. If not, workers will again be left with no choice but to take action like those workers in An Post in Dublin 15 who last Monday refused to go out because they did not have the hand sanitiser they needed and did not want to put themselves and the communities they served at risk. They did the right thing by refusing to go out. Other workers who take similar action will also be doing the right thing. I appeal to An Post management to reverse the decision not to pay them for the work they had to do on Wednesday to make up for the backlog as a result of the correct decision they made on the Monday. These workers should be applauded for protecting themselves and their families and communities, not penalised by An Post.

We need emergency action to protect workers, renters and those with mortgages. Nobody should lose their livelihood or home because they take proper precautions to avoid the coronavirus. Nobody should end up in arrears on their rent because they cannot go to work. Landlords have been given a break on their repayments to the banks. Renters must also be given a break. We need an amnesty for rents and mortgages for all those affected by the crisis. They should be written off. This is not a time for half measures. We must have a complete ban on evictions. The Government proposes a half ban - stopping new evictions but proposing to allow them to go ahead if the RTB says they can. It is not good enough. Nobody should be made homeless during this emergency and nobody should be made homeless after the emergency either due to rent arrears that build up during this crisis. That would be nothing more than a brief stay

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of execution. I have an amendment to ensure a complete ban on evictions and I urge others to support it to clearly put public health before private profit.

**Deputy Cathal Berry:** Most of the Deputies in the Chamber are aware of who the vast majority of my supporters are and who I represent in this Chamber so it is very fitting that my maiden speech in the Dáil is about the defence provisions relating to this emergency legislation. The first point to make is that we should be very realistic in our expectations regarding this legislation. A very small number of Defence Forces personnel will choose to rejoin - probably about a dozen - and they will probably join in the next few months. I do not see anybody joining this month or next month. I think it will be May and the peak of the crisis will probably have passed before we would see the first person in uniform doing his or her job in the Defence Forces.

I echo the sentiments expressed and commend all members of the Defence Forces, be they members of the navy, Army or Air Corps, who are deployed on the front line basically fighting this virus. I am also very conscious of the clock so to facilitate the Ceann Comhairle, I have five very brief questions for the Minister and it would be very much appreciated if he would be kind enough to clarify them in his wrap up.

Regarding the terms and conditions of people who choose to go down this re-enlistment route, is there any indication of how long it will take for the terms and conditions to be decided and when they will be published on the website?

We know the health service, quite rightly, has waived the requirement for abatement of pensions for health service staff who are currently in receipt of pensions who choose to return to the health service. Presumably, the exact same provisions will apply to veterans who have already served their country in the past and to members of the Defence Forces.

*5 o'clock* I am thankful for the clarification that the minimum requirement to sign back up will be for six months. I presume there will be no requirement to purchase one's discharge should one choose to leave and depart again prior to taking up or finishing off the six-month commitment.

My fourth question relates to the military service allowance. All career training in the Defence Forces has ceased as a result of the outbreak of coronavirus. Currently, many trainees such as cadets, apprentices or recruits, who are the most precariously employed, are being deployed on the front line to deal with the Covid-19 emergency. As a result, their training will be elongated which means they will be on a trainee wage for longer. Presumably, the military service allowance will be extended to those people. It would be excellent if I could get some clarification on that.

My final question relates to the Reserve Defence Force. Once again, its members are stepping into the breach, as expected. My question relates to employment protection legislation, on which we will move an amendment this evening. I would be very grateful if the Minister could support the amendment. That is all I have to say. I thank the Minister for his time and I look forward to his response.

**Acting Chairman (Deputy Bernard J. Durkan):** I thank the Deputy and congratulate him on his maiden speech. May it be the first of many.

**Deputy Mattie McGrath:** I too am thankful to the Minister of State, Deputy Kehoe, for the help that has been given to us. I also thank the Taoiseach who has been in charge of the Defence

Forces for the briefings he has given us. My first thoughts today are with our officers who are serving abroad in various parts of the world in a noble cause, that is, peacekeeping duties, who are unable to get home. The possibility of getting home will be greatly diminished. Many of them are due to come home to their families and loved ones in the near future. In addition to worrying about themselves, they have the added worry of worrying about their families at home and the families at home are worried about them.

I am critical of the overall scheme. It is a pity it took something like this for the Government to rightly recognise the prowess, honour and prestige of our Army over the decades, serving all over the world but above all at home. It is shameful for this Government and previous Governments to have the Defence Forces in such a depleted state at this point in time. The Defence Forces were treated with disdain. They pleaded with us and begged us but, as we know, they could not protest. They appealed again and again. Some of our Naval Service ships were taken out of service recently because of a lack of personnel. There were also threats to the Air Corps and even threats to the rescue and recovery helicopters due to the exodus of pilots and highly trained personnel. That was shameful.

It is good to see the Naval Service ships now being brought to ports and used as test centres and, hopefully, treatment centres. It is excellent that we have the Civil Defence and all the volunteers. I mention the Civil Defence every time I speak because its members are just unbelievable in terms of what they do on a daily and weekly basis. We know they are called on very often. It is great to see former soldiers interested in returning in spite of the bad taste in their mouths due to the lack of recognition by the Government of their roles and the low wages. It will be good when the system is up on *military.ie* but what is the delay in getting it up for people who want to return? We are a couple of weeks into the crisis now. Some 40 minutes ago the Minister of State said it would be up by the weekend. The measure also relates to the Reserve Defence Force. The Forsa Cosanta Áitúil, FCA, as I knew it, had a very proud record and then the name was changed but the conditions were not any better. I salute its members as well. I know many of the officers, many of whom are gone to their eternal reward. The FCA afforded training to young men and women over the decades who wanted to enlist in it. They got fabulous training in service to their country as well as a sense of pride. There was also physical training, firearms training and aspects of search and rescue training, as well as providing a supporting role to the Garda Síochána. It was a brilliant organisation over the years. I recall some school friends of mine who joined the Defence Forces and stayed there until they were forced to retire. The Army cadets, recruits and apprentices must be remunerated. We cannot expect them to be paid a pittance to do the work. They want to do the work. That is why they joined up. They are willing, ready and able to do it but they must be rewarded financially to some extent. They cannot be on the bottom rung of the ladder and expected to do it without support. That is important.

I believe this crisis will pass. Ní neart go cur le chéile. Gach duine ag cabhrú le daoine eile. We are all in it together. We must ensure that the Army gets its rightful treatment. With no disrespect to the Minister of State, there should be a full Minister, as there used to be in the past, for defence. Our Defence Forces are very important. They must be supplied with the personal protective equipment. They cannot be expected to be short on that because they will be in many different situations. Hopefully, with us working together, we will not see the scenes we have seen in Spain and Italy with army trucks carrying away coffins to be cremated. That would be unthinkable. We have some time here in hand. Why is there a delay in putting up information on *military.ie* for people who want to go back to the Defence Forces?

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Our thoughts and prayers are with our soldiers facing this and our officers abroad serving in the United Nations in different parts of the world.

**Deputy Michael McNamara:** I am sharing time with Deputy Harkin.

**Acting Chairman (Deputy Bernard J. Durkan):** Is that agreed? Agreed.

**Deputy Michael McNamara:** This is an unusual time. We have seen many measures adopted, such as rent freezes and social welfare increases, which previously and heretofore were unimaginable and we were told were impossible. I welcome the Minister of State, Deputy Kehoe, to the Chamber. It is appropriate, as the Minister who did most to deplete our Defence Forces, that he would be here trying to attract former members of the Defence Forces back. As we talk about measures which were deemed impossible and on which there was no movement suddenly being adopted, we need to look at the treatment of Defence Forces both in terms of pay, morale and the lack of movement with regard to the case taken and won by PDFORRA against Ireland at the European Social Rights Committee. It very much mirrored a similar successful case taken by the Association of Garda Sergeants and Inspectors. There has been very little movement with regard to the implementation of either and certainly with regard to giving some degree of collective bargaining rights to members of the Defence Forces which the European Social Rights Committee said they were entitled to under the European Social Charter which Ireland has signed. Has there been any advance on this? While I am not expecting an announcement now, it is time we realised our Defence Forces are essential and that they must operate with a high degree of morale which by all accounts heretofore has not existed for some years. This is a step which could bolster morale. A wide variety of measures need to be brought in to bolster morale. I would like some commitment from the Government that this will be looked at in the aftermath of this, as we ask members of the Defence Forces, along with health professionals and people who work in health services, to put their lives on the line to protect us. Surely we owe them something in return.

**Deputy Marian Harkin:** I thank my colleague for sharing time. While some of the issues I want to raise are not directly related to defence, as the day goes by, more and more calls have been coming in from people and businesses seeking clarity on some of the issues. One of them is around the temporary wage subsidy scheme where businesses lose 25% of their revenue. Many people are looking for clarity about this. Is it during that three-month period or will it be over a 12-month period? There seems to be serious concern that it might be a 12-month period, in which case Revenue would be seeking to claw back moneys from those businesses.

Businesses are concerned about the provisions for inability to pay staff. Will names be published and would that in some way declare insolvency, and could they be followed by other creditors? I notice in the legislation that there can be no redundancies during this period. Many businesses are concerned that there is no guarantee that after the three months, all of those who are employed can come back to their jobs and there could be significant problems around redundancy, which of course workers are absolutely and fully entitled to, but which if it were to come at once would pose a serious problem for business. It is great to see the proposals for those who have recently retired from the Army, and for health professionals to come back but I have received several queries from recently retired gardaí to know if there are any proposals for them to come back to serve the State.

Like many others in this House today, I want to add my voice to the utter condemnation of those who are coughing and spitting in people's faces. It is unthinkable and the full rigours of

the law should absolutely be applied to those persons.

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** I thank all the Deputies who have contributed to the debate today. I ask for their indulgence because many issues have been raised. I will try to respond to as many as I can but for those that I do not address there will be an opportunity for the relevant Ministers to discuss them on Committee Stage. I share the concerns expressed about increased reliance on moneylending during the crisis and would strongly encourage people to consider their local credit unions and to approach the Money Advice and Budgeting Service, MABS, if they find themselves in financial difficulty. The Central Bank's code of conduct for licensed moneylenders prohibits unsolicited contact or cold-calling except in certain limited circumstances. To use a familiar phrase, my advice is to keep the wolves from the door and go to the local credit union which people can trust.

Business interruption insurance and a claim in respect of loss of earnings because of closure due to Covid-19 will depend on the specifics of the business's policy. However, as a general rule, I believe that insurers should not attempt to reject claims on the basis of interpreting policies to their own advantage. Where businesses have had to close on the basis of advice or a direction to close by the Government and their insurance policy covers such a scenario, insurers should engage with those businesses honestly, fairly and professionally to honour those elements of the policies covered. Where a policy states that a claim can be made when a business has closed as a result of a Government direction because of a general notifiable infectious disease, I believe that Government advice to close a business amounts to the same thing. Insurers should not try to distinguish between these situations where there is a general infectious disease provision in a policy in order to avoid payment of claims. In this regard, the Government's direction to childcare providers and its advice to pubs and clubs to close is sufficient for those businesses to be able to make a claim on their insurance where the appropriate business interruption cover is in place. The Central Bank has issued a questionnaire to the main providers of business interruption insurance in Ireland. Firms were required to provide the number of policies, the aggregate sums insured for business interruption, and the potential level of cover for Covid-19-related claims. The bank is currently analysing the returns and will update Department of Finance officials as soon as it can. I also understand that the Central Bank is to write to the insurance industry, setting out how it expects insurance firms to handle the settlement of claims arising from the Covid-19 pandemic. The regulator's view is that firms must ensure that all claims are appropriately assessed and where insurance cover is in place, that claims are accepted and paid.

With regard to the social protection measures, some Deputies queried whether the Covid-19 pandemic unemployment payment, which is known as Covid PUP, should be payable to the people returning from Canada, Australia and other countries. The Covid PUP is deliberately targeted at people who have been living and working in Ireland at the time the pandemic struck. It is directed at people who lost all employment and who are living here. People returning to Ireland who cannot find work should apply for jobseeker's allowance and the habitual residency conditionality will continue to apply as appropriate. There were also a number of queries about people who work part-time or casually and who are now unemployed because of Covid-19. I confirm that those workers will be entitled to the Covid-19 emergency payment. Likewise, one is also entitled to it if self-employed.

Other Deputies raised points regarding eligibility if one is already in receipt of a social welfare payment. To be clear, if one is working and in receipt of a social welfare payment such as carer's allowance, the one-parent family payment or the rural social scheme, one can, provided

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one has lost a job due to Covid-19, also claim the Covid-19 emergency payment in addition to retaining one's existing welfare payment. The Covid-19 unemployment payment will replace one's employment income and will be regarded by the Department as equivalent to employment income. A number of queries were raised about people who have already applied for or who are already in receipt of the €203 rate of payment. If a person applied before 24 March or is already in receipt of the pandemic unemployment payment, he or she does not need to do anything. The next payment will be paid at the increased rate. This is a solidarity payment. If people are defrauding their fellow citizens by claiming dishonestly, the full force of the law will be applied. The Department of Employment Affairs and Social Protection will investigate potential fraud situations as they come to its attention. A number of Deputies have raised the issue of frontier workers. I am very familiar with that from living in County Monaghan, where people work south of the Border and live in Northern Ireland. We are currently looking at that situation. A number of other issues were raised and I will be happy to discuss any other aspects of social protection measures later.

Many Deputies have spoken on the housing measures in the Bill. It is important to say that this is an emergency Bill to cover a period of an extraordinary national emergency. The Bill is not intended as a means to introduce new legislation to address wider issues across the housing sector. Such measures could prove counterproductive and could, after the emergency is over, lead to a decline in the availability of particular forms of accommodation. The Government is acutely conscious of the financial pressures on renters and actions taken to date will ensure that people will remain living in their homes for the duration of the Covid-19 emergency. The Government urges landlords and tenants to work together to ensure the best solutions are found during this emergency. The Government is very conscious of the need to protect vulnerable people and the local authority sector is working with the Department of Housing, Planning and Local Government to secure additional accommodation, including across our homeless services. The Minister of State, Deputy English, will discuss these and other aspects of the housing section of the Bill in more detail on Committee Stage. It is difficult to believe that just a few short weeks ago Ireland was at full employment with record numbers at work. Practically overnight, the economic and employment landscape was utterly transformed by Covid-19. We are in a crisis which is unprecedented in the history of State. First and foremost, the Government is focused on responding to the public health emergency we face. That is the overriding priority, but we are also acutely aware of the great economic challenges Ireland is now facing. I know this is an extremely worrying and distressing time for the many businesses that have had to close their doors and for the thousands of workers who have lost their jobs.

These are difficult days but Covid-19 will not last forever. It will end and we must be ready when it does. That is why, through the wage subsidy scheme, we want to ensure that businesses are able to keep their employees on the books so that, when we come out the other side of this, Ireland and our citizens can get back to work as quickly as possible. By maintaining that crucial link between the employer and the employee, we will be best placed to kick-start the economy once again. Through this scheme, the Government is essentially entering into an economic partnership with businesses and employers nationwide so that we can support them and their staff through this unprecedented crisis. I encourage those employers who may have let go staff last week to now look at this scheme and, where possible, to consider taking back on those staff and availing of the supports available. At the end of the day, businesses will want to keep their good, dedicated, loyal staff and to have them ready to go once this crisis has passed.

A number of Deputies have raised issues regarding supports for businesses. I will go through

these very briefly. The €200 million working capital loan scheme is open for application on the Strategic Banking Corporation of Ireland website. It provides for loans of up to €500,000. These loans may be unsecured and businesses can opt to repay interest only at the start of the loan. Loans of up to €50,000 are available through Microfinance Ireland, with no interest or repayments for the first six months. These loans can be used as a liquidity instrument to deal with cash flow problems with no interest charged for six months. We will continue to review this as necessary. This provides six months of free credit. Applications can be made through a local enterprise office. The credit guarantee scheme, which provides loans of up to €1 million, also allows for the option of refinancing existing loans.

Local enterprise offices in every single county are offering vouchers worth between €2,500 and €10,000 to support businesses in being prepared. Commercial rates can be deferred for three months and banks have signed up to a number of measures to support businesses, including loan and mortgage forbearance of three months. The Minister, Deputy Donohoe, has also announced a number of measures to be operated through Revenue which will help SMEs experiencing cash flow problems. We have also extended the deadline for companies to file their annual returns with the Companies Registration Office until the end of June.

All of these measures will come at a huge cost but we hope that by acting now we will have fewer people falling into unemployment in the long run so that our economy can recover as quickly as possible. As I see it, there are three stages through which businesses will need to be supported during this crisis: the initial shock, stabilisation, and the reboot phase when the public health emergency has passed. When one sees a report such as that from the ESRI this morning which predicts that unemployment could reach 18%, it tells one why our focus must be on stabilisation and on protecting key sectors of the economy at this time. My officials are engaging with the Department of Finance and with the European Commission. I assure the Deputies that further supports will be forthcoming. I want to ensure we have the right supports for businesses at the right time.

With regard to the supply chain, I have been in constant contact with the retail and grocery distribution sector, which continues to assure me that we have a strong pipeline of products for our citizens. Once again, I thank the countless retail staff who are working around the clock to ensure our supermarket shelves remain full during this difficult period. I thank the many people working behind the scenes to make that possible - the farmers, producers, hauliers, the palleting and logistics companies, the people who work in the ports and the ferry companies as well as the staff in the farm and medtech sectors and many more. These are front-line staff who are putting their shoulders to the wheel and contributing to the national effort.

All these schemes may not be perfect. There will be flaws. However, that is what happens when legislation is drawn up in the space of a few days as opposed to over the course of many months, as would normally happen. However, as Dr. Michael Ryan of the WHO said recently, when one is in a crisis “speed trumps perfection”. What the Government is doing is a genuine attempt to support our businesses and citizens and to ensure they get the right support. I acknowledge the support and co-operation of all sides of the House at this time. This is a collective national effort and I thank all the Members for that.

Question put and agreed to.

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## Teachtaireacht ón Seanad - Message from Seanad

**Acting Chairman (Deputy Bernard Durkan):** Seanad Éireann has passed the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Bill 2020 without amendment.

*Sitting suspended at 5.27 p.m. and resumed at 6.27 p.m.*

### **An Bille um Bearta Éigeandála ar mhaithe le Leas an Phobail (Covid-19), 2020: Céim an Choiste agus na Céimeanna a bheidh Fágtha**

#### **Emergency Measures in the Public Interest (Covid-19) Bill 2020: Committee and Remaining Stages**

##### SECTION 1

**An Ceann Comhairle:** Amendments Nos. 1, 39 and 41 are related and may be discussed together.

**Deputy Darragh O'Brien:** I move amendment No. 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”.

The amendment seeks to tidy up one aspect of the Bill, which the Minister of State might wish to speak to. It will remove the discretion from the Minister in setting the commencement date of the measures. It aims to give clarity and certainty that they will start on Monday, 30 March, after Uachtarán na hÉireann signs the Bill into law.

**Deputy Cian O'Callaghan:** I see no reason there should be any issue with these amendments, which are in the context of what regard the Minister should have when making a decision on the Christmas period. The issue of public consultation is very important. With the strategic housing development, SHD, process in particular, there is the provision for municipal committees or area committees to have an input. If they are not meeting, that obviously affects the SHD legislation. Likewise, if we are in a period where larger planning applications cannot have the usual level of public consultation or public engagement, these are issues to which the Minister should have regard when deciding to bring in what is effectively the Christmas period. This is just to broaden the list of criteria to which the Minister should have regard and there is a good case for accepting it.

**An Ceann Comhairle:** If no other Member wishes to contribute, I call the Minister of State to respond.

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** Amendment No. 1 relates to section 1(2)(a), which is the commencement provision of Part 3 of the Bill, comprising section 9, which relates to planning and building control matters. The amendment seeks to amend the Bill so that, rather than the emergency provision being commenced by order of the Minister at an appropriate and effective

time, when it is needed, the emergency planning provision would instead lose this flexibility and would automatically commence this coming Monday, 30 March 2020.

**Deputy Darragh O'Brien:** I will withdraw the amendment.

Amendment, by leave, withdrawn.

**An Ceann Comhairle:** Amendments Nos. 2 to 4, inclusive, are out of order.

Amendments Nos. 2 to 4, inclusive, not moved.

Section 1 agreed to.

Section 2 agreed to.

### SECTION 3

**An Ceann Comhairle:** Amendment No. 5 is out of order.

Amendment No. 5 not moved.

**An Ceann Comhairle:** Amendments Nos. 6 to 8, inclusive, and 13 are related. Amendment No. 17 is a physical alternative to amendment No. 6. The amendments may be discussed together, by agreement. Is that agreed? Agreed. I understand Deputy Paul Murphy is taking the amendment on behalf of Deputy Mick Barry.

**Deputy Paul Murphy:** I move amendment No. 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.”.

Amendments Nos. 6 and 7 effectively have the same purpose, which is that instead of the emergency period going on for a period of three months, it will go on for 12 months. What we are arguing is that the upward freeze on rents would not just be for three months but would be for 12 months, and the ban on evictions would not just be for three months but would be for 12 months. It is clear and we have argued in the past that this should be a permanent measure, and we have put forward an anti-evictions Bill to do precisely this. We have argued in favour of an upward rent freeze in the past. We are in favour of these things being permanent because it is what renters need in terms of having a break from the crisis that is currently going on and has been going on.

Even if it is not going to be permanent, we think there is a very strong argument to make it at least 12 months. From one point of view, the very severe restrictions which we agreed at last week's Dáil sitting go until November and go beyond three months. There is no reason significant powers are being given to the State for a period until November and, yet, a small bit of a break for renters exists only for three months. The reality is that we all know this emergency for renters is going to continue beyond three months. Even in a best case scenario, where things are relatively back to normal in three months in terms of people being able to return to work, an end to very widespread social distancing and so on, the economic crisis that flows from this is

going to continue. There will be people without income for an extended period and these renters deserve a break. They deserve a break from the threat of eviction hanging over them and they deserve a break from potential increases in rents. The Government should accept, at the very least, that if it is not willing to make these measures permanent, which I think it should, that they should exist for 12 months.

**Deputy Darragh O'Brien:** I wish to speak to amendment No. 8. The exceptional emergency measures put in place last week were badly needed but the legislation still needs to be improved upon. Those measures were put forward by a caretaker Government. While I agree with most of the measures we are putting forward today in the 33rd Dáil, I firmly believe normal scrutiny will return under a future Government. That is why the amendment I have tabled to extend the measures, if we are to extend these measures, places the power firmly in the hands of the Oireachtas after the three-month emergency lapses. The Government proposal is that it can unilaterally decide to extend it by effectively by-passing the Dáil. The significant powers contained in this Bill should be proportionate, effective and subject to proper oversight and review. The Fianna Fáil amendment ensures a high level of oversight would be required. Ultimately, the decision for amendment or extension of these measures would be brought back to the Members elected by the people.

**An Ceann Comhairle:** I thank the Deputy, his time is up. Is any other Deputy offering to contribute on this group? I call Deputy Ó Broin.

**Deputy Eoin Ó Broin:** I will be brief. I support amendments Nos. 6 and 7, but I oppose amendment No. 8. While I agree completely with its intention, my genuine worry is that if, for some reason, the Oireachtas cannot meet in three months, then the proposed measures to protect renters will fall. While we may have a Government, my bigger worry is that we do not know what is going to happen with the pandemic. We cannot have a situation in three months where, if it is not possible for us to meet physically for a session, these valuable measures we are debating would not be able to be continued automatically by the Minister. I respect Deputy Darragh O'Brien's intention, but we will be opposing his amendment.

**An Ceann Comhairle:** Are any other Members offering? I call Deputy Connolly.

**Deputy Catherine Connolly:** I want to clarify. I thought only the proposer could speak. Is that not the case? Are we all allowed to make a quick contribution?

**An Ceann Comhairle:** Other Members can speak for one minute.

**Deputy Catherine Connolly:** That is fine. I thank the Ceann Comhairle. I support the amendment submitted by Deputy Darragh O'Brien. It is important to have scrutiny and I already made that point a week ago. I also support the amendment in Deputy Barry's name regarding the year. I realise the difficulties for the Government with it going for a year, but it makes no sense that we have a separate time limit regarding mental health and other extraordinary powers up to November, while we are limiting these powers to three months. Perhaps some Minister could stand up and explain the logic of the inconsistency between the time periods.

**Deputy Damien English:** I will speak on amendments Nos. 6 and 7 first. Both seek to have the three-month emergency period extended to 12 months. We think that is unnecessary. Section 4 makes adequate provision that, should the need arise, the Government can extend the emergency period beyond three months, as necessary, taking into consideration the relevant factors at the time and the advice of the Minister for Health. Again, we are bringing in these

emergency powers based on the emerging public health issue. In fairness, I know the Deputy has other policy considerations concerning economic issues that may go longer than 12 months. Beyond that, however, we would need a different conversation. These emergency powers are based on advice and we believe it is fine to enact these for the public health reasons and the public health emergency. We think it is a bit too far to go beyond that with the legislation. We do not think it is necessary. There is a provision to extend this up to November if needs be, as well.

Regarding amendments Nos. 8 and 13, the Minister for Housing, Planning and Local Government must request a Government order to be made, but can only do so having consulted with the Minister for Health and with the consent of the Minister for Public Expenditure and Reform. The aforementioned Ministers must be satisfied that it is appropriate to extend the emergency period, having regard to the threat to public health. The reason we are having this conversation is this threat to public health, the highly contagious nature of Covid-19 and the need to restrict the movement of people to prevent the spread of Covid-19. Under section 4(2) of the Bill, a Government order made under that section shall be laid before each House of the Oireachtas and “if a resolution annulling the order is passed by either such House within the next 21 days”. Basically, the House can annul this if it is not happy with it. The danger here-----

**An Ceann Comhairle:** We cannot go into a long rigamarole about this.

**Deputy Damien English:** I just need to get to-----

**An Ceann Comhairle:** I am sorry, but we have agreed the time. If the Minister of State is going to take up more time than everybody else, then we will be here all night.

**Deputy Damien English:** That is fine, but there are four amendments.

**An Ceann Comhairle:** I call Deputy Paul Murphy and then Deputy Ó Broin. They have one minute.

**Deputy Paul Murphy:** I will be brief. Does the Minister of State actually believe there are any circumstances in which this legislation will not be needed in three months plus? Are there any circumstances, for example, where in four months it will be completely okay to allow landlords to evict tenants or increase their tenants’ rent? Is it not absolutely clear, even at this stage, that in three months plus we will still be dealing with the aftermath of this crisis? That is a best-case scenario, where we will be in an aftermath phase that will have a major impact on renters. Renters will still need some relief from that situation.

My second point is how can the Government justify on one hand extending the substantial powers and restrictions on civil liberties discussed here last week until November and yet these powers only last for three months? I appreciate both of them can be extended but why is there a discrepancy with November for that and with three months for this?

**Deputy Darragh O’Brien:** I wish to inform colleagues that the Business Committee has already decided the Dáil should sit next Thursday and the following Thursday. My proposal is that in 90 days, these extraordinary powers would be reviewed. Oversight has to return to the Dáil proper. The people in a Republic are sovereign through us as their representatives. That is why it is incredibly important that the measures taken here, whether they need to be extended in 90 days - that may be required - or reviewed at the least, a vote of the Dáil and the Oireachtas must be taken to affirm that it cannot be left to one person in what is a caretaker Government, through no making of anyone in the Government, to be able to sign forward future legislation

where we are making extraordinary decisions with extraordinary expense, which is all necessary and I am not criticising the measures. These are extraordinary measures and the Dáil should be allowed to do its job in 90 days' time.

**Deputy Damien English:** We all agree the circumstances are not ideal that we have to make all these decisions just after the election but there is the opportunity to annul it. It is unnecessary to have to come back in here to seek an extension because of the complications. We do not know what the situation will be with the virus or with the formation of a Government and the Seanad and so on. There might be an unnecessary complication and it might cause us difficulty down the road when we want to help people, as I know Members want to do. We are asking Members to accept that this amendment is unnecessary. If Members are unhappy with a decision that is made not by one Minister but by the Minister for Housing, Planning and Local Government, the Minister for Health or the Minister for Public Expenditure and Reform, this House can annul it straight away - the next day if need be - or within the following 21 days. We believe that is enough of a precautionary measure and I ask Members to consider that. I know we are talking about an extension but we do not know what will happen in the next 90 days.

On Deputy Barry's amendment, he is asking us to go to 12 months. All these income supports and changes we are introducing are being done for a three-month period. That is why this period is aligned with that and why they are aligned together.

**An Ceann Comhairle:** How stands amendment No. 6 in the name of Deputy Barry, moved by Deputy Paul Murphy?

Amendment put and declared lost.

**An Ceann Comhairle:** Amendment No. 7 is in the names of Deputies Paul Murphy, Boyd Barrett, Bríd Smith and Gino Kenny and has already been discussed with amendment No. 6.

**Deputy Paul Murphy:** I move amendment No. 7:

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

Amendment put:

<i>The Committee divided: Tá, 23; Níl, 25; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Andrews, Chris.</i>	<i>Berry, Cathal.</i>	
<i>Brady, John.</i>	<i>Browne, James.</i>	
<i>Connolly, Catherine.</i>	<i>Burke, Peter.</i>	
<i>Doherty, Pearse.</i>	<i>Butler, Mary.</i>	
<i>Duffy, Francis Noel.</i>	<i>Chambers, Jack.</i>	
<i>Ellis, Dessie.</i>	<i>Cowen, Barry.</i>	
<i>Hourigan, Neasa.</i>	<i>Donnelly, Stephen.</i>	
<i>Kerrane, Claire.</i>	<i>Donohoe, Paschal.</i>	
<i>McNamara, Michael.</i>	<i>Durkan, Bernard J.</i>	
<i>Munster, Imelda.</i>	<i>English, Damien.</i>	
<i>Murphy, Paul.</i>	<i>Grealish, Noel.</i>	
<i>Nash, Ged.</i>	<i>Harris, Simon.</i>	

<i>O'Callaghan, Cian.</i>	<i>Humphreys, Heather.</i>	
<i>O'Gorman, Roderic.</i>	<i>Kehoe, Paul.</i>	
<i>O'Reilly, Louise.</i>	<i>Madigan, Josepha.</i>	
<i>Ó Broin, Eoin.</i>	<i>Martin, Micheál.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>McGrath, Mattie.</i>	
<i>Ryan, Eamon.</i>	<i>McGrath, Michael.</i>	
<i>Shortall, Róisín.</i>	<i>Murnane O'Connor, Jennifer.</i>	
<i>Smith, Bríd.</i>	<i>O'Brien, Darragh.</i>	
<i>Smith, Duncan.</i>	<i>O'Callaghan, Jim.</i>	
<i>Tóibín, Peadar.</i>	<i>O'Donnell, Kieran.</i>	
<i>Ward, Mark.</i>	<i>O'Donoghue, Richard.</i>	
	<i>Richmond, Neale.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Bríd Smith and Paul Murphy; Níl, Deputies Neale Richmond and Peter Burke.

Amendment declared lost.

Section 3 agreed to.

7 o'clock

#### SECTION 4

**Deputy Darragh O'Brien:** I move amendment No. 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".

**An Ceann Comhairle:** How stands this amendment?

**Deputy Darragh O'Brien:** I am pressing it.

Amendment put:

<i>The Committee divided: Tá, 23; Níl, 27; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Berry, Cathal.</i>	<i>Andrews, Chris.</i>	

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<i>Browne, James.</i>	<i>Brady, John.</i>	
<i>Butler, Mary.</i>	<i>Burke, Peter.</i>	
<i>Chambers, Jack.</i>	<i>Doherty, Pearse.</i>	
<i>Connolly, Catherine.</i>	<i>Donnelly, Paul.</i>	
<i>Cowen, Barry.</i>	<i>Donohoe, Paschal.</i>	
<i>Donnelly, Stephen.</i>	<i>Durkan, Bernard J.</i>	
<i>Duffy, Francis Noel.</i>	<i>Ellis, Dessie.</i>	
<i>Hourigan, Neasa.</i>	<i>English, Damien.</i>	
<i>Martin, Micheál.</i>	<i>Flanagan, Charles.</i>	
<i>McGrath, Mattie.</i>	<i>Grealish, Noel.</i>	
<i>McGrath, Michael.</i>	<i>Harris, Simon.</i>	
<i>McNamara, Michael.</i>	<i>Humphreys, Heather.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Kehoe, Paul.</i>	
<i>Nash, Ged.</i>	<i>Kerrane, Claire.</i>	
<i>O'Brien, Darragh.</i>	<i>Madigan, Josepha.</i>	
<i>O'Callaghan, Jim.</i>	<i>Munster, Imelda.</i>	
<i>O'Donoghue, Richard.</i>	<i>Murphy, Paul.</i>	
<i>O'Gorman, Roderic.</i>	<i>O'Callaghan, Cian.</i>	
<i>Ryan, Eamon.</i>	<i>O'Donnell, Kieran.</i>	
<i>Smith, Duncan.</i>	<i>O'Reilly, Louise.</i>	
<i>Tóibín, Peadar.</i>	<i>Ó Broin, Eoin.</i>	
<i>Troy, Robert.</i>	<i>Ó Snodaigh, Aengus.</i>	
	<i>Richmond, Neale.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Bríd.</i>	
	<i>Ward, Mark.</i>	

Tellers: Tá, Deputies Darragh O'Brien and Mary Butler; Níl, Deputies Neale Richmond and Peter Burke.

Amendment declared lost.

**An Ceann Comhairle:** Amendments Nos. 9 to 12, inclusive, are related. Amendments Nos. 10 to 12, inclusive, are physical alternatives to amendment No. 9. Accordingly, amendments Nos. 9 to 12, inclusive, will be discussed together.

**Deputy Neasa Hourigan:** I move amendment No. 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 common good, for public health purposes.”.

The current wording in this section is focused and functional. However, will the Minister broaden the scope and the definition of what is recognised as an emergency period? It can be seen from the previous amendments on which we have voted that it is becoming increasingly difficult for us to know when this crisis will end, how it will unfold and whether it will be for three, six or 12 months.

We are trying in this amendment to provide some discretion in the legislation, particularly in the area of housing because there is, for example, a significant difference between freezing a planning application for three months and freezing somebody’s rent for three months. We would like the Minister to consider that our current housing crisis has a very real public health implication, as we have seen in recent weeks.

**Deputy Paul Murphy:** I support Deputy Hourigan’s amendment.

The purpose of my amendments Nos. 10 and 11 and Deputy Barry’s amendment No. 12 is to extend the reasons for which the three-month period could be extended. In addition, they aim to tackle the housing emergency in the State. I almost felt sorry for the Taoiseach when he explained how all these radical measures are being taken now which he earlier told us were entirely unconstitutional, that we could not have a rent freeze or a ban on evictions. His argument was grounded in the idea of the public good, the common good being weighed against private property rights and that given the scale of the emergency the Government is able to take such measures. Before the coronavirus hit a massive crisis existed for renters in this society. It existed in terms of homelessness and soaring unaffordable rents, and that crisis is likely to continue after this three months and the Government should be able to extend it on the basis of avoiding the housing emergency.

**Deputy Damien English:** I do not intend to accept any of these amendments. They are all being rejected. Part 2 of this Bill is intended to operate only during the focus period of a public health emergency. I ask people to understand that we believe we have an opportunity to give greater protections to tenants for these couple of months linked to the public health emergency that exists today. Going beyond that would jeopardise this legislation and may not be able to help the people we are trying to help. There are lots of other policy discussions Deputies want to have, new Governments will come in and those discussions can be had but for today and tonight this is for an emergency situation for the next three or four months. I ask Members to look at it through that prism only. We have had the other discussions before and will have them again. They can absolutely continue at a later stage but for tonight I need people to understand this is to give us the powers to help people for the next three or four months if needs be, based on public health. I cannot accept these amendments.

Amendment No. 9, by leave, withdrawn.

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Amendment No. 10 not moved.

**Deputy Paul Murphy:** I move amendment No. 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,”.

Amendment put and declared lost.

**Deputy Paul Murphy:** I move amendment No. 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,”.

Amendment put and declared lost.

Amendment No. 13 not moved.

Section 4 agreed to.

#### NEW SECTION

**An Ceann Comhairle:** Amendments Nos. 14-19, inclusive, 24-27, inclusive, and No. 37 are related and will be discussed together by agreement. I call Deputy Paul Murphy.

**Deputy Bríd Smith:** I will move it. I have a voice too.

**An Ceann Comhairle:** We are well aware of it.

**Deputy Bríd Smith:** I move amendment No. 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.”.

The reason for tabling this amendment is to ensure that this is not just a temporary solution during the period of the crisis. We know people who were served notices of eviction before the crisis was declared and became an emergency in this country. They were, for example, given a notice of eviction in January, to be out by November. The period of this crisis does not enable them to find alternatives, given the financial hardship. If this amendment was accepted it would ensure that everything had stood still for these three, four or six months and would go back to square one when it is over.

We would start at stage one, from day one, when this crisis is declared ended. That is the purpose of amendment No. 14.

With regard to amendment No. 19, I know the Government intends to have a provision to stop all evictions during the current crisis. To avoid any doubt, we need to be reassured, particularly with regard to the Traveller community, that this amendment will include all local authority tenants, including the Traveller community, whether they are on legal or illegal sites. Hundreds of Traveller families live in this country without access to water or to toilets, in crowded conditions. I know the Minister of State, Deputy English, has issued instructions to local authorities to take certain measures, but my reports back from the Traveller organisations is that, notwithstanding the difficulty in implementing those measures, there is resistance from local authorities. We need to ensure that there are no evictions in the Traveller community. It has to be spelled out to avoid any doubt.

**Deputy Eoin Ó Broin:** Amendment No. 17 is to remove the section of the Bill that would deny people additional time to build up towards a Part 4 tenancy that is proposed in the Bill. I think other parties and Deputies support the principle that people living as tenants should be able to acquire those rights. I strongly support Deputy Bríd Smith on amendment No. 19. I raised this earlier and directly with the Minister. There is significant fear among the Traveller community, both on legally sanctioned sites due to inadequate facilities and overcrowding, and also on temporary halting sites. Let us not forget that the reason there are so many illegal halting sites is that many local authorities simply do not spend the money that central Government gives to them to provide proper sites.

**Deputy Francis Noel Duffy:** Section 5(1) provides that a landlord shall not serve notice of termination during the emergency period but does not specify what will happen if the landlord does so. Our amendment provides that any such notice shall be null, void and of no effect.

**Deputy Michael McNamara:** Obviously, the notice of termination served in accordance with the Act shall not be served. The Residential Tenancies Act 2004 is confined to certain tenancies and specifically excludes persons who are living in the landlord's house. The rent a room scheme is specifically excluded and I do not think it should be. The purpose of amendment No. 16 is to bring persons who could otherwise be evicted within the protection which the Government gives to tenancies within the meaning of the 2004 Act. There are other exemptions within the Act which would be removed, therefore bringing those tenants within the protection of the Act. It specifically applies to people in a scenario such as a rent a room scheme.

**Deputy Paul Murphy:** The last division demonstrated that there is a possibility to pass real measures that will make a difference to renters now, in the next half an hour. There is a potential majority to pass these things which will actually make a difference. It is up to the Independent Deputies who got votes from ordinary people, including many renters, to stick to the kind of promises that I am sure they made in the election and to vote for the interests of renters this evening. The second point I make is to Fianna Fáil. If these votes were taking place in the last Dáil, Fianna Fáil would be abstaining on all of these things because it would know that Fine Gael would safely be able to defeat it. If Fianna Fáil abstains on any of these measures, they will pass. I appeal to Fianna Fáil at the very least to do what it would have done in the last Dáil. Do not very obviously vote for the interests of landlords against renters and block positive changes that we can make tonight in this crisis.

**Deputy Cian O'Callaghan:** I will address amendment No. 18. There needs to be some level of protection for people who are effectively living as licensees in owner-occupied homes. This is a very modest and balanced proposal for 28 days' notice to quit.

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**Deputy Damien English:** I sense many other policy discussions here tonight. I understand we all come from different spaces but in this situation we need people to support this legislation for it to work. If Deputies try to insert amendments that might jeopardise the legislation, it might not work and might not give people the support we all want to give them to keep them in their homes and places of residence over the next three or four months. That is what we are trying to achieve. The Deputies want to have other policy discussions that go way beyond this. This is not the time for them. The Deputies are in danger of jeopardising the legislation we are trying to enact.

I will go through the issues raised. With regard to Traveller accommodation, we have had a conference call with relevant bodies and have worked with them very closely. A specific circular has been sent to all local authorities. There will be no evictions of Travellers from unauthorised sites during this period. The local authorities are very clear about that. This applies to existing unauthorised sites. I cannot condone new unauthorised sites; that is a different situation. There is no issue with regard to any existing sites as of today. Local authorities are fully on board with that. They have been issued an instruction in that regard. I cannot be any clearer than that. I hope that is enough for the Deputies.

Amendment put and declared lost.

#### SECTION 5

**Deputy Francis Noel Duffy:** I move amendment No. 15:

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

Amendment put and declared lost.

**Deputy Michael McNamara:** I move amendment No. 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.”.

Amendment put and declared lost.

**Deputy Cian O’Callaghan:** I move amendment No. 17:

In page 8, to delete lines 16 to 18.

Amendment put and declared lost.

**Deputy Cian O’Callaghan:** I move amendment No. 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.”.

Amendment put and declared lost.

**Deputy Bríd Smith:** I move amendment No. 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.”

Amendment put:

<i>The Committee divided: Tá, 25; Níl, 24; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Andrews, Chris.</i>	<i>Berry, Cathal.</i>	
<i>Brady, John.</i>	<i>Browne, James.</i>	
<i>Connolly, Catherine.</i>	<i>Burke, Peter.</i>	
<i>Doherty, Pearse.</i>	<i>Butler, Mary.</i>	
<i>Donnelly, Paul.</i>	<i>Chambers, Jack.</i>	
<i>Duffy, Francis Noel.</i>	<i>Cowen, Barry.</i>	
<i>Ellis, Dessie.</i>	<i>Donnelly, Stephen.</i>	
<i>Hourigan, Neasa.</i>	<i>Donohoe, Paschal.</i>	
<i>Kerrane, Claire.</i>	<i>Durkan, Bernard J.</i>	
<i>McGrath, Mattie.</i>	<i>English, Damien.</i>	
<i>McNamara, Michael.</i>	<i>Flanagan, Charles.</i>	
<i>Munster, Imelda.</i>	<i>Grealish, Noel.</i>	
<i>Murphy, Paul.</i>	<i>Harris, Simon.</i>	
<i>Nash, Ged.</i>	<i>Humphreys, Heather.</i>	
<i>O’Callaghan, Cian.</i>	<i>Kehoe, Paul.</i>	
<i>O’Gorman, Roderic.</i>	<i>Madigan, Josepha.</i>	
<i>O’Reilly, Louise.</i>	<i>McGrath, Michael.</i>	
<i>Ó Broin, Eoin.</i>	<i>Murnane O’Connor, Jennifer.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>O’Brien, Darragh.</i>	
<i>Ryan, Eamon.</i>	<i>O’Callaghan, Jim.</i>	
<i>Shortall, Róisín.</i>	<i>O’Donnell, Kieran.</i>	
<i>Smith, Bríd.</i>	<i>O’Donoghue, Richard.</i>	
<i>Smith, Duncan.</i>	<i>Richmond, Neale.</i>	
<i>Tóibín, Peadar.</i>	<i>Troy, Robert.</i>	
<i>Ward, Mark.</i>		

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Tellers: Tá, Deputies Bríd Smith and Paul Murphy; Níl, Deputies Neale Richmond and Peter Burke.

Amendment declared carried.

Section 5, as amended, agreed to.

#### NEW SECTION

**An Ceann Comhairle:** Amendments Nos. 20 to 23, inclusive, 30, 34, 36 and 38 are related and may be discussed together.

**Deputy Francis Noel Duffy:** I move amendment No. 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.”.

Section 67, as drafted, would allow a landlord to issue a 28-day notice to a tenant for non-payment and then issue a termination notice within 28 further days. This is a total of 56 days, which is less than the three months emergency period. The proposed amendments simply provide that the section 67 entitlement of the landlord to serve a 28-day notice to quit is subject to the three-month emergency period. Therefore, a landlord should not be able to serve a notice to quit for arrears during the three-month emergency period.

**Deputy Eoin Ó Broin:** I want to speak to amendment No. 38. Obviously, while the measures that have been proposed in the Government’s Bill will give renters a level of temporary protection, one of the big concerns many of us have is that they will build up significant rent arrears over that period and even if, for example, an emergency rent supplement payment is provided, which we are hearing could be the case, that still will not deal with the problem. Our view is that it would not be good either for tenants, the rental system or the economy if we have not just thousands but potentially tens of thousands of tenants with a very substantial rent arrears debt burden at the other side. What we are trying to do with this amendment is simply create a mechanism whereby Government and Opposition can come together following the passage of this Bill, consult with lenders, tenant organisations and landlord organisations, and look at the possibility of how to address what is going to be a very significant problem. Clearly, our preference is to have some level of rent reductions and rent waivers, particularly where landlords have availed of mortgage moratoriums. However, we are not being prescriptive. The amendment simply provides a process and a mechanism for such interventions to be discussed, debated and, hopefully, introduced at a later stage.

**Deputy Bríd Smith:** Amendment No. 22 deals with the formula by which rent pressure zones are guided. As we know, under the rent pressure zones, rent increases are calculated on the basis of the months involved. This amendment proposes that we do not allow those months to be included in the calculation for the rent increase. The formula would mean tenants come out of this crisis with a huge rent increase if the months of the crisis are included. A temporary

ban on rents rising may be lifted but having the months calculated within future rent rises in the rent pressure zones would cause huge hardship. That is the purpose of the amendment.

**Deputy Cian O’Callaghan:** Amendment No. 21 seeks to give families and renters a breathing space of three months at the end of the emergency period. I think that is a sensible measure to make things a bit easier on people.

**Deputy Darragh O’Brien:** On amendment No. 38, I understand where Deputy Ó Broin is going with this and I would like to hear the remarks of the Minister of State. I refer to one of the things Deputy Ó Broin calls for within 30 days post the crisis. That is one of the reasons why in the previous Fianna Fáil amendment that we wanted the Oireachtas to be recalled after 90 days in order that one could have a formal review of it in the Dáil. Does the same logic apply for a report to be done within 30 days by the Members of the Oireachtas and others? If things happen that we do not expect to happen, will that have an impact on the publication of a report? Where will that report go, should the Dáil and Seanad not be recalled because of the amendment that was lost earlier?

When Deputy Ó Broin comes back in near the end, I would like to understand the mechanism proposed. That is one of the reasons I and others believe we need a formal review of how this legislation will work. It was for the purpose of having a formal recall of the Dáil and Seanad. I understand and accept the good intentions of the Sinn Féin proposal. We certainly will need to look at future debt that may be built up and provisions for dealing with that, and how measures we have put forward are being applied by lenders, landlords and others. I would have thought the best place to do that would have been here in the Chamber by people elected by the public and not just representatives and groups.

I am a little at a loss to understand why the Sinn Féin amendment No. 38 would work, when a formal recall of the Dáil after 90 days - and we are all elected by the people - would not. I ask Deputy Ó Broin to enlighten me. I am genuine and not being in any way disrespectful towards the thrust of what he is seeking. There will be an issue regarding how people may fall into debt or how landlords, mortgage lenders and others may not apply what we are seeking.

**An Ceann Comhairle:** We are running out of time. I ask the Minister of State to respond.

**Deputy Damien English:** Regarding Deputy Duffy’s amendment, the Bill clearly states a termination notice cannot be served and consequently, we think it is not necessary to have the change the Deputy recommends. Turning to the amendment from Deputy Cian O’Callaghan concerning rent increases, no rent increases can happen during this period. Rent reviews can proceed but only a rent decrease can be given during the crisis. Rent increases can be notified, but can only come into effect afterwards. There is the usual 90 days after that as well, so it is not necessary to bring in the change the Deputy seeks.

Turning to Deputy Bríd Smith and amendment No. 22, while I agree with the sentiment, there is no need for it because it is already stated that no rent increase shall be payable in respect of any period following the emergency period. It is as simple as that, inside or outside the rent pressure zones. There is no way of ever adding back in the period of Covid-19. It is frozen in time, so the change sought by the Deputy has already been achieved.

Regarding amendment No. 38, the Department has agreed with the ESRI, in collaboration with the RTB and the Department of Employment Affairs and Social Protection, to carry out a study of the effects of the changes we have brought in in respect of people paying rent and

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income supports and what happens in the next three months. Several amendments seek additional reports and ask to put a timeline in emergency legislation. We think there is no need to do that. We have started this work already and the ESRI will do it. We are happy to engage with the Deputies regarding additional terms of reference feeding into that, and to use that report to look at any other measures that might be needed later. There is no need, however, to put in emergency legislation that we are going to draw up a report that we are going to do anyway and that we have started. I hope Members will understand and co-operate with that as best they possibly can.

**An Ceann Comhairle:** Is amendment No. 20 being pressed?

**Deputy Francis Noel Duffy:** Yes.

Amendment put and declared lost.

**An Ceann Comhairle:** The time permitted for this debate having expired, I am required to put the following question in accordance with the resolution of the Dáil this day: “That in respect of each of the sections of Parts 2 and 3 undisposed of, that the section or, the section as appropriately amended, is hereby agreed to”.

Question put and agreed to.

**An Ceann Comhairle:** That disposes of amendments Nos. 6 to 41, inclusive, on the printed list.

#### SECTION 10

**An Ceann Comhairle:** Amendment No. 42 is in the names of Deputies Paul Murphy, Boyd Barrett, Bríd Smith and Gino Kenny. Amendments Nos. 42 to 47, inclusive, are related. Amendment No. 43 is a physical alternative to amendment No. 42. Amendments Nos. 42 to 47, inclusive, will therefore be discussed together.

**Deputy Paul Murphy:** I move amendment No. 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.””.

These amendments all have effectively the same purpose, namely, that for this range of medical specialties, doctors, midwives, nurses etc., we make sure that qualified people who are living in direct provision would be able to apply for registration and be registered where there is currently a problem that those who have qualified outside the State and may be in direct provision are not eligible to be registered. This is a time when we are putting out an appeal for anyone who possibly can assist to do so. This appeal is not meant narrowly for people who have Irish citizenship or who are originally from Ireland. It is for anyone who can assist and we have well qualified and talented people who could be assisting us who are living in direct provision. These amendments would seek to make sure they can register. If the Minister can give an assurance that this will be done in a different way, I am happy to accept that assurance.

While I am speaking on the question of direct provision, we need to urgently address the real health danger posed by crammed direct provision centres where self-isolation is not possible. I understand the latest proposal from the Government is that an off-site isolation centre will be set up on a test basis but it does not seem to me to be an ultimately satisfactory solution. We need to clear these centres, as we need to clear the homeless hubs, and get people into vacant properties.

**Deputy Bríd Smith:** To add to that, when we look at these amendments, they may look repetitive but each of them clarifies different degrees of professional ability, including pharmacists, surgeons, doctors and nurses. There is a wealth of talent locked up inside direct provision centres that could be freed. As has been said, if the Minister can tell us a different way it can be done, it is hugely important to do so. The commitments that were made in order to help people in direct provision to self-isolate need to be met without any haste. People in direct provision are being forced to eat together in close proximity. Four are often sleeping to a room. The question of self-isolation does not exist in these centres. That is not just a danger for those people but it is a danger for the entire population. We need to address this urgently and I know those representing the interests of people in direct provision are not happy with the recent meeting they had with the Minister for Justice and Equality, Deputy Flanagan. We need much more clarification, commitment and timelines on this because we are running out of time. It needs to be dealt with urgently.

**Deputy Louise O'Reilly:** We will support amendments Nos. 42 to 47, inclusive, because we have all been contacted by people who are existing in direct provision and they want to play their part. A call has gone out that everyone who can play their part should play their part and we have people who are here living in appalling and shameful circumstances who are putting up their hands. If their qualifications are appropriate and can be recognised, they should be facilitated. The Minister has said repeatedly that we all need to be on call for Ireland. They want to be on call for Ireland and we believe they should be facilitated.

**Deputy Simon Harris:** I thank Deputies for putting down these amendments. I see what they are trying to achieve and I want to try to give Deputies some reassurances and information in that regard. The first point is to remind ourselves what we are trying to do in this emergency legislation. What we are trying to do is remove any barriers to the rapid restoration to the register of qualified and experienced health professionals who had temporarily or permanently left the register of the Irish regulator. Whichever the register, if former professionals had been on it we are trying to help them get back on it as quickly as we can. Their qualifications have already been recognised in this country and they have already worked in this country. We simply want to get them back to work as quickly as we can. As Deputies have said, we have been overwhelmed by the many generous offers of people in that regard.

The HSE has identified that retired health professionals would be ideal candidates to be brought back into the workforce as they are people who would be able to hit the ground running. They would be familiar with Irish processes. The focus of this legislation is to facilitate the restoration of practitioners to the Irish registers in a fast and safe way.

I am keen to recognise that there are other health professionals in this country, as Deputies Murphy, Smith and O'Reilly mentioned, who are not yet on a professional register and who are keen to contribute in their chosen field in the fight against Covid-19. One such group is people who are in direct provision in this State. We want them and we need them. We need everyone who can to help us.

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**An Ceann Comhairle:** Thank you, Minister. Your time is up.

**Deputy Simon Harris:** There are regular routes through which people can apply.

**Deputy Paul Murphy:** If I ask another question, does the Minister get to reply further? I would like more information, if possible, about how this can be resolved. Obviously, people in direct provision are not people with means, generally speaking. How can this be resolved quickly? How can the talents of these people be brought to bear in the fight against coronavirus?

**Deputy Simon Harris:** There is no provision for such a right in the Bill because people in direct provision already have the right. The perception, if such exists, that someone living in direct provision is precluded from applying to register as a health professional is entirely mistaken. I am advised that none of our health regulators imposes any restrictions relating to citizenship, asylum status or immigration status. Any health professional can make an application to be registered. An application will be judged solely on the applicant's qualifications and merits by the relevant regulator. I am happy to talk to the Deputies about the issue of how to help people who are not of means with the process and to make information available to them. All the regulators provide routes for the recognition of third country qualifications. These can be used by persons with non-Irish qualifications whether or not they are in direct provision. My message to people is that there is another route. This Bill is about helping people who have already been on a register to get back on it, but there is absolutely a route for people with third country qualifications, including those in direct provision. I will correspond with the three Deputies in that regard.

Amendment put and declared lost.

Amendment No. 43 not moved.

Section 10 agreed to.

Amendment No. 44 not moved.

Section 11 agreed to.

Amendment No. 45 not moved.

Section 12 agreed to.

Amendment No. 46 not moved.

Section 13 agreed to.

Amendment No. 47 not moved.

Section 14 agreed to.

**An Ceann Comhairle:** We will move on in due course to Part 5.

**Deputy Bríd Smith:** Tá sé a hocht a chlog.

*8 o'clock* **An Ceann Comhairle:** Tá sé a hocht a chlog. In accordance with the agreement of the Dáil earlier today let us all please stand and applaud as a mark of thanks and respect to the workers on the front line.

*Members rose and applauded.*

**An Ceann Comhairle:** Amendment No. 48, in the name of Deputy Mick Barry, is out of order.

Amendment No. 48 not moved.

#### NEW SECTION

**Deputy Stephen Donnelly:** I move amendment No. 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, 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.

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(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—

(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.”.”.

The purpose of this amendment is to try to speed up the return of doctors, nurses and other clinicians to the country. We support the Bill and its efforts to streamline the re-registration of clinicians who have practised in the Republic of Ireland. However, as the Minister for Justice and Equality, Deputy Flanagan, said in his opening speech on Second Stage, that route would not be available for clinicians who have qualified in other countries. We believe that there is a pressing need to get as many clinicians as we can back into the country. The need is extremely urgent.

There are some obvious countries in which a high number of Irish doctors, nurses and other healthcare professionals have trained and worked and want to come back. For example, the NHS in the UK, as well as Canada, the United States, Australia, New Zealand and many other countries have a large number of women and men who would like to come back to Ireland and help out during this time of need for our nation. My understanding from various conversations with healthcare professionals is that serious administrative burdens are being put in their way. One nurse gave an account of trying to come back to work in Ireland. She qualified and works in the UK, but was told that in order to begin the process the HSE would need original transcripts of her nursing degree from Scotland. Given that the universities are closed, obviously that is not possible. While there may be legitimate concerns about bringing in healthcare professionals from countries which may have very different levels of clinical training and standards of clinical practice, I would argue that in the current emergency there are a great number of countries where that is not the case. This amendment seeks to streamline the process for foreign-trained clinicians to come back and help out.

**Deputy Mattie McGrath:** I support the amendment. All of us have stories about contacts made by families of loved ones who are living abroad and have given notice in order to come home. They have booked tickets and have missed flights or have had flights cancelled and everything else. They want to come home to play a constructive part in this warlike situation. While all of us want to have proper standards, we cannot have a bureaucratic system which requires proof of degrees from universities which have closed. We have to have goodwill and trust and respect people. They will be supervised in their positions. It is vital that we do not look a gift horse in the mouth. Let those who want to come and help do so. We have always encouraged people to come back. Now that they want to come, we should make it as easy and as seamless as possible for them to work here on the front line.

**Deputy Louise O'Reilly:** We are minded to support this amendment. We need as many people as possible. Where there is no comparison between the health systems and the qualifications, I accept that might pose an issue but there are transparent similarities between the health systems and the qualifications that should make the transition quite easy. If there are people who are willing to help at this time and people who want to come home and be, as the Government calls it, "On Call for Ireland", we should do all that we can to facilitate them. Given that the universities and colleges are closed, it is not possible for these people to get original documentation because there is nobody there to provide it for them. However, it is easy to draw an equivalence between those qualifications and to ensure that we maximise the numbers on the front line. If these people want to help it behoves us to assist them. There are transparent procedures with regard to the regulatory bodies as well. Where there is an issue with any person, that is already public and it is easy enough to verify. As I say, my party is minded to support this amendment.

**Deputy Simon Harris:** I thank Deputy Stephen Donnelly for raising this with me and indeed for meeting me on it today in terms of trying to achieve what we are all trying to achieve, namely, the maximum number of nurses who want to work in our country being able to work in our country with as little bureaucracy as possible.

After talking to Deputy Stephen Donnelly earlier, I made some more inquiries, specifically in relation to nurses from the UK. A general nurse who trained in the UK has automatic qualification recognition rights in Ireland under the EU professional qualification directive. This means that her qualification is recognised in Ireland. A nurse needs only to show the Nursing and Midwifery Board of Ireland, NMBI, the parchment to prove that she has the qualification

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and does not need to show details of the syllabi or transcripts. Nurses need not contact the universities in the UK which, I accept, would be difficult at present. Obviously, if it is from Australia, nurses need a certificate of good standing to show that they are not struck off. In relation to any individual case, I am more than happy to talk to Deputy Stephen Donnelly. I am also more than happy to suggest on a cross-party basis we might meet with the Medical Council, the NMBI and others to make sure that the process is as streamlined as possible.

In relation to this amendment, my concern would primary relate to the fact that we do not have any residency test or reference to any residency in our legislation. If we were to get in to putting in a residency element proving that one lives in the UK, in fact, it could accidentally be another barrier. Also, how would other member states of the European feel in relation to that?

There is a long history in this country of nurses receiving excellent training in the UK and then returning to Ireland. I am informed that the existing NMBI process for the registration of EU or UK applications is one to two weeks. I take the point Deputy Stephen Donnelly will make that such a period is once they get their full application in. I will work with the Deputy to make sure there are no delays in that regard. I reminded the NMBI today that any extra resources it requires will be forthcoming.

There is no legislative necessity for this provision as it is already open to the cohort to apply to the NMBI for registration. We will make it as simple as possible.

I thank the Deputy for highlighting it. It is an important point but I believe we can deal with it outside of primary legislation.

**Deputy Stephen Donnelly:** The amendment is narrowly phrased. It states that for nurses or midwives living in the Republic who have trained and qualified in the UK alone there would be automatic recognition. Please God, we will be through this surge in a small number of months but the need is pressing.

I will not press the amendment. I will not push it to a vote, because it is technical and I do not want to jeopardise the rest of the Bill with it, but what the Minister is being told and what he states here in good faith jars with the experience of those nurses and midwives who are trying to sign up. If nurses and midwives living here have trained and work in the UK, it is not enough if it only takes three weeks to get them signed up. We need them signed up right now. We need them in our hospitals right now. We need probably for them to have specialist training in all sorts of areas related to this virus. I ask the Minister to undertake to figure out how we can reduce it to a small number of days, not weeks, such that if we have NHS trained nurses and midwives living here, we can get them into our hospitals where we need them in a matter of days.

**Deputy Simon Harris:** I will liaise with Deputy Stephen Donnelly and other Opposition spokespersons in this House to arrange for a further discussion on this at our now frequent meetings on Covid-19. I am told by the NMBI that it has registered 500 nurses in recent weeks so it is genuinely doing everything it possibly can to speed up its own processes. They have told me that they are very much adequately staffed and resourced in that regard but I am sure we can and should always strive to do better. I will liaise with the Deputy on that.

Amendment, by leave, withdrawn.

**Acting Chairman (Deputy John Lahart):** Amendment No. 50 has been ruled out of order

as it is not relevant to the provisions of the Bill.

Amendment No. 50 not moved.

Section 15 agreed to.

#### NEW SECTION

**Acting Chairman (Deputy John Lahart):** Amendments Nos. 51 to 54, inclusive, are related and will be discussed together.

**Deputy Cathal Berry:** I move amendment No. 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.”.

This amendment concerns the mental health tribunals and the fact that a consultant psychiatrist is no longer required to be on site for the case to proceed. We have no problem with the primary provision going ahead and being enacted. However, we would suggest that before this law is commenced or before a case is commenced, it comes back to the floor of the Dáil for resolution or if this is not possible logistically, it goes to party leaders for a decision.

**Deputy Louise O'Reilly:** I will discuss amendments Nos. 53 and 54. I fully appreciate what it is expected and intended that consultant psychiatrists will do and I mean no disrespect to barristers. I know there are some here and I am sure they are all very well-meaning but they are not clinicians and are not clinically trained. I have a concern. To detain someone involuntarily is a very serious undertaking. I remember when the Mental Health Act was brought in. It was debated long and hard. To have persons involved in that or to have all of that fall on the shoulders of one person, I find deeply concerning. I want to hear what the Minister has to say on this that might give some comfort. These are major changes. The fact that a person will not get a review outside of the normal six-month review so that when this is over, he or she does not have an automatic entitlement to a review is also concerning because the detention could last for six months. I do not think there should be any case where a tribunal is allowed to go ahead without the presence either remotely or otherwise of a consultant psychiatrist or a person who is clinically trained to that level. I want to hear what comfort the Minister can give in terms of this because I have serious concerns. I know other organisations have expressed those concerns all backed with the understanding that we know exactly where consultant psychiatrists are going to be and the work in which they are going to be involved. This is very serious too. The tribunals work because they are balanced and have a range of expertise and clinical knowledge. We want to hear from the Minister regarding this matter.

**Deputy Róisín Shortall:** Is amendment No. 52 in this group?

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**Acting Chairman (Deputy John Lahart):** Yes, amendments Nos. 51 to 54, inclusive, are related.

**Deputy Róisín Shortall:** Amendment No. 52 is just a safeguard. One of the grounds set out in the Bill refers to testing for Covid-19. That could give carte blanche. What I am proposing is that we insert “in accordance with World Health Organization criteria”. That is a reasonable safeguard. I also support the comments made by Deputy O’Reilly. There is a significant move away from a three-person tribunal to a single-person tribunal and a person without any medical expertise. While I understand provision being made in the event of dire and severe shortages of medical personnel, it is reasonable to expect that a consultation could take place remotely. There must be medical input into a decision as serious as that. It is a reasonable safeguard, in the absence of two other members of the tribunal, at least to have a remote consultation and not leave that open to a situation where it is a case of whether the person is available or not. I also support amendment No. 51. I think it makes sense.

**Deputy Bríd Smith:** We are opposing this section on the grounds that the entire section skews the whole point of mental health practitioners existing in the first place unless this amendment is passed, which would be a major contribution to it. I find it an extraordinarily draconian measure that a one-person tribunal, made up of a barrister whose profession is to deal with legal issues, would make a determination on somebody whose mental health was challenged and who was taken against his or her will into a mental health institution. I find this really draconian and upsetting. The Minister should explain fully why this has occurred because at the briefing we had on it, the explanation was not good enough. The explanation that was given to us is that this is what is done in other jurisdictions. I do not accept that and I believe it behoves the Minister to give a full explanation. However, we will support the amendment.

**Deputy Simon Harris:** There are a number of issues. I thank Deputies Naughten and Berry for their amendment. I would make the point in response that there is already a sunset clause in this legislation and we have aligned it with the emergency legislation we passed last week in terms of it being 9 November 2020, but of course a resolution of this House can at any time shorten that. That is a safeguard which I think Deputy Berry was trying to achieve. If I were to accept the amendment as drafted I think it would be inconsistent with the approach adopted in the Act last week as well and would potentially create an anomaly in that regard.

I think I understand what Deputy Shortall is trying to achieve with her amendment on the reference to the WHO criteria. Ireland is proudly testing in accordance with WHO criteria and we intend to continue that scenario but in such a dynamic situation, were it not possible to do that where a meeting of the national public health emergency team would deviate from that, and if the testing for the health service was not in accordance with WHO criteria then the redeployment would not be compatible with the exigencies of the public health emergency and my officials have a concern that it would end up weakening the intended effect of the amendments we are trying to make. I get what Deputy Shortall is trying to do but we do have a concern in relation to that.

The Sinn Féin amendments to the Bill include two amendments under Part 5. I will deal with the proposed amendment on the insertion of the phrase “in person or by remote consultation” first. Remote or electronic consultation is already understood to apply, although implicitly, within the current Mental Health Act 2001. On foot of the Sinn Féin amendment we did seek advice from the Attorney General’s office to, first, confirm that to be the case but also to advise against including an explicit reference to remote or electronic means in the amendments,

as it may actually mean that remote or electronic means are excluded from the existing principal Act, the Mental Health Act, so for this reason we are opposing it but we are satisfied on the basis of legal advice that remote or electronic means are allowed.

The second amendment proposed by Sinn Féin would introduce a two-person tribunal comprising the chair being a solicitor or barrister and a consultant psychiatrist or a registered clinical nurse specialist in psychiatry or above. Following consultation with the Mental Health Commission, which is the regulator of mental health services, we have a number of reasons on which we wish to oppose this, which perhaps I will get back in on in a moment, but the policy decision to adopt a cascading approach to tribunals was taken because both the HSE and the commission did express very serious concerns over the expected lack of availability of consultant psychiatrists due to Covid-19 and my concern is that the two-person tribunal would not do anything to alleviate those pressures. I do need to say that in the case of one-person tribunals – this is really important and I want to say it on the record of this House – clinical input would still be given both by the treating psychiatrist and an independent consultant psychiatrist and where they differ in their opinion, by another psychiatrist. I do need to make that clear. I take Deputy Bríd Smith’s legitimate concerns. This is not about a lawyer or a barrister just sitting down and deciding. There always will be clinical input. These are emergency measures to try to come up with a way of getting through this very difficult pandemic, but the safeguards of the clinical input will be absolutely there.

**Deputy Louise O’Reilly:** I hear what the Minister is saying in relation to it already being possible but it is not done in practice. I am not aware of situations where it happens at the moment, which is the reason I wanted to insert that clause. I do not want to do anything that would undermine the operation of the Mental Health Act either but it is my very firm view that unless it can be conveyed comprehensively to people that is going to be available to them, I will remain concerned. The Minister can understand the concerns that are being expressed here. The power to involuntarily detain an individual is an extremely serious one and it is extremely important to have checks and balances in place.

**Deputy Simon Harris:** Deputy O’Reilly is entirely correct. As part of this amending legislation, we will be producing information booklets and the like for patients, particularly those in mental health services. It is important we protect their rights in this regard. I am happy to provide further briefings and meetings with the commission on this matter. It is now preparing protocols and guidance on the issue of remote consultations. It has already been implicitly provided for in the Mental Health Act. The Attorney General’s advice is not to state it explicitly in this Act. It is possible, however. It is illegal. Protocols are being drawn up to make sure that people understand that.

I give the Deputy my commitment to make that clear in the work we do with the Mental Health Commission and to engage with her further on this.

Amendment No. 51, by leave, withdrawn.

Amendment No. 52 not moved.

Section 16 agreed to.

## SECTION 17

**Deputy Louise O’Reilly:** I move amendment No. 53:

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

Amendment put and declared lost.

Question, “That section 17 stand part of the Bill”, put and declared carried.

Sections 18 and 19 agreed to.

Amendment No. 54 not moved.

Section 20 agreed to.

Sections 21 to 23, inclusive, agreed to.

#### SECTION 24

**Acting Chairman (Deputy John Lahart):** Amendment No. 55 has been ruled out of order.

**Deputy Bríd Smith:** Will the Minister please explain why he thinks this is not relevant to the emergency legislation? What means will he put in place to deal with crisis pregnancies where women cannot attend their doctors because of possible contamination and where it is impossible to get a doctor’s visit which includes two visits within three days? What we are asking for here is telemedicine. Will he explain why all of these amendments were ruled out of order and what provisions he intends to put in place in their stead?

**Deputy Mattie McGrath:** This is just grandstanding.

**Acting Chairman (Deputy John Lahart):** Amendment No. 55 has been ruled out of order. The Deputy can speak to the section.

Amendment No. 55 not moved.

Question proposed: “That section 24 stand part of the Bill.”

**Deputy Louise O’Reilly:** The amendments that were ruled out of order are extremely important. I understand why they have been ruled out of order. I am not disputing that. It does not change the fact, however, that women will still need to access termination services and will not be able to do so. I would like to hear from the Minister if there is a plan in place. If there is, how will women be able to continue to access the services in question?

**Deputy Róisín Shortall:** I would like the Minister to address this real and pressing issue. It needs to be dealt with urgently. I raised it this morning during an earlier contribution. While the Minister for Justice and Equality indicated that something will be done on it, will the Minister provide more details?

**Deputy Simon Harris:** I thank Deputies Bríd Smith, O’Reilly and Shortall for raising this issue. I agree with them and, more importantly, so do many practitioners providing services to women in crisis. We have come a long way in this House working together on these issues. We should be ensuring that we continue to protect the rights of women during this time of a global pandemic. I note that submissions were made on this Bill on the issue of termination of pregnancy. I understand and share the Deputies’ concerns. In fact, I believe we are all largely in agreement on the principles involved. We all want to ensure that women can continue to access termination of pregnancy during the exceptional circumstances brought about by Covid-19.

Section 12 of the Health (Regulation of Termination of Pregnancy) Act 2018 deals with termination of early pregnancy. It provides that a termination of pregnancy may be carried out “where, having examined the pregnant woman, he or she is of the reasonable opinion formed in good faith that the pregnancy concerned has not exceeded 12 weeks of pregnancy”. The Act, however, does not prescribe the actions or clinical aspects of the medical practitioner’s examination of the woman. As it is set out in section 12, the phrase “having examined” does not exclude the possibility of the examination being carried out by other means, for example, by telemedicine or video conference.

The operation of the Health (Regulation of Termination of Pregnancy) Act 2018 is underpinned by the model of care. Consequently, the Act is read alongside the model of care, or that is what our doctors do, which was developed by the Department of Health and the HSE in advance of this service coming into operation on 1 January last year. In usual time, the requirement for the medical practitioner to examine the pregnant woman does mean that the woman will usually attend the surgery or clinical setting to have a face-to-face consultation with her doctor. This is the same as for any other health service in the normal course of medical practice. A doctor will usually meet a patient in person before prescribing a course of action. Termination of pregnancy is and should be no different from any other health service in this way. In this current situation, however, social distancing, reducing contacts and reducing the burden on medical practitioners is absolutely paramount. We are considering different operational procedures in a range of areas, not least dealing with Covid-19.

In light of these considerations I want to assure the Deputies, the House, the women of Ireland, and indeed, the medical practitioners working in this area, that my officials and the HSE are working with some urgency to revise the model of care for termination of pregnancy services. The revised model of care will apply only for the duration of the Covid-19 public health emergency and it will ensure that, where necessary for the purposes of terminations under section 12 of the Act, remote consultation with a medical practitioner will be permissible. For this reason, and based on my legal advice, I am satisfied that including remote consultation in the model of care at this time will ensure that medical practitioners can continue to deliver a safe service, while also reducing social contact and thus the risk to a woman’s health, as well as to that of the doctor and other patients and reducing the burden on our medical practitioners at an extraordinarily busy time. It is important, however, that the operation of the service remains true to the legislation enacted by the last Oireachtas in 2018. This was, after all, based on the referendum put to the people in May 2018 and to which they agreed. I am not proposing to make any amendments to the Act but I am reassured that the revised model of care will ensure that the service will be safely delivered during this time of Covid-19.

Question put and agreed to.

**Acting Chairman (Deputy John Lahart):** Amendments Nos. 56 to 58, inclusive, are related and may be discussed together.

#### NEW SECTION

**Deputy Cathal Berry:** I move amendment No. 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.”.

This is a very straightforward amendment. It provides for job security for members of the Reserve Defence Force who may be called up on active service to deal with this emergency or any subsequent emergency. It is absolutely the norm internationally, all across the European Union. It is completely cost-neutral and does not jeopardise, or interfere with, any other provision in this Bill.

We have heard very fine words about the Defence Forces in this Chamber today and on previous days, about the great job they do and how brave they are on the front line dealing with this crisis. This is a wonderful opportunity for us to provide tangible and practical help to those people on the front line and members of the Defence Forces would be extremely appreciative. Accordingly, I urge all Members present to support these amendments.

**Deputy Jack Chambers:** I welcome Deputy Berry’s amendment. In the last Dáil we had a lot of discussion about the Reserve Defence Force and the great difficulty caused by geographical displacement and recruiting Reserve members around the country. This will give a major signal shift to members of the Reserve, such that if they are required to serve, they will be able to retain their employment. The fact that there is a subtle threat in the current legislative framework undermines the Minister’s power to ask someone to serve. It is important that they have job security and are supported in their employment through the legislative framework, as Deputy Berry’s amendment seeks.

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** I thank Deputies Berry and Chambers for raising this very important issue. The Government very much appreciates the service of the members of the Reserve Defence Force, RDF, which comprises the First Line Reserve, the Army Reserve and the Naval Service Reserve, and fully recognises the important role that the three elements of the Reserve Defence Force play in contributing to Ireland’s defence capability. The Bill makes provisions for the enlistment of formerly enlisted personnel and is not related to the Reserve Defence Force or the calling out of the RDF. This was previously sought by way of the Defence (Amendment) Bill 2020, which fell due to the dissolution of the Thirty-second Dáil. The proposal in the Bill will widen the net of potential applicants for enlistment, thereby helping to address a shortfall in numbers and in skill sets, where there are some challenges. Re-enlistment may be for between six months and three years. The potential to address these shortfalls will support the Defence Forces’ response to Covid-19 and more generally.

The amendments proposed by Deputies Berry and Naughten go beyond the scope of the Bill and relate to employment protection for members of the Reserve. I do not have any issue with the principle of what the Deputies propose. It is something that officials in the Department of Defence have been working on for quite some time. Given the complexities and implications of such a measure, it requires further consideration and I think that it should be revisited. This Bill is not the place for such a provision. It needs further consultation. I understand that members of the Reserve Defence Force have concerns that, should they be called out on a mandatory basis under permanent service or in aid to civil power, their employment status should be protected. There are currently no plans for a general call of the Reserve. My Department is liaising closely with the Defence Forces, especially with the Chief of Staff and the general officers commanding each brigade, about the likely requirements of the Reserve Defence Force as the situation continues to unfold.

Some reservists who have skills which are required in the Covid-19 response whose personal circumstances allow them to do so are already undertaking certain tasks on a voluntary basis. Many employers are likely to be very supportive of reservists participating in the Covid-19 response, should their services be required. I assure Deputies that I remain very committed to those who volunteer their service to the State now and at any other time. I cannot accept the amendments but I would like, at a later stage, to be able to pass such legislation. We need wider consultation, specifically with the Minister for Business, Enterprise and Innovation. We are often critical here about not having consultation. I do not believe that rushing such an amendment through the House would be the right thing to do on this occasion.

**Deputy Cathal Berry:** I do not have much more to add. If somebody told us two months ago that an international pandemic would be taking place, we would not have believed them. We have no idea what will happen in two months' time. There is a possibility that members of the Reserve Defence Force will be called up on active service and I think that, at the very least, they deserve to have their civilian jobs available to them when they finish their term of service. It is a very reasonable amendment and it is the very least that our brave Defence Forces personnel deserve. I will press the amendment.

Amendment put:

<i>The Committee divided: Tá, 39; Níl, 11; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Andrews, Chris.</i>	<i>Burke, Peter.</i>	
<i>Berry, Cathal.</i>	<i>Donohoe, Paschal.</i>	
<i>Brady, John.</i>	<i>Durkan, Bernard J.</i>	
<i>Browne, James.</i>	<i>English, Damien.</i>	
<i>Butler, Mary.</i>	<i>Flanagan, Charles.</i>	
<i>Chambers, Jack.</i>	<i>Harris, Simon.</i>	
<i>Connolly, Catherine.</i>	<i>Humphreys, Heather.</i>	
<i>Cowen, Barry.</i>	<i>Kehoe, Paul.</i>	
<i>Devlin, Cormac.</i>	<i>Madigan, Josepha.</i>	
<i>Doherty, Pearse.</i>	<i>O'Donnell, Kieran.</i>	
<i>Donnelly, Paul.</i>	<i>Richmond, Neale.</i>	
<i>Donnelly, Stephen.</i>		
<i>Duffy, Francis Noel.</i>		
<i>Ellis, Dessie.</i>		
<i>Grealish, Noel.</i>		
<i>Harkin, Marian.</i>		
<i>Hourigan, Neasa.</i>		
<i>Kerrane, Claire.</i>		
<i>Martin, Micheál.</i>		
<i>McGrath, Mattie.</i>		
<i>McGrath, Michael.</i>		
<i>Munster, Imelda.</i>		
<i>Murnane O'Connor, Jennifer.</i>		

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<i>Murphy, Paul.</i>		
<i>Nash, Ged.</i>		
<i>O'Callaghan, Cian.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Donoghue, Richard.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Reilly, Louise.</i>		
<i>Ó Broin, Eoin.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Ryan, Eamon.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Bríd.</i>		
<i>Smith, Duncan.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		
<i>Ward, Mark.</i>		

Tellers: Tá, Deputies Cathal Berry and Noel Grealish; Níl, Deputies Neale Richmond and Peter Burke.

Amendment declared carried.

## SECTION 25

**Deputy Eoin Ó Broin:** I move amendment No. 57:

In page 26, lines 11 and 12, to delete all words from “and” in line 11 down to and including line 12 and substitute the following:

“(d) in section 69, by the substitution of “section 53 or 53A” for “section 53”,

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

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

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

Amendment put and declared lost.

Section 25, as amended, agreed to.

NEW SECTION

Deputy Cathal Berry: I move amendment No. 58:

**“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 —

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(i) relating to the place where the work under it is required to be done, the 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.”.

Amendment put and declared lost.

**Deputy Cathal Berry:** A Ceann Comhairle, amendments Nos. 56 and 58 were grouped. I wished to call a division on amendment No. 58.

**An Ceann Comhairle:** You did not call a vote and you cannot call one now.

**Deputy Aengus Ó Snodaigh:** The Ceann Comhairle did not explain how divisions are called, either.

**An Ceann Comhairle:** Okay.

Amendment again put:

<i>The Dáil divided: Tá, 39; Níl, 11; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Andrews, Chris.</i>	<i>Burke, Peter.</i>	
<i>Berry, Cathal.</i>	<i>Coveney, Simon.</i>	
<i>Brady, John.</i>	<i>Donohoe, Paschal.</i>	

*Dáil Éireann*

<i>Browne, James.</i>	<i>Durkan, Bernard J.</i>	
<i>Butler, Mary.</i>	<i>English, Damien.</i>	
<i>Chambers, Jack.</i>	<i>Flanagan, Charles.</i>	
<i>Connolly, Catherine.</i>	<i>Humphreys, Heather.</i>	
<i>Cowen, Barry.</i>	<i>Kehoe, Paul.</i>	
<i>Devlin, Cormac.</i>	<i>Madigan, Josepha.</i>	
<i>Doherty, Pearse.</i>	<i>O'Donnell, Kieran.</i>	
<i>Donnelly, Paul.</i>	<i>Richmond, Neale.</i>	
<i>Donnelly, Stephen.</i>		
<i>Duffy, Francis Noel.</i>		
<i>Ellis, Dessie.</i>		
<i>Grealish, Noel.</i>		
<i>Harkin, Marian.</i>		
<i>Hourigan, Neasa.</i>		
<i>Kerrane, Claire.</i>		
<i>Martin, Micheál.</i>		
<i>McGrath, Mattie.</i>		
<i>McGrath, Michael.</i>		
<i>Munster, Imelda.</i>		
<i>Murnane O'Connor, Jennifer.</i>		
<i>Murphy, Paul.</i>		
<i>Nash, Ged.</i>		
<i>O'Callaghan, Cian.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Donoghue, Richard.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Reilly, Louise.</i>		
<i>Ó Broin, Eoin.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Ryan, Eamon.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Bríd.</i>		
<i>Smith, Duncan.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		
<i>Ward, Mark.</i>		

Tellers: Tá, Deputies Cathal Berry and Noel Grealish; Níl, Deputies Neale Richmond and Peter Burke.

Amendment declared carried.

## SECTION 26

**An Ceann Comhairle:** Amendment No. 59 is in the name of Deputy Michael McGrath. Amendments Nos. 59, 60, 62, 63 and 66 to 68, inclusive, are related and will be discussed together.  
*8 o'clock*

**Deputy Michael McGrath:** I move amendment No. 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);”.

My amendments, Nos. 59 and 68, are linked. In essence, those amendments provide that at the end of the 12-week period, the Minister would come back to the House and the House would make a decision on the continuation, amendment or otherwise of the wage subsidy scheme.

I also want to deal with the issue of section 26(2). This relates to the qualifying criteria for employers for the wage subsidy scheme. We all accept that it has to be workable. If it is not workable, the employers will lay off those employees, the employees will get €350 per week and that cannot be topped up by the employer. That is not where we want this to finish. We need much more detail and clarity on the question of how Revenue will assess the ability of employers to pay the wages of employees. Will Revenue just look at the cash resources the company has, for example? That company will have a range of other liabilities that will have to be met over a period of time. It could be that the business has enough resources on hand to pay six weeks, ten weeks or 12 weeks of wages. How exactly will this be assessed? Employers will not take the risk because the consequences for them of getting this wrong are potentially significant. Not only will they have to repay the money to Revenue, but there is also the potential application of interest and it is an offence to wrongly claim the wage subsidy scheme as an employer. Under the Taxes Consolidation Act 1997, an offence potentially means a fine and jail. Employers will not take a chance so that is why we need to have clear guidance on exactly how Revenue will assess the ability of companies to pay their employees' wages.

**Deputy Pearse Doherty:** I want to echo the comments made by Deputy Michael McGrath on the guidance Revenue needs to provide. I am very concerned that the way this legislation is drafted means it could be open to abuse or misinterpretation by employers who would be entitled to it. Some of the amendments I am putting forward are done in the spirit of strengthening a scheme which I support and which I called for before.

Amendment No. 60 deals with the case that this should not be available to a class of employer that has been requested to close by the Minister as a result of the Covid-19 crisis. This has to be looked at in the context of amendment No. 70, where we propose to increase the pandemic unemployment payment to meet 100% of the net weekly pay of individuals up to €525. This wage subsidy should only apply to those who need to be in work at this point in time and who work in essential services. As the Minister knows, Sinn Féin's position is that non-essential

services should be closed down and therefore, the pandemic unemployment payment should be available at a rate of 100% of wages, up to a weekly limit of €525.

Amendment No. 62 deals with the fact that we have conditions for eligibility for a company that has, for example, a 25% reduction in the number of orders. Yet many of these companies are able to pay 80%, 90% and close to 100% of their wage bills. What we are now finding out - this is widespread - is that employees are being asked to go back to work. They are being told that they will get the 70% that the State will pay them but no more. This could be open to abuse. We have included a different threshold.

Amendment No. 66 is simply to ensure that this period would not be considered a break of employee service for the entitlement of redundancy further down the line.

Amendment No. 67 is about ensuring that any employer who uses the scheme to mass-produce during this period and then, after this period, lays off employees would be subject to an audit by the Revenue and would have the wage subsidy scheme and all the payments recouped by the Revenue. This is an example of where the State is subsidising nearly the entire wage bill of a company that could mass-produce during the coming 12 weeks. Then, when the demand is in the market after the crisis, it could temporarily lay off the workers because it has mass-produced. The workers would be in the same position they are in today. Yet, the company could make sizable profits as a result of the scheme. This should not be allowed. We should send out a clear direction to companies not to abuse something that we are trying to do in the common good. The idea is to support employers and workers at a time of mass crisis and a major health crisis.

**Deputy Jim O'Callaghan:** The scheme as set out in the statute will operate as a refund scheme. Section 26(5) provides that following the notification by the employer of the payment of the salary to the employee the employer can contact the Revenue Commissioners and seek the subsidy. The only concern I have is that the Revenue, when it was assessing whether to pay the subsidy, will have to ensure that the employer qualifies and comes within the criteria set out in the legislation. Section 26(2) provides that the fundamental qualifying requirement is that the employer must be unable to pay the salary. My concern is that the Revenue may adopt a literal approach to statutory interpretation and argue that since the employer was able in the first instance to pay the employee the salary, then it would not suffer inability to pay. It may be beneficial to consider putting an amendment in the Seanad stating that inability to pay would arise save for the operation of this temporary wage subsidy scheme. I would be interested to hear what the Minister has to say in this respect.

**Deputy Kieran O'Donnell:** The principle of the scheme is very good. It is like everything else: this is happening at great speed. It is a highly important measure. However, with speed comes a need for time to look through the detail.

I am seeking clarification on something that has come up during the day. I agree with Deputy McGrath. Section 26(19) provides that the Revenue Commissioners will publish guidelines. They have published transitional guidelines for the first couple of weeks. Detailed guidelines will be published shortly. It is critical that the detailed guidelines deal with these issues. Section 26(3) refers to a business being treated as being adversely affected in accordance with guidelines published by the Revenue Commissioners. A business must show to the satisfaction of the Revenue Commissioners a 25% reduction in turnover. Many of these matters can be addressed in the guidelines. The guidelines need to be highly detailed. They need to define what

the Minister means by “inability to pay”. That is causing a degree of concern among certain people. It might give rise to a question of being deemed to be insolvent. That can be defined in the guidelines.

There are other points of note. Section 26(5)(i) refers to how the employer will not be entitled to a deduction against corporation tax or profits in respect of any top-up paid. Can that be looked at in terms of the guidelines?

The Minister might clarify section 26 (1) (a) and (b), which refers to being able to file returns on time. I may have misinterpreted this, but my understanding is that this needs to be clarified in the detailed guidelines issued by the Revenue Commissioners. The manual P30 has to be filed by 15 March for February and the electronic one by 24 March. Are employers required to pay the relevant amounts? A recent derogation provided that no interest would be charged if PAYE and VAT were paid late. It is important that the guidelines issued by the Revenue Commissioners specify what is meant by inability to pay and how the 25% loss in turnover will be defined.

There is confusion around interest. It would appear that the guidelines state that the subsidy would not be subject to income tax when it is paid, but the employer would be required to tax it as an overall rate at the end of the year. That appears to be in the temporary guidelines from the Revenue Commissioners, and perhaps the matter can be examined before the final guidelines are issued.

**Deputy Robert Troy:** I want to raise the points I made on Second Stage. I seek clarification on a number of aspects of the scheme. The scheme undoubtedly has many positive attributes and the Minister’s intention is good, in terms of maintaining the link between employer and employee and encouraging employers to, where possible, keep employees on their books.

However, Deputies have highlighted a number of concerns. One is who determines the inability to pay clause. There are very serious penalties if someone is determined to have had the ability to pay but made the case that he or she was unable to pay. There is a worry there, and where that is the case there is a chance that some companies will opt to temporarily lay off staff and benefit from the €350 per week Covid-19 payment.

On Second Stage I raised the issue of SMEs which have a small residual liability with Revenue. I have been told that because of that they are prohibited from participating in the scheme. I do not think that would be fair. If it is the case, we would run the risk of putting more people on the Covid-19 payment through the Department of Social Protection. As the scheme is set out, there are cases where people in certain companies with a lower income will end up being financially better off than those on a higher income. I have been contacted by numerous companies, and have been told that there is an incentive to lay off people temporarily to enable employees to be entitled to the Covid-19 payment from the Department of Social Protection.

Deputy O’Donnell referred to the possibility of a liability. While the Revenue guidelines state there is no liability now, they stipulate that at the end of the year a review could be carried out and there could potentially be a liability. That is a worry for employers and I would like the Minister to address it.

**Deputy Ged Nash:** I appeal to the Minister to take on board and accept many of these very sensible amendments because the proof of the pudding will be in the eating. As I said on Second Stage, the concept and principle of the wage subsidy scheme has much to recommend it. I

again want to pay tribute to the trade union movement and the main employer body, IBEC, for their work on this and for persuading the Government of the merits of this income replacement approach, which is very expensive. It is unprecedented in the history of the State and, therefore, we all need to be determined to make sure this works. It can work, but employers need to be absolutely confident of the merits of the scheme and that there are no pitfalls, inadvertent or otherwise, in it further down the line.

Earlier I raised issues that have been enunciated and articulated this evening by Deputy Michael McGrath and others, for example, how the 25% drop in turnover would be calculated. In terms of ability to pay, where a business may have €100,000 or €200,000 in reserve to invest in essential equipment or for work in progress which it might be obliged to have in its back pocket to allow for a project to be completed, I certainly hope Revenue would take the view that the business has sufficient cash to be able to pay its workers over the next short period of time to get it through this difficult period.

Helpful updated advice and guidance was published by Revenue this evening that has assuaged some of the concerns of businesses and some of the concerns that have been expressed to me in recent days by financial advisers, accountants and auditors who are being engaged by businesses to advise them through this difficult period. It beats me why that guidance could not have been developed and published a few days ago. This helpful guidance will encourage employers to take on this critical scheme for the future of business and working people in this crisis period.

**Deputy Anne Rabbitte:** I support all the Fianna Fáil amendments but my major concern is to do with the childcare sector. While I welcome the announcements by the Minister for Children and Youth Affairs, Katherine Zappone, earlier this week, a large cohort has been omitted. I refer to the owner-managers of the services, particularly with regard to full-time services and ECCE. I think it has to do with their tax Class S. I appeal to the Minister to accept the amendment that has been put forward by Fianna Fáil to the Bill in the Seanad tomorrow for the simple reason that it will allow such manager owner-occupiers to be able to claim a wage. They are part of the ratio. They make up the business. They have always received the subvention and been part of the drawings, but they have never been able to draw the wage. Now we need to support them, because they are the people who have taken the risks so that we have a service, to bring the staff back in afterwards. There is crisis and worry at present.

**Deputy Richard O'Donoghue:** Not every employer is a company. Many employers are sole traders. Many of those sole traders have already fallen. Most small café shops are not companies; they are sole traders. Their employees are gone and so are they. They have closed their doors.

If one looks at what we propose for companies, for a banking sector such as the credit unions the regulation states that they must put so much away for a crisis. Companies must do the same because they must start back up when Ireland gets back online. We must look at it from the point of view that the employer must be protected as well as the employee. To start their business back up, raw materials coming into companies are in short supply. Companies trading currently are running out of materials to keep going to create jobs and keep people in work under the proper guidelines and yet they show that their productivity goes down by 25%. They are not covered under this Bill. Within the guidelines in place, we must allow for companies to restart and have the cash supports to do that. We cannot punish them through Revenue and Revenue needs to make it clear to employers and employees that they are protected. Earlier

today we raised the point that people in part-time work currently, if they take the payment of €350 and they are only on €200 a week, must know the position. Regarding people on part-time work at the moment earning €200, €300 or €400 per week who take the payment of €350, the form does not ask people what they are earning. The form states that a person should fill it in and apply for this payment of €350. There is nothing in the form asking a person what he or she is earning. This question is found in the form for a jobseeker's payment but the main form just tells people to put down their details and send it in. The form for a jobseeker's payment asks for a person's earnings but there is no question on the main form so how can the Government ask people in a job earning €200 or €250 per week to submit a sheet of paper that does not ask them for their details? We need to look at this properly and make sure the people who are taking the funding will not be in a position where they will have to repay this money afterwards. It is up to us, not them, to get it right.

**Deputy Barry Cowen:** I wish to raise two issues, one of which overlaps with the issue raised by Deputies O'Donnell and Troy regarding the Revenue guidance. It appears quite clear from page four of the Revenue guidance that the payments are not taxable whereas on page eight, it says that it is subject to taxation at the end of the year so could the Minister clarify that matter?

Regarding amendments Nos. 59 and 68 put forward by Deputy Michael McGrath, while I respect and appreciate the need for the Minister to have at his disposal the power to vary this legislation as the emergency evolves and as he sees the need to do so, I am conscious of the fact that after tomorrow and indeed next week and beyond, the Government's powers are quite limited with regard to consent from the Oireachtas regarding issues that arise. I know Deputy Michael McGrath made the same point about the €3.7 billion that is provided. How far beyond the €2.4 billion already committed does that go if it goes any further at all? I know we have a surplus this year at our disposal. We have the ISIF funding, the NTMA stockpiling, reserves, the rainy day fund and so forth but there comes a time when one goes beyond all that. There comes a time when a budget may well be necessary. There comes a time when this Oireachtas needs to provide for what is needed and that may not be possible without a Government *in situ* and a functioning majority. I do not know what the Minister said regarding this issue on Second Stage but I do not think he necessarily addressed the amendments that have been suggested. Perhaps he will elaborate on his thoughts on those amendments with the opportunity he now has. It may well be that he can give a commitment to the House that it is feasible, possible and within his powers to bring back an update to the Dáil at that stage on the 12th week that would get the consent of the Oireachtas at that time. If it was such that we were going beyond the figures we have mentioned and there was a need for a budgetary process, obviously, what happens in the intervening period might look after that issue and the Minister for Finance of the day would address the Dáil at that stage. As public representatives, we feel that we cannot on a wing and a prayer allow for no provision for what might be needed. It is dependent on the consent of us as representatives of the people that this be the case. If the Minister cannot accept and feels he is constrained by the amendments, could he explain to the House how best he sees us being in a position to be satisfied, that being the case?

**Deputy Mattie McGrath:** This is of paramount importance to SMEs, sole traders and business people because they must have some kind of certainty. We all understand the predicament the Minister is in but we need a review mechanism and some certainty. Could the Minister clarify matters in his remarks? People are worried and we are getting lots of phone calls because they do not know where they stand and do not know the impact it will have on their finances.

We will need to kick start the economy and these are the people we hope will survive, put their shoulder to the wheel again and be brave but they need clarity around this because the longer it goes on, the less clarity there is.

**Minister for Finance (Deputy Paschal Donohoe):** Could I get your guidance, Acting Chairman? Deputy Doherty, in particular, referred to a number of different amendments in his address. Do you want me to respond to his comments on all of the amendments?

**Acting Chairman (Deputy John Lahart):** We are dealing with amendments Nos. 59, 60, 62, 63 and 66 to 68, inclusive.

**Deputy Paschal Donohoe:** Okay. It would be virtually impossible for me to deal with all of them in one minute and 32 seconds.

**Acting Chairman (Deputy John Lahart):** The Minister can have five minutes to respond.

**Deputy Paschal Donohoe:** The Acting Chairman is very good. Some really important issues have been raised by Deputies Michael McGrath, Doherty, Cian O'Callaghan, Nash, Rabbitte, O'Donoghue, Cowen, Mattie McGrath, O'Donnell and Troy. I will respond to each of them in turn, but I want to give some context. This was prompted by something Deputy Nash said. He said it would have been very helpful to have this guidance available earlier in the week. The truth of it is that we were moving so quickly in putting all of this together that the legislation itself only took shape over the weekend and as we moved into Monday, let alone moving on to the issue of guidance. The reason this speed was necessary is because I have the highest level of concern that in the absence of an intervention like this being made available by the Dáil and the Government, the unemployment situation our country could face into could be exceptionally grave.

Deputy Doherty has made some points about risk regarding this scheme. He is accurate in calling out that there are risks with an intervention on this scale. I will say a word about each of his amendments in turn. I addressed this issue when I spoke to the Cabinet on Tuesday and when I launched the scheme on Tuesday afternoon. While the risks are great regarding how some of this scheme could be interpreted, two issues are important. The first one is the ability of the Revenue Commissioners to implement this scheme as the Oireachtas intends and as I as Minister for Finance intend. The second point is my very strong judgment that in the absence of the Oireachtas intervening in the income of many workers, a very large number of jobs will be at risk in our country. That is why, as conscious as I am of the risks – I know what they are – I do believe this intervention is needed for an emergency period to ensure that by investing in income we give the greatest number of companies possible the chance of surviving the period ahead. I want to be open with this Dáil and with all the Deputies that have raised this point. Behind each of the points they raise, they are correct in identifying a risk.

Deputy Cowen asked for a breakdown of what was leading to the Exchequer commitments that I outlined earlier in the week. As I said in my Second Stage speech, if the public health crisis is allayed and if the economic effects are not as damaging as we fear, it is entirely possible that the figures I have spoken about could be less. It is equally possible that the figures that I have outlined could be higher. They could be higher because of the public health emergency to which our country could have to respond. I am explicitly saying this to the Dáil because I do not want to be in a position where, having addressed this issue, in a period of time ahead I am either speaking as a member of the Opposition or a member of Government querying the budget-

ary rationale that underpins this measure. We have used our best judgment to put together the rationale for how much we believe it would cost, but it is based on a time of great uncertainty. It is because of that uncertainty that there is a need to intervene in income.

I will address some of the points that have been put to me in particular questions that have been raised. The first one regards guidance from the Revenue Commissioners to address many of the questions raised by Deputies O'Donnell, Nash, Jim O'Callaghan, Cowen and others. That detailed guidance was published tonight. There will be a need to revise it. There will be a need to look at how it can be made clearer. Now that this guidance has been published, I encourage those companies contacting Deputies to go directly to the Revenue Commissioners and raise their questions directly with them. In the guidance, the Revenue Commissioners have published and the way they will be addressing this issue in the coming days, they will be saying that they do not believe professional advice is merited to understand this guidance. They will engage with companies directly to reach pragmatic solutions on approaching issues as quickly as they can.

Deputies Michael McGrath and Cowen raised the issue of the flexibility open to the Minister of the day, the interpretation of the scheme, how it can be varied and so forth. In normal times, I would completely agree with the points made by Deputies Michael McGrath and Cowen about the need for the Minister to be continuously accountable to the Oireachtas about the different issues raised. Given the period that we are moving into and the nature of the public health emergency that is under way, it is imperative that the Minister has the ability to vary the scheme. Some of the rationale for that was articulated by Deputy Ó Broin in the debate on earlier amendments. If I was in such a position, I would believe it incumbent upon me to explain my rationale and to engage with Opposition parties during that time to ensure they understood why it was being done. However, because of the public health emergency we are moving into, I believe that kind of flexibility is needed by the Minister.

On the questions put to me by Deputy Doherty, I acknowledge the risks he raised are real. They have been considered by me and the two Departments which have worked on this scheme with great care over the past several days. My recommendation to the House is that, as real as the risks the Deputy has outlined are, the lack of an intervention of this breadth could generate a national risk in terms of the numbers of people who will face a real threat to their jobs beyond the tens of thousands of our citizens who are already reliant on the pandemic payment. I know the Deputy does not want to see that happen. I do not want to see it either. He acknowledged that in his broad support for the Bill, notwithstanding the specific concerns that he has.

The reason for not accepting amendment No. 60, beyond some of the rationale I referred to as Minister for Finance, is that many of the powers that Deputy Ó Broin is asking that I should have, I would not have anyway. They do not sit with me but with other Ministers. It is possible across the coming period that there will be businesses which will be open, although in a limited period, which will be participating in the scheme. That is entirely possible. It would be quite positive if that were to occur because we could have companies which would be open and which may be employing their employees in a different way. They would be open and would be providing a service in a community selling a good. They would be doing so enabled by this scheme. The likelihood is that if the scheme was not available, the company would not be open or, if it was, it would not be employing the number of employees in the way that it otherwise would be.

**An Ceann Comhairle:** We are way over time now Minister.

**Deputy Paschal Donohoe:** A Cheann Comhairle, I actually got the dispensation of your predecessor a moment ago.

**An Ceann Comhairle:** He is gone, however. I am here now.

*(Interruptions).*

**Deputy Paschal Donohoe:** I am quite happy to take guidance from the Ceann Comhairle.

**An Ceann Comhairle:** Can the Minister please finish up.

**Deputy Paschal Donohoe:** Approximately 20 questions were put to me earlier on.

**An Ceann Comhairle:** So had other Ministers and we were not able to get to all of them. I would like the Minister to wrap up in reasonable time.

**Deputy Paschal Donohoe:** I will accelerate and try to get them done. Very quickly, on amendment No. 62, the particular requirement that the company does pay and has the ability to add to the subsidy made available to the State, in normal times I would completely agree with Deputy Doherty. I think, unfortunately, it could be very possible that there will be even more companies in the future that will have a very low level of income coming in because demand for their goods or service has evaporated which means they are not in a position to add to the subsidy. I would ask the Deputy not to put in place a requirement that the subsidy has to be added to because while it is what I want to see happen, my view is that if the Deputy were to make it as stringent as it is in his amendment it could undermine the ability of the scheme to operate. For that reason I ask him to consider withdrawing the amendment he has tabled in line with amendment No. 66.

In respect of Deputy Jim O'Callaghan's questions, we would define wages as normal wages, the company's inability to pay normal wages. In the guidelines they are publishing, the Revenue Commissioners will put a time period against which those normal wages will be judged and will thereby be able to say, if they are not able to pay normal wages, how we define normal in the first place. In respect of Deputy Nash's questions, he has been good enough to acknowledge that the guidance does cover off several of those points. I ask Deputy Rabbitte to consider the issue her party is raising in the Seanad tomorrow morning. I know it is a very important issue and that there are many in the childcare sector who want to see this issue clarified but if this amendment is accepted in the Seanad tomorrow, this Bill needs to come back to the Dáil. If it does come back to the Dáil, the Revenue Commissioners cannot make payments available as soon as next week. If the Deputy is weighing up this matter I ask her to consider the real value of this scheme being operational next week.

In response to Deputy O'Donoghue, I accept what he says but we are hoping that through the supports available from the Department of Employment Affairs and Social Protection we will be able to support those who are self-employed in a comparable scheme but it will be administered through that Department as opposed to the Revenue Commissioners. I think the detailed guidance offered by the Revenue Commissioners will address many of the issues Deputy Mattie McGrath has raised. In response to Deputy O'Donnell's question about how a decline in turnover will be judged, that will be by looking at what the expected turnover will be for quarter 2 of 2020 and comparing that with likely turnover for quarter 1 or, if appropriate, quarter 2 of 2019.

In response to Deputy Troy, this scheme is based on net wages. The idea is that it will maintain 70% of the net wages that an employee would otherwise get after paying tax. Yes tax liabilities will be generated during the year in respect of this and the Revenue Commissioners will have to engage with every company to ensure that this is managed in a way that is fair and understood by all. The Revenue Commissioners, through the guidance they have issued tonight, and through the wide engagement they are having at the moment with accounting bodies and employers will, I hope, be able to clarify all of that. I believe in the absence of an intervention like this, the risk is very high. If this scheme is accepted by the Dáil tonight and the Seanad tomorrow, it can play a very important role in keeping people in jobs which they would otherwise not be in. Be under no doubt that this is an emergency scheme, which will need to come to an end. The costs are sustainable for a period of time but they are not sustainable indefinitely. It will fall to a future Minister to conclude this scheme.

**An Ceann Comhairle:** Are there some brief final comments?

**Deputy Michael McGrath:** Who is allowed back in and how much time is left?

**An Ceann Comhairle:** One minute each for those who moved amendments.

**Deputy Pearse Doherty:** Half the time the Minister got, though.

**Deputy Michael McGrath:** Less than that.

**An Ceann Comhairle:** Some 35 minutes are left but it means no other amendments will be reached. It is up to Deputies. Strictly speaking, it is one minute each for those who moved amendments.

**Deputy Michael McGrath:** I thank the Minister. We all appreciate that this is being done at breakneck speed. We appreciate the objective, which is laudable, and we all want to work towards its achievement, of having a wage subsidy scheme that retains employees on the books of businesses rather than going for social welfare payments. What Revenue published online tonight, as far as I can see, is 13 pages of frequently asked questions. It refers to soon to be published detailed guidelines. When will we have the detailed guidance? The questions that we are being asked and which we are asking the Minister can hopefully be answered in those detailed guidelines. On the question of the inability to pay, there are real issues which we expect will be answered in those detailed guidelines. Deputy Nash raised the point that businesses could set money aside for things they really need to do and investments they really need to make in plant, equipment and so on. With regard to an unincorporated business, a self-employed person who employs others, will Revenue just look at the business accounts of that self-employed person or his or her personal accounts? These are real issues and employers will not take the risk because the consequences of making a declaration that Revenue ultimately finds to be unwarranted means a refund of that money, interest penalties, and a potential offence under the taxes legislation. Many experts are already advocating for people not to apply for the scheme. That is not what we want to happen. We want to retain this connection.

**Deputy Pearse Doherty:** This has really been rushed through. We welcome support for workers and employers and keeping that connection with the employer. That is accepted. Our view is that there should be two different schemes. One should be for workers who are not producing, at home and not providing to the company. They are basically not working but still connected to the company, which is what the pandemic unemployment payment is for. It should be 100% of net wages up to €525. The second part should be this type of scheme, where

workers are in production, working, producing and making profit for the company, even at a time of very low demand. That should require the company to pay a proportion. What I am putting forward today is trying to minimise the risk. I am very conscious of the amount of resources that we will need as a State. This is only in the ha'penny place, compared to what will be required to deal with the health crisis and economic crisis, and the stimulus package that will be needed to restart our economy and support all sectors, from community to charity, from agriculture to sport, and every different sector that will need support in this period. The guidance refers to average weekly earnings from January to February. If somebody was getting €400 in January and February, that person is now left unemployed because the company could not pay €400. The company now says that it will get 70% of that and so is reducing that person's wages to 70%. The person is back working and producing for the company. The company says that it will then mass produce. Since there is only so much demand in the economy in the future, it will probably lay the person off anyway, like any factory would do in a normal environment when it has more stock than demand requires. This is about trying to reduce some of the risks so that we have more resources to deal with other issues that will require resources.

**Deputy Paschal Donohoe:** Deputy Michael McGrath presents the concept that the presence of cash reserves would in some way debar a company from participating in the scheme. I do not believe that will be the case. I think it is very possible that companies will have cash reserves, precisely for the reason the Deputy refers to, that they have costs coming up that they know they need to meet. I will be relying on the Revenue Commissioners to implement that. I am confident that they will. For the benefit of all Deputies, I want to say on the floor of the House that the only organisation to decide who will be included in the scheme, how they will be evaluated and what subsidy they will receive is the Revenue Commissioners. The only organisation any companies or practitioners that have views regarding who should be included in this scheme once it is up and running should contact is the Revenue Commissioners. It is appropriate for such companies to come to Members of the Dáil with questions about policy but they should not come to Deputies with questions about the operation of the scheme but rather to the Revenue Commissioners. Such companies can deal with them.

The risk that Deputy Doherty described exists. We increased the pandemic payment to €350. We did so because those who are without work due to this virus should not be forgotten about at a time when we are introducing a scheme to keep more people in work.

Amendment, by leave, withdrawn.

**Deputy Pearse Doherty:** I move amendment No. 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”.

Amendment put and declared lost.

**An Ceann Comhairle:** Amendment No. 61 has been ruled out of order.

Amendment No. 61 not moved.

26 March 2020

**Deputy Pearse Doherty:** I move amendment No. 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”.

Amendment put and declared lost.

Amendment No. 63 not moved.

**An Ceann Comhairle:** Amendments Nos. 64 and 65 have been ruled out of order.

Amendments Nos. 64 and 65 not moved.

**Deputy Pearse Doherty:** I move amendment No. 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.”.

Amendment put and declared lost.

**Deputy Pearse Doherty:** I move amendment No. 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.”.

Amendment put:

<i>The Committee divided: Tá, 16; Níl, 33; Staon, 1.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Andrews, Chris.</i>	<i>Berry, Cathal.</i>	<i>Tóibín, Peadar.</i>
<i>Brady, John.</i>	<i>Browne, James.</i>	
<i>Connolly, Catherine.</i>	<i>Burke, Peter.</i>	
<i>Doherty, Pearse.</i>	<i>Butler, Mary.</i>	
<i>Donnelly, Paul.</i>	<i>Chambers, Jack.</i>	
<i>Ellis, Dessie.</i>	<i>Coveney, Simon.</i>	
<i>Kerrane, Claire.</i>	<i>Cowen, Barry.</i>	
<i>Munster, Imelda.</i>	<i>Devlin, Cormac.</i>	
<i>Murphy, Paul.</i>	<i>Donnelly, Stephen.</i>	
<i>Nash, Ged.</i>	<i>Donohoe, Paschal.</i>	
<i>O'Reilly, Louise.</i>	<i>Duffy, Francis Noel.</i>	
<i>Ó Broin, Eoin.</i>	<i>Durkan, Bernard J.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>English, Damien.</i>	
<i>Smith, Bríd.</i>	<i>Flanagan, Charles.</i>	

<i>Smith, Duncan.</i>	<i>Grealish, Noel.</i>	
<i>Ward, Mark.</i>	<i>Hourigan, Neasa.</i>	
	<i>Humphreys, Heather.</i>	
	<i>Kehoe, Paul.</i>	
	<i>Madigan, Josepha.</i>	
	<i>Martin, Micheál.</i>	
	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</i>	
	<i>McNamara, Michael.</i>	
	<i>Murnane O'Connor, Jennifer.</i>	
	<i>O'Callaghan, Cian.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Donnell, Kieran.</i>	
	<i>O'Donoghue, Richard.</i>	
	<i>O'Gorman, Roderic.</i>	
	<i>Richmond, Neale.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Aengus Ó Snodaigh and Pearse Doherty; Níl, Deputies Neale Richmond and Peter Burke.

Amendment declared lost.

Amendment No. 68 not moved. **An Ceann Comhairle:** Amendment No. 69 is out of order.

Amendment No. 69 not moved.

Question proposed: "That section 26 stand part of the Bill."

**Deputy Pearse Doherty:** Will the Minister clarify the treatment of the wage subsidy scheme for employees who live across the Border, in particular those who have been temporarily laid off and perhaps taken back onto the payroll of their employers? Will they be able to avail of this scheme? The Government and its Ministers will be aware of this issue and I heard the Minister, Deputy Humphreys, address it in regard to the pandemic unemployment payment. As somebody who comes from a Border constituency, I know we have had a huge number of representations in regard to people who are working in the Twenty-six Counties but who live across the Border and are not able to avail of the pandemic unemployment payment, despite the fact they are paying their taxes and PRSI, and contributing to the economic well-being of this jurisdiction. This is very harsh, given there are many such cases.

With regard to section 27, which is connected because it affects the childcare sector, the scheme supports workers and parents but does not support those manager-operators who have provided the service and who were basically employees, but never classed themselves as employees. The smaller operators are hammered under this scheme. To give one example from my own neck of the woods, a service which caters for some 15 children will get support of just €34 per week to cover the wages of the manager, who is the main childcare provider, and all the running costs of the service. That service is not unique and there are many others. Unless this issue is dealt with quickly, these individuals will close their doors and will not be able to reopen. As we talk about a multi-billion euro support for workers and employers, it is crucial we are in a position to sustain the childcare sector, in particular those rural childcare sector providers that do not have the number of employees to allow them to get that large quantity, based on the 15%. It is also crucial that the managers, who are employees but never classed themselves as employees, are also supported during this period.

**Deputy Michael McGrath:** I want to make several points on the section. On Second Stage, I raised section 26(8), which concerns the publication by Revenue online of the details of the employers who are going to avail of the wage subsidy scheme. I do not see the necessity for that and think it should be removed. When I looked at the Revenue's "frequently asked questions" tonight, one of the questions asked is why the details of the employers are to be published online, and the answer is that it is because it is stated in the legislation. We are in charge of the legislation and I have yet to hear an explanation as to why the details of those firms need to be published. I do not believe it relates to state aid because those requirements have essentially been set aside at European level in the context of the response to the Covid-19 emergency. I think it will become something of a blacklist or could be viewed as such. For example, competitors or firms which are considering credit terms subsequently, when we all get back up on our feet as an economy, will say that firm was not in as strong a position as was thought. I do not think it is necessary, it is unfair and the Minister should remove that subsection. I do not see how it impacts on any other aspect of the Bill.

Turning briefly to some other points, regarding one of the other qualifying criteria for employers, the one requiring the 25% reduction, either in turnover or in customer orders, it is for a defined period from mid March to the end of June. What is the reference period? To what is that period being compared? We need to be crystal clear regarding that issue.

On the question of taxation treatment, I said earlier that I thought it was very clear. It is based on net wages and therefore the subsidy element is not taxable. There is, however, that statement in the earlier Revenue publication which referred to the subsidy being liable to income tax and USC on review at the end of the year. That appears to be contradictory.

**Deputy Kieran O'Donnell:** It is a worthwhile intervention. I ask that the publication by Revenue tonight be for a transitional phase. That is the phase up to early April. I ask that Revenue publishes the detailed guidelines as quickly as possible and deals with the specific details we have raised tonight. I refer to quantifying how that 25% will be measured and the ability to pay. In many cases, the guidance of accountants and tax practitioners will be followed.

The issue that it would be worthwhile to consider concerns a control mechanism. Employers are required under this scheme to make a return where they have to show the calculations regarding how they came up with the net wage. I would have thought it would have been relatively straightforward, under this scheme, that employees could be made aware, through the Revenue Commissioners, as to how much they are entitled to be paid under the subsidy. That

would give an element of control over the subsidy and the exact amount making its way directly to the employee.

This is a worthwhile measure. The most important thing now concerns any element of confusion. This was mentioned by the Minister earlier. To borrow a phrase from the Minister for Business, Enterprise and Innovation, Deputy Humphreys, speed is often more important than perfection. We now have to ensure when the detailed guidance comes out from the Revenue Commissioners, as quickly as possible, that it takes away any area of confusion. I state that because this is a very beneficial scheme. This will ensure the link is maintained with employers but, more particularly, that people can be paid a living wage.

**An Ceann Comhairle:** I thank the Deputy. His time is up.

**Deputy Kieran O'Donnell:** It is also important that businesses can come back. We will come out of this, but it must be done in a way that ensures we can get through this particularly difficult phase.

**An Ceann Comhairle:** I call Deputy O'Gorman. He has not changed his name or anything in the course of the day?

**Deputy Roderic O'Gorman:** I thank the Ceann Comhairle. I have not. I ask the Minister for a quick clarification on the interaction of the wage subsidy with the working family payment. I would like to clarify if families, where one member is in receipt of the wage subsidy, will be able to maintain the working family payment.

**An Ceann Comhairle:** I ask the Minister to respond, please.

**Deputy Paschal Donohoe:** I thank all of the Deputies. The answer to Deputy O'Gorman is "Yes". Regarding what Deputy O'Donnell asked, we expect that the detailed guidance for the scheme will be published by the Revenue Commissioners in the coming days. It will build on what has been published this evening. On the questions put to me by Deputy Michael McGrath concerning the publication of names, the reason the legislation will be indicating whether the names of companies should be published is that we want to ensure the subsidy being made available is passed on in full to the employee. This is a massive intervention by the State. The whole purpose is to say that supporting the income of a worker will allow a job to be kept. It is my view that one of the clearest ways we can do that is by indicating to employees of companies that their company is on the scheme and that the subsidy the taxpayer is making available should, therefore, be fully reflected in their salaries, in their wallets and purses. Companies that emerge from the Covid-19 public health crisis we are going through, and I am confident the vast majority of Irish companies will do so, will have shown themselves to have withstood a far greater competitive pressure than their names being published by the Revenue Commissioners for looking for support from the Irish taxpayer to keep people in work.

On how the decline in turnover will be measured, the Revenue Commissioners will define what the base period would be. A likely base period would be how a company's turnover compared with the same period a year previous. It will be open to the Revenue Commissioners to work with companies to determine this each day.

On the other questions and details that have been put to me, I will either handle them directly with Deputies or the ones that are technical will be dealt with in the detailed guidance from the Revenue Commissioners.

Question put and agreed to.

## SECTION 27

**An Ceann Comhairle:** Amendment No. 70 is out of order.

Amendment No. 70 not moved.

**An Ceann Comhairle:** Amendment No. 71 is in the names of Deputies Howlin, Kelly, Nash, Sherlock, Ó Ríordáin and Duncan Smith. Amendments Nos. 71 to 73, inclusive, are related and will be discussed together.

**Deputy Ged Nash:** I move amendment No. 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 shorttime for the reasons referred to in paragraph (a), continuity of employment shall not be broken by such interruption.”.

The amendment seeks to make it clear that the employee’s continuity of employment is not interrupted by a period of short time or temporary lay off of any duration. That is for the purpose of calculating entitlement to redundancy if that is the outcome for the employee at some later stage.

**Deputy John Brady:** I want to go back to the point Deputy Doherty made about cross-Border workers. For the second time, that question has not been addressed or answered. I asked about this in an earlier contribution as well. It is not the subject of these amendments but it is an important point.

**An Ceann Comhairle:** Then we will not be talking about it.

**Deputy John Brady:** On the amendment-----

**An Ceann Comhairle:** We have to talk to the amendment at hand, not some other amendment.

**Deputy John Brady:** I am speaking to the amendment. Amendment No. 72 is important regarding redundancies. This change in legislation is effectively putting redundancy payments on hold for the duration of the emergency period, which runs up to 31 May in this legislation. There is a genuine fear that there will be a break in reckonable service. I have had a number of people get in contact with me who have been let go. One man who has 20 years’ service with the same company has been made unemployed and has signed on for the Covid-19 payment. The fear is that if and when he is taken back on, he could be let go at any point within two years without being entitled to any redundancy and if he is let go at any point in the future, if there is a break in service, it would only be that portion of service after the break that would be deemed as reckonable service. The Sinn Féin amendment, which is similar to amendment No. 71 from

the Labour Party, would amend the legislation to ensure the break is not deemed as a break in service for the duration of the Covid-19 emergency. If one looks at the redundancy, there are a number of provisions that will allow for breaks in service but it does not have an impact on redundancy issues such as maternity leave, parental leave, carer's leave etc. It is a reasonable and fair amendment.

**Deputy Jim O'Callaghan:** It makes sense to suspend the operation of section 12 of the Redundancy Payments Act 1967. However, the purpose of our amendment is that when one looks at subsection (2), it allows the Minister to extend that suspension period from 31 May onwards. What we are seeking to do with the amendment is to say it can be extended beyond that but it can only be extended for a period of up to three months. Without this extension, it means employees' rights can be negated for a longer period of time and that should not be the effect or intention of this legislation.

**Deputy Paschal Donohoe:** On the questions put to me by Deputies Nash and Brady, the existing provisions in Schedule 3 to the Redundancies Payments Act 1967 already provide that periods of temporary lay-offs do not break continuity of employment. This will obviously include temporary lay-off periods due to the effects of the measures required by an employer to comply with, or as a consequence of, Government policy to prevent, limit, minimise or slow the spread of infection of Covid-19. I hope that answers the questions that have been raised with me by the two Deputies.

Deputy Jim O'Callaghan asked a further question. I might have to get clarity from the Deputy because the amendment appears to be quite different to what I understood it to be. Is the Deputy referring to the amendment put forward by Deputy Willie O'Dea?

**Deputy Jim O'Callaghan:** Yes, it is Deputy Willie O'Dea's amendment.

**Deputy Paschal Donohoe:** The requirements I understand Deputy O'Dea is seeking to have published are contained in an online application form.

**Deputy Jim O'Callaghan:** I am talking about amendment No. 73. I think the Minister is referring to amendment No. 74.

**Deputy Paschal Donohoe:** Deputy O'Callaghan is correct. The Deputy may be aware that the emergency period is defined in this section as ending on 31 May. If there is no need to extend the emergency period beyond then, the Government will not do so. I call on the Deputy to consider that in deciding whether to put forward the amendment.

**An Ceann Comhairle:** The time permitted for this debate having expired, I am required to put the following question in accordance with a resolution of the Dáil of this day: "That in respect of each of the sections of Parts 7, 8 and 9 undisposed of the section is hereby agreed to, the Preamble and the Title are hereby agreed to in Committee and the Bill, as amended, is accordingly reported to the House, Fourth Stage is hereby completed and the Bill is hereby passed."

Question put and agreed to.

The Dáil adjourned at 10.15 p.m. until 2 p.m. on Thursday, 2 April 2020.