

DÁIL ÉIREANN

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

Fógra Tairisceana: Notice of Motion

[Please note that this motion is in substitution for the version circulated on 9th July, 2021]

“That Dáil Éireann:

notes that under *Bunreacht na hÉireann* (Constitution of Ireland):

- Article 40.1 guarantees that all citizens shall, as human persons, be held equal before the law;
- Article 40.3.1^o protects the right to bodily integrity of all citizens;
- Article 40.6.1^o.ii guarantees the right of citizens to assemble peaceably, subject to laws to prevent meetings which are a danger to the general public; and
- Article 44.2.1^o guarantees to every citizen the right to freedom to practice his or her religion, subject to public order and morality; and

calls on the Minister for Health to, in exercise of the powers conferred on him by sections 5 and 31A (inserted by section 10 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 (No. 1 of 2020)) of the Health Act 1947 (No. 28 of 1947):

- allow hospitality businesses across the State to carry on their business, regardless of whether the said business involves the sale of food or beverages for indoor or outdoor consumption, without requiring the occupier, manager, or any other person for the time being in charge of the premises in which the hospitality business is being carried out, to discriminate between customers on the basis of whether or not they have been vaccinated against Covid-19 or SARS-CoV-2 infection;
- allow attendance at sporting and other events, subject only to such non-discriminatory limitations as are necessary and proportionate in the interests of public safety;
- respect the profession and practice of religion, and allow a minister of religion or priest (or any equivalent thereof in any religion) to lead worship or religious services, subject only to such restrictions as are necessary, proportionate, prescribed in the Constitution of Ireland, and respect the autonomy afforded to religious communities in a democratic society; and
- accept that the pursuit of a *de facto* zero-Covid strategy, aimed at the elimination of all Covid-19 variants, would result in permanent and irreversible damage to the economic and social fabric of the State and the integrity of the democratic process.”
— *Michael Collins, Danny Healy-Rae, Michael Healy-Rae, Mattie McGrath, Carol Nolan, Richard O'Donoghue, Michael McNamara.*

[12 July, 2021]