



17 Kildare St.,
Dublin 2.

Mr Micheál Martin TD,
Government Buildings,
Merrion Street Upper,
Dublin 2.

3rd December 2021

Dear Taoiseach,

It is regrettable that I must follow up soon on our note of 18th November. Appreciating that the Covid-19 case numbers have materially increased, it is not apparent that the issues we raised last month have been addressed. As we await the outcome of today's cabinet meeting, another set of ad hoc public health measures has been proposed by NPHET, the simple anticipation of which is already denting business sentiment, and shaping decision-making for the weeks ahead.

While members of NPHET continue to publicly undermine the credibility of antigen testing, and voice opposition to its provision at affordable prices, the HSE's online PCR test booking facility shows virtually no availability in any county.

As business owners and their employees await the introduction of yet another set of arbitrary controls, our call in November for controls based upon logic remains unheeded. Yet it is eminently possible to devise a set of control measures which will advise people in advance of what will be required at a given level of burden for the health service. By way of very simple example, I reference below the five-step set of measures which Austria¹ will impose when they exit their current lockdown on 13th December. These measures are based on their occupancy rates for ICU. This is not a difficult model to emulate, allowing for the fact that Austria has twice the number of ICU beds per capita as Ireland.

In view of the deleterious effects NPHET's public musings have *already* inflicted upon domestic business, especially those in the childcare, personal grooming, hospitality and entertainment sectors, we ask that any revision to current public health measures to be announced by you is accompanied by the following:

1. The changes to the EWSS that came into effect on 1st December should be reversed, and the package that was in place until 30th November should now be extended until 28th February 2022. The EWSS package for 1st December should similarly be moved out to 1st March 2022.
2. The CRSS scheme should be extended by three months.

¹ <https://www.soelden.com/winter/covid-19-safety-measures.html>

3. Certain sectors will require extension of the commercial rates waiver and Revenue debt warehousing facility.
4. In view of the fact that some of the sectors affected rely heavily on Christmas trading for their viability, the Restart Plus Grant should be reactivated on a sectoral basis (depending on the public health measures to be announced by you).

Lastly, with the first clear decision from the High Court on pandemic-related frustration of lease contracts,² it is likely we will see a substantial uptick in SME insolvencies in the near future. We ask you therefore to ensure the commencement of the Companies (Rescue Process For Small and Micro Companies) Act 2021 at the earliest possible opportunity.

Yours sincerely,



Neil McDonnell
Chief Executive

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Leo Varadkar TD, Tánaiste and Minister of Enterprise, Trade and Employment
Stephen Donnelly TD, Minister of Health
Martin Fraser, Secretary General, Department of An Taoiseach
Dr Orlaigh Quinn, Secretary General, Department of Enterprise Trade and Employment
Robert Watt, Secretary General, Department of Health

² <https://www.irishtimes.com/business/retail-and-services/court-rejects-foot-locker-claim-over-grafton-street-store-lease-1.4745087>