

EMERGENCY POWERS (COVID 19) (SPECIAL PROVISIONS) (AMENDMENT) ORDER, 2020

Arrangement of Order

Order

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EMERGENCY POWERS (COVID 19) REGULATIONS, 2020

**EMERGENCY POWERS (COVID 19) (SPECIAL PROVISIONS)
(AMENDMENT) ORDER, 2020**

In exercise of the powers conferred by the Emergency Powers (Covid 19) Regulations, I **HEREBY** make the following order –

1. Citation.

This Order, which amends the Emergency Powers (Covid 19) (Special Provisions) Order, 2020 (*S.I. No. 32 of 2020*), may be cited as the Emergency Powers (Covid 19) (Special Provisions) (Amendment) Order, 2020.

2. Insertion of a new orders 4A and 4B into the principal Order.

The principal Order is amended by the insertion immediately after order 4 of the following new orders –

“4A. Data Protection (Privacy of Personal Information) Act.

- (1) The National Insurance Board is, in accordance with section 13(e) of the Data Protection (Privacy of Personal Information) Act (*Ch. 324A*), permitted to share with a money transmission service provider approved in writing by the Competent Authority, the personal data of a data subject for the purpose of facilitating the payment of a national insurance benefit to the data subject through the money transmission service.
- (2) Nothing in this order shall be construed as relieving the approved money transmission service provider of the requirement to safeguard any personal data received by it in respect of any data subject in accordance with paragraph (1).

4B. Road Traffic Act.

The requirement to renew any license issued under the Road Traffic Act (*Ch. 220*) which expired during the state of public emergency is suspended from 17th day of March, 2020 for the duration of the state of public emergency and extending sixty days thereafter.”.

3. **Insertion of a new order 7A into the principal Order.**
The principal Order is amended by the insertion immediately after order 7 of the following new order –
 “7A. Intellectual property.
 The requirement under -
 (a) the Trade Marks Act (*Ch. 322*);
 (b) the Industrial Property Act (*Ch. 324*);
 (c) the Copyright Act (*Ch. 323*); and
 (d) any other legislation relating to intellectual property, to file a document, to pay a fee or to renew a license or like matter is suspended from the 17th March, 2020 for the duration of the state of public emergency and extending fourteen days thereafter.”.
4. **Repeal and replacement of order 8 of the principal Order.**
Order 8 of the principal Order is repealed and replaced as follows -
 “8. Insurance premiums.
 (1) In respect of any group, general, health, and life insurance policy, the obligation to pay any insurance premium under any policy of insurance is deferred from the 17th day of March, 2020 for the duration of the state of public emergency and extending a period of sixty days thereafter and during that period of sixty days –
 (a) any deferred premiums are to be paid; or
 (b) the insured and insurer shall enter an arrangement for the payment of the deferred premiums over a longer period of time.
 (2) Paragraph (1) shall –
 (a) apply in respect of persons who -
 (i) are unable to pay the premium as a result of the termination of their employment; or
 (ii) are unable to access electronic or any remote means to pay the premium;
 (b) not apply -
 (i) to any group, general, health and life insurance policy which shall continue to be paid electronically or by other remote means; or
 (ii) to any person whose employment has not been terminated and who, prior to the commencement of the state of public emergency, has paid an insurance premium electronically or by other remote means or has access to make such payment.

- (3) Should any insured event occur in respect of an insured person whose premiums have been deferred and that event gives rise to the liability of the insurer to pay a claim, the insurer shall honour the claim and only deduct the outstanding premiums and any deductible from the money paid under the claim.”.

5. Insertion of new orders 10 to 15 into S.I. No. 32 of 2020.

The Emergency Powers (Covid 19) (Special Provisions) Order, 2020, is amended by the insertion immediately after order 9 of the following new orders –

“10. Business Licence Act and Value Added Tax Act deferred taxes.

- (1) For the duration of the state of public emergency and extending to thirty days thereafter -
 - (a) where an application for extension of time to pay value added tax is approved by the Comptroller of VAT, the reference in section 60(7) of the Value Added Tax Act (*No. 32 of 2014*), to the words “ An extension of time or other arrangement granted or made by the Comptroller pursuant to subsection (6) may include the waiver of a fine but does not affect the accrual of interest on all amounts of tax due and payable by a person that remains outstanding until actual payment is made” shall be suspended in relation to that person, and the following provision shall apply “An extension of time or other arrangement granted or made by the Comptroller pursuant to subsection (6) may include the waiver of a fine and interest accrued on all amounts of tax due and payable that remain outstanding at the date of the application.”; and
 - (b) where a licensee has made an arrangement with the Secretary under the Business Licence Act (*No. 25 of 2010*) to pay the amounts outstanding for business licence tax, the provisions of section JA and the Fourth Schedule of the Business Licence Act (*No. 25 of 2010*) shall be suspended in relation to that licensee, provided that the applicant or licensee meets the criteria specified in paragraph (2) of Order 11.
- (2) The amount for which an extension of time may be approved by the Comptroller of VAT under paragraph (1) (a) and in relation to which an arrangement may be made by the Financial Secretary under paragraph (1)(b) shall not