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**BILLE AN tSAMÁRAIGH MHAITH 2005**  
**GOOD SAMARITAN BILL 2005**

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*Mar a tionscnaíodh*  
*As initiated*

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**ARRANGEMENT OF SECTIONS**

Section

1. Short title and commencement.
2. Protection from liability.



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**BILLE AN tSAMÁRAIGH MHAITH 2005**  
**GOOD SAMARITAN BILL 2005**

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# **BILL**

*entitled*

5 AN ACT TO PROTECT FROM LIABILITY PERSONS WHO  
ACT IN GOOD FAITH TO PROVIDE ASSISTANCE TO A  
PERSON WHO IS ILL OR HAS BEEN INJURED AS A  
RESULT OF AN ACCIDENT OR EMERGENCY AND FOR  
10 THAT PURPOSE TO ALTER THE POSITION AT COM-  
MON LAW.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—This Act may be cited as the Good Samaritan Act 2005.

Short title and  
commencement.

2.—(1) Notwithstanding the rules of common law, a person other  
than a health care professional acting in the course of employment  
15 who—

Protection from  
liability.

(a) provides emergency first aid assistance to a person who is  
ill, injured or unconscious as a result of an accident or  
other emergency,

20 (b) provides the assistance at the immediate scene of the acci-  
dent or emergency, and

(c) has acted voluntarily and without reasonable expectation  
of compensation or reward for providing the services  
described,

25 is not liable for damages that result from his or her negligence in  
acting or failing to act while providing the services, unless it is estab-  
lished that the damages were caused by the gross negligence of the  
person.

30 (2) For the purpose of *subsection (1)*, a health care professional  
is acting in the course of employment if he or she is providing emer-  
gency health care services or first aid assistance to a person who is  
ill, injured or unconscious as a result of an accident or other emer-  
gency, having been summoned or called to provide services or assist-  
ance for payment or reward.



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**EXPLANATORY MEMORANDUM**

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*Purpose of Bill*

The purpose of the Good Samaritan Bill 2005 is to protect from liability those who go to the assistance of others who may be ill or injured as a result of an accident or other emergency.

This legislation will ensure that those who intervene to give help to others, and who offer this assistance in good faith, cannot then be penalised or held liable as a result of their intervention.

Health care professionals, acting in the course of their employment, are exempted from the terms of this legislation.

*An Teachta Liam Ó Toimín,*  
*Meitheamh, 2005.*