Number 1 *of* 2014

LOCAL GOVERNMENT REFORM ACT 2014

REVISED

Updated to 16 May 2024

This Revised Act is an administrative consolidation of the *Local Government Reform Act 2014*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Act 2024* (14/2024), enacted 9 May 2024, and all statutory instruments up to and including *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024 (Commencement) (No. 2) Order 2024* (S.I. No. 207 of 2024), made 14 May 2024, were considered in the preparation of this revision.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 1 *of* 2014

LOCAL GOVERNMENT REFORM ACT 2014

REVISED

Updated to 16 May 2024

CONTENTS

PART 1

PRELIMINARY AND GENERAL

Section

1. Short title, collective citations, constructions and commencement
2. Regulations to remove difficulties
3. Interpretation
4. Regulations, orders and directions
5. Repeals, revocations and amendments
6. Savers
7. Expenses

PART 2

LOCAL GOVERNMENT AREAS AND LOCAL AUTHORITIES

8. 2014 establishment day
9. Cesser and amalgamation of certain local government areas
10. Boundaries of amalgamated local government areas
11. Preparation of maps showing county boundaries
12. Local government areas
13. Establishment of local authorities for certain local government areas
14. Amendment of section 11 (establishment, titles and administrative areas of local authorities and consequential provisions) of Principal Act
15. Number of members of local authorities
16. Provisions relating to management of amalgamated local government areas
17. Dissolution of certain local authorities

18. Provisions consequential on dissolutions, etc.

PART 3

Municipal Districts and Dissolution of Town Councils

Chapter 1

Municipal Districts

19. Municipal districts

20. Local electoral areas and municipal districts

21. Functions of municipal district members — amendments to Principal Act

22. Application of certain provisions of the 2001 Act to municipal district members

Chapter 2

Dissolution of Town Councils

23. Definitions (Chapter 2)

24. Dissolution of town councils and transfer date

25. Dissolution of town councils — consequential provisions

PART 4

General Provisions Relating to Dissolutions, etc.

26. Consequential provisions on dissolution of certain bodies

27. Implementation of Act by local authorities, actions in anticipation of 2014 establishment day

28. Elections to local authorities in 2014

PART 5

Financial Provisions Consequential on Dissolutions and Provisions relating to Rates

29. Rates

30. Amalgamation of local funds of certain city councils and county councils

31. Amendment of certain provisions relating to rates on vacant premises

32. Duty to inform rating authority of transfer of relevant property (*Repealed*)

33. Amalgamated valuation list

34. References to county rate

PART 6

Community Development within Local Authority Areas

Chapter 1

County Development Boards and City Development Boards

35. Dissolution of county development boards and city development boards

Chapter

LOCAL COMMUNITY DEVELOPMENT COMMITTEES

36. Local Community Development Committees

PART 7

LOCAL AUTHORITY GOVERNANCE AND MANAGEMENT, ETC.

37. Alternative titles to Cathaoirleach and Leas-Chathaoirleach, etc.

38. Amendment of section 34 (removal of Cathaoirleach or Leas-Chathaoirleach from office, etc.) of Principal Act

39. Application of Chapter 2 of Part 5 of Principal Act to municipal district members

40. Effective discharge of business

41. Amendment of section 48 (strategic policy committees) of Principal Act

42. Area committees

43. Amendment of section 66 (promotion of interests of local communities) of Principal Act

44. Local economic and community plan

45. Amendment of section 72 (transfer of certain functions to local authorities) of Principal Act

46. Consultation with local community

47. Reserved functions: duty of chief executive

48. Amendment of section 133 (corporate policy group) of Principal Act

49. Amendment of section 134 (corporate plan) of Principal Act

50. Local authority service delivery plans

51. Furnishing of information to elected council

52. Amendment of section 140 (requirement that a particular thing be done) of Principal Act

53. Members' expenses, remuneration, etc. including training and attendance at conferences, etc.

54. Chief executive

55. Amendment of section 151 (chief executive acting by signed order, etc.) of Principal Act

56. Local authority associations

57. Amendment of Schedule 10 (meetings and proceedings of local authorities) to Principal Act

PART 8

FINANCIAL PROCEDURES, AUDIT AND OVERSIGHT

Chapter 1

FINANCIAL PROCEDURES AND AUDIT

58. Amendment to Chapter 1 (financial procedures) of Part 12 of Principal Act

59. Audit committee

60. Consideration of annual financial statement and auditor's report

Chapter 2

National Oversight and Audit Commission

61. National Oversight and Audit Commission

PART 9

Regional Assemblies

62. Regional assemblies

PART 10

Regional Assemblies and Regional Spatial and Economic Strategy

63. Regional assemblies and regional spatial and economic strategy

PART 11

Plebiscite on Directly Elected Mayor for Dublin Metropolitan Area

64. Definitions (Part 11)

65. Convening of forum and report to Minister

66. Resolutions of local authorities

67. Holding of plebiscite

68. Persons entitled to vote

69. Report to Houses of the Oireachtas

70. Costs of holding plebiscite

71. Steps taken prior to passing of Act

PART 12

Non-Principal Private Residence Charge and Household Charge

72. Interpretation (Part 12)

73. Repeals relevant to Part 12

74. Arrears of non-principal private residence charge and late payment fees

75. Deceased sole owner and payment of non-principal private residence charge and late payment fees

76. Collection of undischarged liabilities relating to non-principal private residence liabilities

77. Guidance by Minister

78. Validity of non-principal private residence charge and household charge collection activity

PART 13

Local Government Fund and Irish Water

79. Amendment of section 6 of Local Government Act 1998

PART 14

Dublin Docklands Development Authority

80. Amendment of Dublin Docklands Development Authority Act 1997

SCHEDULE 1

Miscellaneous and Consequential Amendments to Local Government Acts 1925 to 2013

PART 1

Miscellaneous and Consequential Amendments to the Local Government Act 2001

PART 2

Miscellaneous and Consequential Amendments to Local Government Acts 1925 to 2013 (other than to the Local Government Act 2001) and to Certain Pre-1922 Local Government Acts

SCHEDULE 2

Consequential Amendments to Other Acts

PART 1

Consequential Amendments to Housing Acts 1966 to 2013

PART 2

Consequential Amendments to Local Elections Acts 1974 to 2012, to Electoral Acts 1992 to 2013 and to Local Elections Regulations 1995

PART 3

Consequential Amendments to Local Government (Multi-Storey Buildings) Act 1988 and to Building Control Act 1990

PART 4

Consequential Amendments to Planning and Development Act 2000

PART 5

Consequential Amendments to Acts Relating to Taxation

PART 6

Minor Amendments to Other Acts

SCHEDULE 3

Reserved Functions

SCHEDULE 4

CONSEQUENTIAL PROVISIONS RELATING TO LOCAL AUTHORITIES

SCHEDULE 5

RELEVANT BODY

ACTS REFERRED TO

Abattoirs Act 1988	(No. 8)
Adoptive Leave Acts 1995 and 2005	
Air Pollution Act 1987	(No. 6)
Air-Raid Precautions Act 1939	(No. 21)
Animal Health and Welfare Act 2013	(No. 15)
Arterial Drainage (Amendment) Act 1995	(No. 14)
Arterial Drainage Act 1945	(No. 3)
Building Control Act 1990	(No. 3)
Building Control Acts 1990 and 2007	
Canals Act 1986	(No. 3)
Capital Acquisitions Tax Consolidation Act 2003	(No. 1)
Carer's Leave Act 2001	(No. 19)
Casual Trading Act 1995	(No. 19)
City and County Management (Amendment) Act 1955	(No. 12)
Civil Defence Act 2012	(No. 51)
Civil Defence Acts 1939 to 2012	
Coast Protection Act 1963	(No. 12)
Companies Act 1990	(No. 33)
Control of Dogs Act 1986	(No. 32)
Control of Dogs Acts 1986 to 2010	
Control of Horses Act 1996	(No. 37)
Cork City Management Act 1941	(No. 5)
Criminal Justice (Public Order) Act 1994	(No. 2)
Criminal Justice (Public Order) Acts 1994 to 2011	
Dangerous Substances Act 1972	(No. 10)
Data Protection Act 1988	(No. 25)
Disability Act 2005	(No. 14)
Dog Breeding Establishments Act 2010	(No. 29)
Dublin Docklands Development Authority Act 1997	(No. 7)
Dublin Transport Authority Act 2008	(No. 15)
Education and Training Boards Act 2013	(No. 11)
Electoral (Amendment) Act 1996	(No. 43)
Electoral Act 1992	(No. 23)
Electoral Act 1997	(No. 25)
Electoral Acts 1992 to 2013	

Electoral Acts 1992 to 2014	
Electoral, Local Government and Planning and Development Act 2013	(No. 27)
Energy (Miscellaneous Provisions) Act 1995	(No. 35)
Energy (Miscellaneous Provisions) Act 2006	(No. 40)
Environment (Miscellaneous Provisions) Act 2011	(No. 20)
Environmental Protection Agency Act 1992	(No. 7)
European Parliament Elections Act 1997	(No. 2)
Finance (Local Property Tax) Act 2012	(No. 52)
Fire Services Act 1981	(No. 30)
Fisheries (Amendment) Act 1997	(No. 23)
Foreshore (Amendment) Act 1992	(No. 17)
Foreshore Acts 1933 to 2011	
Freedom of Information Act 1997	(No. 13)
Gaming and Lotteries Act 1956	(No. 2)
Gas Act 1976	(No. 30)
Gas Regulation Act 1982	(No. 16)
Harbours Act 1996	(No. 11)
Health (Fluoridation of Water Supplies) Act 1960	(No. 46)
Health Act 2004	(No. 42)
Health Acts 1947 to 2013	
Housing (Miscellaneous Provisions) Act 1992	(No. 18)
Housing (Miscellaneous Provisions) Act 2002	(No. 2)
Housing (Miscellaneous Provisions) Act 2009	(No. 22)
Housing (Private Rented Dwellings) (Amendment) Act 1983	(No. 22)
Housing (Private Rented Dwellings) Act 1982	(No. 6)
Housing (Traveller Accommodation) Act 1998	(No. 33)
Housing Act 1966	(No. 21)
Housing Acts 1966 to 2013	
Intoxicating Liquor Act 1927	(No. 15)
Intoxicating Liquor Act 2003	(No. 31)
Irish Sports Council Act 1999	(No. 6)
Licensing of Indoor Events Act 2003	(No. 15)
Limerick City Management Act 1934 (No. 35)	
Litter Pollution Act 1997	(No. 12)
Local Authorities (Officers and Employees) Act 1926	(No. 39)
Local Authorities (Traffic Wardens) Act 1975	(No. 14)
Local Elections (Disclosure of Donations and Expenditure) Act 1999	(No. 7)
Local Elections (Petitions and Disqualifications) Act 1974	(No. 8)
Local Elections Acts 1974 to 2012	

Local Government (Business Improvement Districts) Act 2006	(No. 42)
Local Government (Charges) Act 2009	(No. 30)
Local Government (Dublin) Act 1930	(No. 27)
Local Government (Financial Provisions) Act 1978	(No. 35)
Local Government (Household Charge) Act 2011	(No. 36)
Local Government (Ireland) Act 1871	(34 & 35 Vict., c.109)
Local Government (Ireland) Act 1898	(61 & 62 Vict., c.37)
Local Government (Ireland) Act 1902	(2 Edw. 7, c. 38)
LocalGovernment(MiscellaneousProvisions) Act 2012	(No. 17)
Local Government (Multi-Storey Buildings) Act 1988	(No. 17)
Local Government (Multi-Storey Buildings) Act 1988	(No. 29)
Local Government (Rates) Act 1970	(No. 2)
Local Government (Sanitary Services) Act 1948	(No. 3)
Local Government (Water Pollution) (Amendment) Act 1990	(No. 21)
Local Government (Water Pollution) Act 1977	(No. 1)
Local Government Act 1941	(No. 23)
Local Government Act 1946	(No. 24)
Local Government Act 1991	(No. 11)
Local Government Act 1994	(No. 8)
Local Government Act 1998	(No. 16)
Local Government Act 2000	(No. 25)
Local Government Act 2001	(No. 37)
Local Government Acts 1925 to 2013	
Local Government Dublin Act 1930	(No. 27)
Local Government Services (Corporate Bodies) Act 1971	(No. 6)
Maternity Protection Acts 1994 and 2004	
Merchant Shipping (Salvage and Wreck) Act 1993	(No. 34)
Merchant Shipping Acts 1894 to 2010	
Minimum Notice and Terms of Employment Acts 1973 to 2005	
Ministers and Secretaries (Amendment) Act 2011	(No. 10)
Motor Vehicle (Duties and Licences) Act 2013	(No. 7)
National Asset Management Agency Act 2009	(No. 34)
National Disability Authority Act 1999	(No. 14)
National Monuments (Amendment) Act 1987	(No. 17)
National Monuments Act 1930	(No. 2)

National Monuments Acts 1930 to 2004	
Organisation of Working Time Act 1997	(No. 20)
Parental Leave Acts 1998 and 2006	
Payment of Wages Act 1991	(No. 25)
Planning and Development (Amendment) Act 2002	(No. 32)
Planning and Development (Amendment) Act 2010	(No. 30)
Planning and Development Act 2000	(No. 30)
Planning and Development Acts 2000 to 2013	
Poor Relief (Ireland) Act 1838	(1 & 2 Vict., c. 56)
Poor Relief (Ireland) Act 1849	(12 & 13 Vict., c. 104)
Presidential Elections Act 1993	(No. 28)
Protection of Employees (Fixed-Term Work) Act 2003	(No. 29)
Protection of Employees (Part-Time Work) Act 2001	(No. 45)
Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007	(No. 27)
Protection of Employment Act 1977	(No. 7)
Protection of Employment Acts 1977 to 2007	
Protection of the Environment Act 2003	(No. 27)
Protection of Young Persons (Employment) Act 1996	(No. 16)
Public Libraries (Ireland) Act 1894 (57 & 58 Vict., c. 38)	
Public Libraries Act (Ireland) 1855 (18 & 19 Vict., c. 40)	
Public Service Management (Recruitment and Appointments) Act 2004	(No. 33)
Public Transport Regulation Act 2009	(No. 37)
Redundancy Payments Act 1967	(No. 21)
Redundancy Payments Acts 1967 to 2012	
Redundancy Payments Acts 1996 to 2011	
Road Traffic Act 1961	(No. 24)
Road Traffic Act 1994	(No. 7)
Road Traffic Act 2002	(No. 12)
Road Traffic Act 2004	(No. 44)
Roads Act 1993	(No. 14)
Sea Pollution (Amendment) Act 1999	(No. 18)
Sea Pollution (Miscellaneous Provisions) Act 2006	(No. 29)
Sea Pollution Acts 1991 to 2006	
Shannon Electricity Act 1925	(No. 26)
Social Welfare (Consolidation) Act 1981	(No. 1)
Student Support Act 2011	(No. 4)
Survey (Ireland) Acts 1825 to 1870	

Taxes Consolidation Act 1997	(No. 39)
Terms of Employment (Information) Act 1994	(No. 5)
Terms of Employment (Information) Acts 1994 to 2012	
Transport Act 1950	(No. 12)
Unfair Dismissals Act 1977	(No. 10)
Unfair Dismissals Acts 1977 to 2007	
Universities Act 1997	(No. 24)
Urban Renewal Act 1998	(No. 27)
Valuation Act 2001	(No. 13)
Valuation Acts 2001 and 2006	
Waste Management (Amendment) Act 2001	(No. 36)
Waste Management Act 1996	(No. 10)
Water Services Act 2007	(No. 30)
Waterford City Management Act 1939	(No. 25)

Number 1 *of* 2014

LOCAL GOVERNMENT REFORM ACT 2014

REVISED

Updated to 16 May 2024

An Act to make further and better provision in relation to local government and, in particular, to amalgamate Limerick County Council with Limerick City Council, Waterford County Council with Waterford City Council and North Tipperary County Council with South Tipperary County Council, to provide for the position of chief executive in relation to each local authority, to dissolve town councils, to make provision for municipal districts, to assign additional reserved functions to local authority members, to dissolve County Development Boards and City Development Boards and make provision for the establishment of Local Community Development Committees, for planning and oversight of Local and Community Development Programmes, to provide for an increased role for local authorities in economic development and enterprise support, to amend the Local Government Act 1991 and provide for regional assemblies, to enable (subject to certain preconditions) a plebiscite to be held in the administrative areas of the local authorities in the Dublin area in respect of a directly elected mayor for that area and for those and other purposes to amend the Local Government Acts 1925 to 2013, the Local Elections Acts 1974 to 2012and other enactments relating to elections, the Housing Acts 1966 to 2013 and the Planning and Development Act 2000, to amend other Acts in connection with the foregoing matters, to amend section 20 of the Dublin Docklands Development Authority Act 1997 and to provide for related matters.

[27 *th January*, 2014]

Be it enacted by the Oireachtas as follows:

Annotations

Modifications (not altering text):

C1 Functions transferred and references to "Cathaoirleach" or "Cathaoirligh", "Leas-Chathaoirleach", "chief executive" and "deputy chief executive" construed (16.05.2024) by *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), ss. 10, 23, 25, 26, 28 and sch. 1 parts 1, 2, S.I. No. 207 of 2024.

Functions of Mayor

10. (1) All functions (other than functions conferred by or under an enactment specified in Part 1 of Schedule 1) that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(2) All functions (other than functions conferred by or under an enactment specified in Part 2 of Schedule 1) that, immediately before the vesting day, vested in the chief executive of Limerick City and County Council shall, on and after that day, vest in the Mayor.

(3) From the vesting day, a reference in any enactment (other than an enactment specified in Part 1 of Schedule 1) to Cathaoirleach shall, in so far as the reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(4) From the vesting day, a reference in any enactment (other than an enactment specified in Part 2 of Schedule 1) to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the Mayor, or as including a reference to the Mayor, as the context requires.

(5) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Príomh Chomhairleoir

23. (1) All functions conferred by or under an enactment specified in Part 1 of Schedule 1 that, immediately before the vesting day, vested in the Cathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Príomh Chomhairleoir.

(2) From the vesting day, a reference in an enactment specified in Part 1 of Schedule 1 to Cathaoirleach or Cathaoirligh shall, in so far as that reference applies to the Cathaoirleach of Limerick City and County Council, be construed as a reference to the Príomh Chomhairleoir, or as including a reference to the Príomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Functions of Leas-Phríomh Chomhairleoir

25. (1) All functions conferred by or under any enactment that, immediately before the vesting day, vested in the Leas-Chathaoirleach of Limerick City and County Council shall, on and after that day, vest in the Leas-Phríomh Chomhairleoir.

(2) From the vesting day, a reference in any enactment to Leas-Chathaoirleach shall, in so far as that reference applies to the Leas-Chathaoirleach of Limerick City and County Council, be construed as a reference to the Leas-Phríomh Chomhairleoir, or as including a reference to the Leas-Phríomh Chomhairleoir, as the context may require.

(3) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

Director general

26. (1) The chief executive of Limerick City and County Council shall, on and after the vesting day, be known as the director general of Limerick City and County Council and is in this Act referred to as the "director general".

(2) The person who, immediately before the vesting day, was the chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in an enactment specified in Part 2 of Schedule 1 to chief executive shall, in so far as that reference applies to the chief executive of Limerick City and County Council, be construed as a reference to the director general, or as including a reference to the director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

Deputy director general

28. (1) On and after the vesting day, a deputy chief executive appointed by the director general under section 148 of the Principal Act shall be known as the deputy director general of Limerick City and County Council and is, in this Act, referred to as the "deputy director general".

(2) The person who, immediately before the vesting day, was the deputy chief executive of Limerick City and County Council shall, on and after that day, continue in office and be referred to in accordance with subsection (1).

(3) On and after the vesting day, a reference in any enactment to deputy chief executive shall, in so far as the reference applies to the deputy chief executive of Limerick City and County Council, be construed as a reference to the deputy director general, or as including a reference to the deputy director general, as the context may require.

(4) This section shall apply subject to the modifications of the Principal Act specified in Schedule 3.

...

SCHEDULE 1

PART 1

Enactments for Purposes of Sections 10 and 23

Number and Year (1)	Provision (2)	Extent of Modification (3)
No. 37 of 2001	Local Government Act 2001	Sections 11(5)(b), 11(8), 31(4)(a), 31(5), 31(7), 31(9), 31(11), 33, 34(2)(e), 36, 37, 38, 104(7)(a), 133(6)(a), 134(4)(b), 140(8), 141(1)(b), 141(4), 142(2)(a), 142(5)(f), 143(1), 147, 148, 158(3), 174(8), 178(2)(b), 178(5), 180(3)(a), 189(9), 190(9), 216(2)(a), 219(1) and 220(1); paragraphs 3(4), 4(2), 4(3), 6(1), 6(2), 6(3), 7(9), 10, 13(5)(e), 13(6) and 16(4)(c) of Schedule 10; paragraph 3 of Schedule 14.

PART 2

Enactments for Purposes of Sections 10 and 26

...

PART 1

Preliminary and General

Short title, collective citations, constructions and commencement

1. (1) This Act may be cited as the Local Government Reform Act 2014.

(2) This Act (other than *subsections (3)* to *(8)* of this section, *subsections (3)* to *(5)* of *section 5* and *Schedule 2*) shall be read together as one with the Local Government Acts 1925 to 2013 and may be cited together as the Local Government Acts 1925 to 2014.

(3) This subsection, *section 5*, the Valuation Acts 2001 and 2006 and so much of *Part 6* of *Schedule 2* as relates to the Valuation Act 2001 may be cited together as the Valuation Acts 2001 to 2014.

(4) This subsection, *section 5(3)*, *Part 1* of *Schedule 2*, *paragraphs 1* and *14* (in so far as they relate to the Housing Act 1966) of *Schedule 4* and *paragraph 16* of *Schedule 4* shall be read together as one with the Housing Acts 1966 to 2013 and may be cited together as the Housing Acts 1966 to 2014.

(5) This subsection, *section 5(4)* and *Part 2* of *Schedule 2*, in so far as it relates to the Local Elections (Petitions and Disqualifications) Act 1974 and the Local Elections (Disclosure of Donations and Expenditure) Act 1999, shall be read together as one with the Local Elections Acts 1974 to 2012 and may be cited together as the Local Elections Acts 1974 to 2014.

(6) This subsection, *section 5(4)*, *Part 2*of *Schedule 2*and *paragraphs 17*and *18*of *Schedule 4*, in so far as it relates to the Electoral Act 1992, shall be read together as one with the Electoral Acts 1992 to 2013 and may be cited together as the Electoral Acts 1992 to 2014.

(7) This subsection, *section 5(5)* and *Part 3* of *Schedule 2* (in so far as it relates to the Building Control Act 1990) shall be read together as one with the Building Control Acts 1990 and 2007 and may be cited together as the Building Control Acts 1990 to 2014.

(8) This subsection, *section 5(7)* and *Part 4* of *Schedule 2* shall be read together as one with the Planning and Development Acts 2000 to 2013 and may be cited together as the Planning and Development Acts 2000 to 2014.

(9) This subsection, the amendments to the Air-Raid Precautions Act 1939 and the Civil Defence Act 2012 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and the Civil Defence Acts 1939 to 2012 may be cited together as the Civil Defence Acts 1939 to 2014.

(10) This subsection, the amendments to the Control of Dogs Act 1986 and the Dog Breeding Establishments Act 2010 provided for in *section 5(6)* and *Part 6* of *Schedule 2*, the amendment to Control of Dogs Act 1986 provided for by section 77 of the Animal Health and Welfare Act 2013 and the Control of Dogs Acts 1986 to 2010 may be cited together as the Control of Dogs Acts 1986 to 2014.

(11) This subsection, the amendment to the Criminal Justice (Public Order) Act 1994 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and the Criminal Justice (Public Order) Acts 1994 to 2011 may be cited together as the Criminal Justice (Public Order) Acts 1994 to 2014.

(12) This subsection, the amendments to the Education and Training Boards Act 2013 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and that Act may be cited together as the Education and Training Boards Acts 2013 and 2014.

(13) This subsection, the amendment to the Foreshore (Amendment) Act 1992 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and the Foreshore Acts 1933 to 2011 may be cited together as the Foreshore Acts 1933 to 2014.

(14) This subsection, the amendment to the Health (Fluoridation of Water Supplies) Act 1960 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and the Health Acts 1947 to 2013 may be cited together as the Health Acts 1947 to 201 4.

(15) This subsection, the amendment to the Merchant Shipping (Salvage and Wreck) Act 1993 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and the Merchant Shipping Acts 1894 to 2010 may be cited together as the Merchant Shipping Acts 1894 to 2014.

(16) This subsection, the amendment to the National Monuments Act 1930 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and the National Monuments Acts 1930 to 2004may be cited together as the National Monuments Acts 1930 to 2014.

(17) This subsection, the amendments to the Protection of Employees (Part-Time Work) Act 2001 and the Protection of Employment Act 1977 provided

for in *section 5(6)* and *Part 6* of *Schedule 2*, and the Protection of Employment Acts 1977 to 2007 shall be construed together as one and may be cited together as the Protection of Employment Acts 1977 to 2014.

(18) This subsection, the amendments to the Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007 and the Unfair Dismissals Act 1977 provided for in *section 5(6)* and *Part 6* of *Schedule 2*, and the Unfair Dismissals Acts 1977 to 2007 shall be construed together as one and may be cited together as the Terms of Employment (Information) Acts 1994 to 2014.

(19) This subsection, the amendment to the Redundancy Payments Act 1967 provided for in *section 5(6)* and *Part 6* of *Schedule 2*, and the Redundancy Payments Acts 1967 to 2012 shall be construed together as one and may be cited together as the Redundancy Payments Acts 1967 to 2014.

(20) This subsection, the amendments to the Sea Pollution (Amendment) Act 1999 and the Sea Pollution (Miscellaneous Provisions) Act 2006 provided for in *section 5(6)* and *Part 6* of *Schedule 2*, and the Sea Pollution Acts 1991 to 2006 shall be construed together as one and may be cited together as the Sea Pollution Acts 1991 to 2014.

(21) This subsection, the amendment to the Terms of Employment (Information) Act 1994 provided for in *section 5(6)* and *Part 6* of *Schedule 2*, and the Terms of Employment (Information) Acts 1994 to 2012 shall be construed together as one and may be cited together as the Terms of Employment (Information) Acts 1994 to 2014.

(22) This Act, other than *section 28*, *section 54* (in so far as it relates to the insertion of section 149A into the Principal Act) and *Parts 11*, *13* and *14* comes into operation on such day or days as the Minister may, by order or orders appoint either generally or with reference to any particular purpose or provision, and different days may be so appointed different purposes and different provisions and for the deletion, repeal, revocation and amendment effected by *Schedules 1* and *2* of different enactments or of different provisions of those enactments.

(23) The amendment to section 48 (which provides for the substitution of Part 18 of the Principal Act) of the Environment (Miscellaneous Provisions) Act 2011 referred to in *Part 6* of *Schedule 2* comes into operation—

(a) upon the commencement of section 189 (as inserted by section 48 of the Environment (Miscellaneous Provisions) Act 2011) of the Principal Act, or

(b) the transfer date,

whichever last occurs.

Annotations

Editorial Notes:

E1 Power pursuant to section exercised (1.06.2014 and 1.07.2014) by *Local Government Reform Act 2014 (Commencement of Certain Provisions) (No. 3) Order 2014* (S.I. No. 214 of 2014).

2. Subject to Article 3, the 1st day of June 2014 is appointed as the day on which the Local Government Reform Act 2014 (No. 1 of 2014), in so far as it is not already in operation, comes into operation.

3. The 1st day of July 2014 is appointed as the day on which section 44 of the Local Government Reform Act 2014 comes into operation.

E2 Power pursuant to section exercised (24.03.2014 and 1.07.2014) by *Local Government Reform Act 2014 (Commencement of Certain Provisions) (No. 2) Order 2014* (S.I. No. 146 of 2014).

3. The 24th day of March 2014 is appointed as the day on which the following provisions of the Act of 2014 come into operation:

(*a*) section 5(4) and Part 2 of Schedule 2 as they apply to the amendment as respects the definition of 'local authority concerned' in section 2(1) of the Local Elections (Disclosure of Donations and Expenditure) Act 1999 (No. 7 of 1999);

(*b*) section 5(8) and Part 6 of Schedule 2 as they apply to the amendments as respects-

(i) section 71 of the Poor Relief (Ireland) Act 1838,

(ii) section 19 of the Poor Relief (Ireland) Act 1849, and

(iii) section 15 of, and Schedules 3 and 4 to the Valuation Act 2001 (No. 13 of 2001);

(*c*) sections 11 and 27.

4. The 1st day of July 2014 is appointed as the day on which section 32 of the Act of 2014 comes into operation.

E3 Power pursuant to section exercised (30.01.2014) by *Local Government Reform Act 2014 (Commencement of Certain Provisions) Order 2014* (S.I. No. 38 of 2014).

2. The 30th day of January 2014 is appointed as the day on which the following provisions of the Local Government Reform Act 2014 (No. 1 of 2014) come into operation:

(*a*) sections 1, 2, 3, 4, 6 and 7;

(*b*) section 19 in so far as it relates to the holding of elections to local authorities in 2014 and for the purposes of section 28(1)(*d*);

(*c*) section 20(3);

(*d*) Part 12 (sections 72 to 78);

(*e*) section 5(4) and Part 2 of Schedule 2 as they apply to the amendments as respects—

(i) section 165(1) of the Electoral Act 1992 (No. 23 of 1992), and

(ii) section 19A and 19G of the Local Elections (Disclosure of Donations and Expenditure) Act 1999 (No. 7 of 1999).

Regulations to remove difficulties

2. (1) Every enactment (including any provision contained in an Act published in a series of local and personal Acts or of private Acts) and every order, regulation, rule, bye law or other instrument or agreement in force immediately before the commencement of a provision of this Act shall, on and after the day of such commencement be read and have effect with such modifications as may be necessary to give effect to this Act or an order or regulations made under it and to have effect in conformity with it.

(2) If, in any respect, any difficulty arises in bringing any provision of this Act into operation or in relation to the operation of any such provision, the Minister may, by regulations, do anything which appears to him or her to be necessary or expedient for removing that difficulty, for bringing that provision into operation or for securing or facilitating its operation, and any such regulations may modify any provision of this Act so far as may be necessary or expedient for carrying such provision into effect for the purposes aforesaid, but no regulations shall be made under this section in

relation to any provision of this Act after the expiration of 3 years commencing on the day on which the provision comes into operation.

(3) Where regulations are proposed to be made under this section, a draft of the regulations shall be laid before each House of the Oireachtas and the regulations shall not be made until a resolution approving the draft has been passed by each such House.

Annotations

Editorial Notes:

E4 Power pursuant to section exercised (1.01.2015) by *Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014* (S.I. No. 573 of 2014), in effect as per art. 3.

Interpretation

3. In this Act—

"2014 establishment day" means the day appointed by order under *section 8* to be the establishment day for the purposes of this Act;

"chief executive" means a chief executive for the purposes of section 144 (asamended by *section 54*) of the Principal Act;

"dissolved authority" means—

(a) in relation to a city council or county council, a council dissolved by virtue of *section 17*, and

(b) in relation to a town council, a dissolved body;

"dissolved body" has the meaning given to it by *section 23*;

"local authority" has the meaning given to it by section 2(1) (as amended by *section 5(1)* and *Part 1* of *Schedule 1*) of the Principal Act;

"local government area" shall be read in accordance with section 10 of, and Schedule 5 to, the Principal Act as amended by *section 12*;

"Minister" means the Minister for the Environment, Community and Local Government;

"municipal district" has the meaning given to it by section 22A (inserted by *section 19*) of the Principal Act;

"municipal district members" shall be read in accordance with section 22B (inserted by *section 19*) of the Principal Act;

"prescribed" means prescribed by regulations made under this Act or the Principal Act;

"Principal Act" means the Local Government Act 2001;

"successor authority" in relation to—

(a) a city council or county council, shall be read in accordance with *sections 13(1)* and *17*, and

(b) a town council, shall be read in accordance with *section 24(2)(a)*;

"town council" means a dissolved body which was, before the transfer date, a town council for the purposes of the Principal Act;

"transfer date" has the meaning given in *section 23*.

Regulations, orders and directions

4. (1) The Minister may make regulations prescribing any matter or thing which is referred to in this Act as prescribed or to be prescribed or to be the subject of regulations or for the purpose of enabling any provisions to have full effect.

(2) Without prejudice to any specific provision of this Act, a regulation or order under this Act may provide for such incidental, consequential, supplementary or transitional provisions (including provisions for the purpose of securing the continuity of any provision of this Act with any provision of any other Act or instrument repealed, revoked, amended or otherwise affected by this Act or by any regulations or order made under it) as may appear to the Minister to be appropriate for the purposes of this Act or of any regulations or order made under it.

(3) A regulation or order under this Act may—

(a) apply to local authorities generally, to any category of local authorities specified in the regulations or the order or to a particular local authority so specified,

(b) contain different provisions in relation to different local authorities or to different parts of the administrative area of a local authority, and

(c) provide for the giving of directions by the Minister (including directions amending or revoking any such directions).

(4) Subject to *subsection (5)*, every order or regulation made under this Act, shall be laid before each House of the Oireachtas as soon as may be after it has been made and, if a resolution annulling such order or regulation is passed by either such House within the next 21 days on which that House has sat after the order or regulation is laid before it, the regulation or order shall be annulled accordingly, but without prejudice to the validity of anything previously done under it.

(5) *Subsection (4)* does not apply to—

(a) an order made under *section 1(22)*, or

(b) regulations which are required by this Act to be approved in draft by resolution of both Houses of the Oireachtas.

(6) A person to whom a direction is given under this Act shall comply with that direction.

Annotations

Editorial Notes:

E5 Power pursuant to section exercised (18.02.2015) by *Local Government Act 1991 (Regional Assemblies) (Establishment) (Amendment) Order 2015* (S.I. No. 62 of 2015).

E6 Power pursuant to section exercised (6.06.2014) by *Local Government (Audit Committee) Regulations 2014* (S.I. No. 244 of 2014), in effect as per reg. 2.

E7 Power pursuant to section exercised (1.06.2014) by *Local Government Reform Act 2014 (Dissolution of the County Tipperary Joint Libraries Committee and Transfer of Assets and Liabilities) Order 2014* (S.I. No. 232 of 2014).

E8 Power pursuant to section exercised (1.06.2014) by *Local Government (Application of Certain Provisions of the Local Government Act 2001 to Municipal District Members) Regulations 2014* (S.I. No. 230 of 2014), in effect as per reg. 3.

E9 Previous affecting provision: power pursuant to section exercised (10.11.2017) by *Local Government (Expenses of Local Authority Members) (Amendment) Regulations 2017* (S.I. No. 494 of 2017); revoked (1.07.2021) by *Local Government (Expenses of Local Authority Members) Regulations 2021* (S.I. No. 331 of 2021), reg. 18, in effect as per reg. 2.

E10 Previous affecting provision: power pursuant to section exercised (1.06.2014) by *Local Government (Expenses of Local Authority Members) Regulations 2014* (S.I. No. 236 of 2014), in effect as per reg. 3; revoked (1.07.2021) by *Local Government (Expenses of Local Authority Members) Regulations 2021*. (S.I. No. 313 of 2021), reg. 18, in effect as per reg. 2.

E11 Previous affecting provision: power pursuant to section exercised (1.06.2014) by *Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014* (S.I. No. 228 of 2014), in effect as per reg. 3; revoked (1.01.2015) by *Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014* (S.I. No. 573 of 2014), art. 64(d), in effect as per art. 3.

Repeals, revocations and amendments

5. (1) The provisions of the Principal Act referred to in *column (2)* of *Part 1* of *Schedule 1* are amended in the manner referred to in *column (3)* of that Part opposite the reference in *column (2)* to the provision concerned.

(2) The provisions, referred to in *column (3)* of *Part 2* of *Schedule 1*, of the Local Government Acts 1925 to 2013 referred to in *column (2)* of that Part are amended or repealed in the manner referred to in *column (4)* of that Part opposite the reference in *column (3)* to the provision concerned.

(3) The provisions, referred to in *column (3)* of *Part 1* of *Schedule 2*, of the Housing Acts 1966 to 2013 referred to in column (2) of that Part are amended in the manner referred to in *column (4)* of that Part opposite the reference in *column (3)* to the provision concerned.

(4) The provisions, referred to in *column (3)* of *Part 2* of *Schedule 2*, of the various enactments relating to elections referred to in column (2) of that Part are amended in the manner referred to in *column (4)* of that Part opposite the reference in column (3)to the provision concerned.

(5) The provisions, referred to in *column (3)* of *Part 3* of *Schedule 2*, of the Local Government (Multi-Storey Buildings) Act 1988 and the Building Control Act 1990 referred to in *column (2)* of that Part are amended in the manner referred to in *column (4)* of that Part opposite the reference in *column (3)* to the provision concerned.

(6) The provisions referred to in *column (3)* of *Part 5* of *Schedule 2*, of the various Acts relating to taxation referred to in *column (2)* of that Part are amended in the manner referred to in *column (4)* of that Part opposite the reference in *column (3)* to the provision concerned.

(7) The provisions of the Planning and Development Act 2000 referred to in *column (2)* of *Part 4* of *Schedule 2* are amended in the manner referred to in *column (3)* of that Part opposite the reference in *column (2)* to the provision concerned.

(8) The provisions, referred to in *column (3)* of *Part 6* of *Schedule 2*, of the various Acts referred to in *column (2)* of that Part are amended in the manner referred to in *column (4)* of that Part opposite the reference in *column (3)* to the provision concerned.

Savers

6. The repeal or revocation by or under this Act of a provision of any enactment which is applied by a provision of any other enactment not so repealed or revoked, shall not affect such application and accordingly the first-mentioned provision continues to apply and have effect for the purposes of such application.

Expenses

7. The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Public Expenditure and Reform, be paid out of moneys provided by the Oireachtas.

PART 2

Local Government Areas and Local Authorities

2014 establishment day

8. The Minister shall by order appoint a day to be the establishment day (in this Act referred to as the "2014 establishment day") for the purposes of this Act.

Annotations

Editorial Notes:

E12 Power pursuant to section exercised (1.06.2014) by *Local Government Reform Act 2014 (2014 Establishment Day) Order 2014* (S.I. No. 215 of 2014).

2. The 1st day of June 2014 is appointed as the 2014 establishment day for the purposes of the Local Government Reform Act 2014 (No. 1 of 2014).

Cesser and amalgamation of certain local government areas

9. (1) On and from the 2014 establishment day and for the purposes of local government—

(a) the local government area of the county of Limerick and the local government area of the city of Limerick as existing immediately before the 2014 establishment day—

(i) shall cease to exist on that day, and

(ii) the areas so ceasing shall, on that day, be amalgamated to form a single local government area to be known in the Irish language as Cathair agus Contae Luimnigh and in the English language as Limerick City and County,

(b) the local government area of the county of North Tipperary and the local government area of the county of South Tipperary as existing immediately before the 2014 establishment day—

(i) shall cease to exist on that day, and

(ii) the areas so ceasing shall, on that day, be amalgamated to form a single local government area to be known in the Irish language as

Contae Thiobraid Árann and in the English language as Tipperary County,

and

(c) the local government area of the county of Waterford and the local government area of the city of Waterford as existing immediately before the 2014 establishment day—

(i) shall cease to exist on that day, and

(ii) the areas so ceasing shall, on that day, be amalgamated to form a single local government area to be known in the Irish language as Cathair agus Contae Phort Láirge and in the English language as Waterford City and County.

(2) Except where otherwise provided for by this Act, a reference, however expressed, in any enactment—

(a) to a county council or a city council (including a reference construed by section 3(2) of, and Schedule 2 to, the Principal Act as a reference to a county council or to a city council, as the case may be) shall, if the context permits, be read as a reference to a county council, a city council or a city and county council, and

(b) to a county council and a city council (including a reference so construed) shall, if the context permits, be read as a reference to a county council, a city council and a city and county council.

(3) Except where otherwise provided for by this Act, a reference, however expressed, in any enactment—

(a) to the administrative area of a county council or the administrative area of a city council shall, if the context permits, be read as a reference to the administrative area of a county council, the administrative area of a city council or the administrative area of a city and county council, and

(b) to the administrative area of a county council and the administrative area of a city council shall, if the context permits, be read as a reference to the administrative area of a county council, the administrative area of a city council and the administrative area of a city and county council.

Boundaries of amalgamated local government areas

10. (1) The boundary of the local government area of Limerick City and County established under *section 9(1)(a)* shall be the combined boundaries of the county of Limerick and the city of Limerick as existing immediately before the 2014 establishment day, other than the boundary between the county of Limerick and the city of Limerick.

(2) The boundary of the local government area of Tipperary County established under *section 9(1)(b)* shall be the combined boundaries of the county of North Tipperary and the county of South Tipperary as existing immediately before the 2014 establishment day, other than the boundary between the counties of North Tipperary and South Tipperary.

(3) The boundary of the local government area of Waterford City and County established under *section 9(1)(c)* shall be the combined boundaries of the county of Waterford and the city of Waterford as existing immediately before the 2014 establishment day, other than the boundary between the county of Waterford and the city of Waterford.

Preparation of maps showing county boundaries

11. (1) In this section—

"Commissioner" means the Commissioner of Valuation under the Valuation Act 2001;

"successor local authority" means a successor authority to which *paragraph (a)* of the definition of "successor authority" in *section 3* relates.

(2) As soon as may be after the enactment of this Act the Commissioner shall prepare for each of the proposed local government areas formed by the amalgamations referred to in *section 9* a map, in triplicate, drawn to such convenient scale and in such convenient number of separate sheets as the Commissioner thinks fit, showing the boundaries of each such area. When such maps have been prepared, the Commissioner shall seal each such map and shall, as soon as may be thereafter, deposit them as follows:

(a) one of them in the principal office of the Commissioner,

(b) one of them in the offices of the Minister, and

(c) in respect of the local government area of each successor local authority, the map of that area in the principal office of the relevant successor local authority when established.

(3) Every map deposited pursuant to *subsection (2)* shall be retained in the office in which it is so deposited, and each such map, or true copies thereof, shall be open for inspection free of charge at the office (other than the office of the Minister) in which it is so deposited by any person at any time at which such office is open for the transaction of public business. It shall be lawful for the Commissioner or the successor local authority concerned to prepare and supply to any person requesting the same a true copy of any map so deposited or any particular part thereof and to charge for such copy such sum as the Commissioner, with the consent of the Minister for Public Expenditure and Reform, or that authority may fix.

(4) Whenever required so to do by any Court of Justice, it shall be the duty of the Commissioner and of each successor local authority—

(a) to prepare and produce to that Court a true copy of a map deposited with the Commissioner or the successor local authority pursuant to *subsection (1)* or any specified part thereof, and

(b) to verify the copy to that Court by the oath of an officer of the Commissioner or the successor local authority,

and the Court shall receive the copy in evidence and thereupon the copy shall, unless the contrary is shown, be sufficient evidence of the boundary (in so far as the same is shown on the copy) of the county or the city and county to which the copy purports to relate, notwithstanding any discrepancy between the copy and any other description of the boundary or any ambiguity or uncertainty in such description or in the application thereof.

(5) A copy of every map deposited with a successor local authority pursuant to *subsection (2)* shall be displayed by it on its internet website as soon as practicable after being so deposited.

Local government areas

12. (1) The Principal Act is amended by substituting the following for section 10:

"10 (1) The State has local government areas in accordance with this section.

(2) The State stands divided into local government areas to be known as—

(a) counties,

(b) cities, and

(c) cities and counties,

(each of which shall be known as a county, a city or a city and county as provided for and set out in columns 1 of Parts 1, 2 and 3, respectively, of Schedule 5.

(3) (a) Subject to *section 10* of the *Local Government Reform Act 2014*, the boundaries of a county referred to in subsection (2) are the boundaries of the corresponding county as existing immediately before 1 January 2002.

(b) Subject to *section 10* of the *Local Government Reform Act 2014*, the boundaries of a city referred to in subsection (2) are the boundaries of the corresponding county borough as existing immediately before 1 January 2002.

(4) For the purposes of this section and subject to *section 11(2)* of the *Local Government Reform Act 2014*, all maps showing such boundaries prepared by the Chief Boundary Surveyor under the Survey (Ireland) Acts 1825 to 1870, or by the Commissioner of Valuation or otherwise in accordance with law continue to have all such force and effect as they had immediately before 1 January 2002.

(5) This section is without prejudice to—

(a) section 227,

(b) Part V of the Local Government Act 1991, and

(c) *Part 2* of the *Local Government Reform Act 2014*.

(6) This section is without prejudice to—

(a) the continued use of the description city in relation to Kilkenny, to the extent that that description was used before 1 January 2002 and is not otherwise inconsistent with this Act,

(b) the continued use of the description city in relation to Limerick and to Waterford, to the extent that each of those descriptions was used before the 2014 establishment day and is not otherwise inconsistent with this Act.".

(2) The Principal Act is amended by substituting the following for Schedule 5—

"SCHEDULE 5

Sections 10(2) and 11(3)

Local Government Areas

PART 1

Counties

Chapter 1

Names of Counties and of Local Authorities in the Irish Language

Name of County	Name of Local Authority of County
1	2
Ceatharlach	Comhairle Contae Cheatharlach
An Cabhán	Comhairle Contae an Chabháin
An Clár	Comhairle Contae an Chláir
Corcaigh	Comhairle Contae Chorcaí
Dún na nGall	Comhairle Contae Dhún na nGall
Dún Laoghaire-Ráth an Dúin	Comhairle Contae Dhún Laoghaire-Ráth an Dúin
Fine Gall	Comhairle Contae Fhine Gall
Gaillimh	Comhairle Contae na Gaillimhe
Ciarraí	Comhairle Contae Chiarraí
Cill Dara	Comhairle Contae Chill Dara
Cill Chainnigh	Comhairle Contae Chill Chainnigh
Laois	Comhairle Contae Laoise
Liatroim	Comhairle Contae Liatroma
An Longfort	Comhairle Contae an Longfoirt
Lú	Comhairle Contae Lú
Maigh Eo	Comhairle Contae Mhaigh Eo
An Mhí	Comhairle Contae na Mí
Muineachán	Comhairle Contae Mhuineacháin
Tiobraid Árann	Comhairle Contae Thiobraid Árann
Uíbh Fhailí	Comhairle Contae Uíbh Fhailí
Ros Comáin	Comhairle Contae Ros Comáin
Sligeach	Comhairle Contae Shligigh
Baile Átha Cliath Theas	Comhairle Contae Baile Átha Cliath Theas
An Iarmhí	Comhairle Contae na hIarmhí
Loch Garman	Comhairle Contae Loch Garman
Cill Mhantáin	Comhairle Contae Chill Mhantáin

Chapter 2

Names of Counties and of Local Authorities in the English Language

Name of County	Name of Local Authority of County
1	2
Carlow	Carlow County Council
Cavan	Cavan County Council
Clare	Clare County Council
Cork	Cork County Council
Donegal	Donegal County Council
Dun Laoghaire-Rathdown	Dun Laoghaire-Rathdown County Council

Name of County	Name of Local Authority of County
Fingal	Fingal County Council
Galway	Galway County Council
Kerry	Kerry County Council
Kildare	Kildare County Council
Kilkenny	Kilkenny County Council
Laois	Laois County Council
Leitrim	Leitrim County Council
Longford	Longford County Council
Louth	Louth County Council
Mayo	Mayo County Council
Meath	Meath County Council
Monaghan	Monaghan County Council
Offaly	Offaly County Council
Roscommon	Roscommon County Council
Sligo	Sligo County Council
South Dublin	South Dublin County Council
Tipperary	Tipperary County Council
Westmeath	Westmeath County Council
Wexford	Wexford County Council
Wicklow	Wicklow County Council

PART 2

Cities

Chapter 1

Names of Cities and of Local Authorities in the Irish Language

Name of City	Name of Local Authority of City
1	2
Corcaigh	Comhairle Cathrach Chorcaí
Baile Átha Cliath	Comhairle Cathrach Bhaile Átha Cliath
Gaillimh	Comhairle Cathrach na Gaillimhe

Chapter 2

Names of Cities and of Local Authorities in the English Language

Name of City	Name of Local Authority of City
1	2
Cork	Cork City Council
Dublin	Dublin City Council
Galway	Galway City Council

PART 3

Cities and Counties

Chapter 1

Names of Cities and Counties in the Irish Language and Names of Local Authorities

Name of City and County	Name of Local Authority of City and County
1	2
Luimneach	Comhairle Cathrach agus Contae Luimnigh
Port Láirge	Comhairle Cathrach agus Contae Phort Láirge

Chapter 2

Names of Cities and Counties in the English Language and Names of Local Authorities

Name of City and County	Name of Local Authority of City and County
1	2
Limerick	Limerick City and County Council
Waterford	Waterford City and County Council

".

Establishment of local authorities for certain local government areas

13. (1) On and from the 2014 establishment day and for the purposes of local government—

(a) a local authority, to be known as Limerick City and County Council, shall stand established which shall—

(i) be the successor authority to the dissolved local authorities of Limerick County Council and Limerick City Council, and

(ii) be the local authority for the local government area of Limerick City and County,

(b) a local authority, to be known as Waterford City and County Council, shall stand established which shall—

(i) be the successor authority to the dissolved local authorities of Waterford County Council and Waterford City Council, and

(ii) be the local authority for the local government area of Waterford City and County,

and

(c) a local authority, to be known as Tipperary County Council, shall stand established which shall—

(i) be the successor authority to the dissolved local authorities of North Tipperary County Council and South Tipperary County Council, and

(ii) be the local authority for the local government area of Tipperary County.

(2) Each local authority established by *paragraph (a)*, *(b)* or *(c)* of *subsection (1)* shall have, in so far as is consistent with this Act or any regulations made under it, the functions which are for the time being vested by law in the councils of counties and of cities generally and, in respect of each dissolved authority to which *section 17* relates, such other functions as were immediately prior to the 2014 establishment day vested by law in the dissolved authority that the local authority concerned is the successor authority. Without prejudice to the generality of the foregoing—

(a) the law which for the time being applies generally in respect of the councils of counties and of cities, and

(b) the law which immediately prior to the 2014 establishment day applied in particular in respect of the dissolved authorities that relate to a local authority so established,

shall, in so far as is consistent with this Act or any regulations made under it, apply to the local authority.

(3) For the purposes of *subsection (2)*, where town councils within an area to which *paragraph (b)* or *(c)* of *subsection (1)* relates are dissolved on a date that does not have effect until after the day appointed as the 2014 establishment day, then *subsection (2)* shall have effect as if the day so appointed occurred after the date on which the town councils were dissolved.

(4) Without prejudice to *section 27(2)*, each local authority established by *subsection (1)* shall, as soon as may be after such establishment, provide itself with a seal.

Amendment of section 11 (establishment, titles and administrative areas of local authorities and consequential provisions) of Principal Act

14. Section 11 of the Principal Act is amended—

(a) by substituting the following for subsections (1) to (3):

"(1) On and from the 2014 establishment day and for the purposes of local government, the areas referred to in subsection (2) of section 10 (as amended by *section 12(1)* of the *Local Government Reform Act 2014*) shall each have a local authority as provided for in this section.

(2) With effect from the 2014 establishment day—

(a) for each county set out in Part 1 of Schedule 5 (as amended by *section 12(2)* of the *Local Government Reform Act 2014*)—

(i) in the case of Tipperary, there stands established, under this section, and

(ii) in every other case there continues to stand established under this section,

a body for the purposes of local government,

(b) for each city set out in Part 2 of Schedule 5 (as so amended) there continues to stand established under this section a body for the purposes of local government, and

(c) for each city and county set out in Part 3 of Schedule 5 (as so amended) there stands established under *section 13(1)* of the *Local Government Reform Act 2014* a body for the purposes of local government,

and each such body is a local authority and each such county, city, or city and county, as the case may be, is its administrative area.

(3) The local authorities referred to in subsection (2) are the primary units of local government and shall be known by—

(a) in the case of a county set out in Part 1 of Schedule 5—

(i) in the Irish language, the name of the local authority concerned as set out in column 2 of Chapter 1 of that Part opposite the mention in column 1 of that county,

(ii) in the English language, the name of the local authority concerned as set out in column 2 of Chapter 2 of that Part opposite the mention in column 1 of that county,

(b) in the case of a city set out in Part 2 of Schedule 5—

(i) in the Irish language, the name of the local authority concerned as set out in column 2 of Chapter 1 of that Part opposite the mention in column 1 of that city,

(ii) in the English language, the name of the local authority concerned as set out in column 2 of Chapter 2 of that Part opposite the mention in column 1 of that city,

and

(c) in the case of a city and county set out in Part 3 of Schedule 5—

(i) in the Irish language, the name of the local authority concerned as set out in column 2 of Chapter 1 of that Part opposite the mention in column 1 of that city and county,

(ii) in the English language, the name of the local authority concerned as set out in column 2 of Chapter 2 of that Part opposite the mention in column 1 of that city and county.",

(b) by deleting subsection (4),

(c) by substituting the following for paragraph (a) of subsection (5):

"(a) In respect of a local authority to which subsection (3) relates, each member (being directly elected or co-opted in accordance with this Act) shall be known as a councillor and, without prejudice to sections 22B and 22C, collectively shall comprise the elected council of the local authority.",

(d) by substituting the following for subsection (6):

"(6) For the purposes of functions conferred on it by or under this or any other enactment—

(a) a county council has jurisdiction throughout its administrative area,

(b) a city council has jurisdiction throughout its administrative area,

(c) a city and county council has jurisdiction throughout its administrative area.",

(e) in subsection (7) by substituting "subsection (3) " for "subsection (3) or (4) ",

(f) in subsection (11) by substituting "a county council or county borough corporation in being immediately before the establishment day" for "a county council, county borough corporation, borough corporation (other than a county borough corporation), urban district council or the commissioners of a town in being immediately before the establishment day",

(g) by inserting the following after subsection (11):

"(11A) In respect of a dissolved authority, within the meaning of the *Local Government Reform Act 2014*, and with effect from the commencement of the provision under that Act for such dissolution of the authority, subsection (11) ceases to have effect in respect of that authority.",

(h) by inserting the following after subsection (16):

"(16A) Notwithstanding the dissolution of certain local authorities by *Part 2* of the *Local Government Reform Act 2014* with effect from the 2014 establishment day or the dissolution of town councils by *Chapter 2* of *Part 3* of that Act with effect from the transfer date, subsection (16)continues to apply to any city or town concerned.",

and

(i) in subsection (17) by substituting "or Part 21" for ", Part 17 or 21".

Number of members of local authorities

15. The Principal Act is amended—

(a) by substituting the following for section 21:

"21 (1) Subject to section 22, each county council, city council and city and county council consists of the number of members specified in Parts 1, 2 and 3, respectively, of Schedule 7 opposite the reference to the county council, city council or city and county council concerned.

(2) Without prejudice to paragraph 11 of Schedule 10, where a provision of this Act provides that at least a specified proportion of the total number of members of a local authority or of the municipal district members is necessary in relation to the doing of any particular act, then in a case where such proportion consists of a whole number and a remainder, the whole number shall of itself be sufficient.",

and

(b) by substituting the following for Schedule 7:

"SCHEDULE 7

Section 21

Number of Members of Local Authorities

PART 1

County Council Number of Members

County Council	Number of Members
Carlow	18
Cavan	18
Clare	28
Cork	55
Donegal	37
Dun Laoghaire-Rathdown	40
Fingal	40
Galway	39
Kerry	33
Kildare	40
Kilkenny	24
Laois	19
Leitrim	18
Longford	18
Louth	29
Mayo	30
Meath	40
Monaghan	18
Offaly	19
Roscommon	18
Sligo	18
South Dublin	40
Tipperary	40
Westmeath	20
Wexford	34
Wicklow	32

PART 2

City Council	Number of Members
Cork	31
Dublin	63
Galway	18

PART 3

City and County Council	Number of Members
Limerick	40
Waterford	32

”.

Provisions relating to management of amalgamated local government areas

16. (1) On the 2014 establishment day there shall stand established an office of chief executive in respect of each of the local government areas established by *section 9*.

(2) Any person who, immediately before the 2014 establishment day, held in a permanent capacity the office of manager for Limerick County and Limerick City shall, if willing, stand appointed to the office of chief executive for Limerick City and County and shall accordingly—

(a) be a chief executive for the purposes of the Local Government Acts 1925 to 2014 to which Chapter 2 of Part 14 of the Principal Act relates, and

(b) pursuant to section 144(1) (as amended by this Act) of the Principal Act be known as the Chief Executive of Limerick City and County Council.

(3) Any person who, immediately before the 2014 establishment day, held in a permanent capacity the office of manager for North Tipperary County and South Tipperary County shall, if willing, stand appointed to the office of chief executive for Tipperary County and shall accordingly—

(a) be a chief executive for the purposes of the Local Government Acts 1925 to 2014 to which Chapter 2 of Part 14 of the Principal Act relates, and

(b) pursuant to section 144(1) (as amended by this Act) of the Principal Act be known as the Chief Executive of Tipperary County Council.

(4) Any person who, immediately before the 2014 establishment day, held in a permanent capacity the office of manager for Waterford County and Waterford City shall, if willing, stand appointed to the office of chief executive for Waterford City and County and shall accordingly—

(a) be a chief executive for the purposes of the Local Government Acts 1925 to 2014 to which Chapter 2 of Part 14 of the Principal Act relates, and

(b) pursuant to section 144(1) (as amended by this Act) of the Principal Act be known as the Chief Executive of Waterford City and County Council.

(5) On the 2014 establishment day each of the following shall be abolished and cease to exist:

(a) the office of manager for Limerick County and Limerick City and the office of manager for North Tipperary County and South Tipperary County created by paragraphs (a) and (b), respectively, of section 144(1A) (inserted by the Local Government (Miscellaneous Provisions) Act 2012) of the Principal Act, and

(b) the office of manager for Waterford County and Waterford City created by section 144(1A)(c) (inserted by the Electoral, Local Government and Planning and Development Act 2013) of the Principal Act.

Dissolution of certain local authorities

17. On the 2014 establishment day—

(a) Limerick County Council,

(b) Limerick City Council,

(c) North Tipperary County Council,

(d) South Tipperary County Council,

(e) Waterford County Council, and

(f) Waterford City Council,

shall each be dissolved (in this Act referred to as a "dissolved authority") and cease to exist and thereupon, subject to the provisions of this Part and *Part 4*, Limerick City and County Council, Tipperary County Council and Waterford City and County Council shall, for all purposes, become and be the successor (in this Act referred to as a "successor authority") of such dissolved authority as set out in the Table to this section and the provisions of *Part 4* shall apply to such dissolved authorities and to the successor to each such authority.

Table

Column 1	Column 2
Dissolved authority	Successor authority
Limerick City Council	Limerick City and County Council
Limerick County Council	Limerick City and County Council
North Tipperary County Council	Tipperary County Council
South Tipperary County Council	Tipperary County Council
Waterford City Council	Waterford City and County Council
Waterford County Council	Waterford City and County Council

Provisions consequential on dissolutions, etc.

18. All acts duly done and decisions duly made before the 2014 establishment day by or on behalf of—

(a) a local authority that was dissolved under *section 17*, or

(b) a manager for a local government area that ceased to exist by virtue of *section 9(1)*,

shall, subject to this Act, continue to have all such force and effect as they had immediately before that day.

PART 3

Municipal Districts and Dissolution of Town Councils

Chapter 1

Municipal Districts

Municipal districts

19. The Principal Act is amended by inserting the following Part after Part 3:

"PART 3A

Municipal Districts

Municipal districts

22A. (1) Subject to subsection (4), every county and city and county set out in Part 1 and Part 3, respectively, of Schedule 5 shall have 2 or more districts (each consisting of one or more than one local electoral area) to be known as a municipal district and collectively as municipal districts, as the Minister shall determine by order made under section 23(1)(c).

(2) Where—

(a) a municipal district contains the administrative area of the former Limerick City Council or the former Waterford City Council that were dissolved with effect from the 2014 establishment day, then, notwithstanding subsection (1), each of those municipal districts so containing shall be known—

(i) in the Irish language, as 'Ceantar Cathrach.....' followed by the name of the municipal district in Irish, and

(ii) in the English language, as 'the Metropolitan District of.....' followed by the name of the municipal district in English,

and those municipal districts may each be referred to as a 'metropolitan district',

(b) a municipal district contains the administrative area of the former borough of Clonmel, the former borough of Drogheda, the former borough of Sligo or the former borough of Wexford that were dissolved with effect from the transfer date, then, notwithstanding subsection (1), each of those municipal districts so containing shall be known—

(i) in the Irish language, as 'Ceantar Buirge.....' followed by the name of the municipal district in Irish, and

(ii) in the English language, as 'the Borough District of.....' followed by the name of the municipal district in English,

and any such municipal district may be referred to as a 'borough district', and

(c) a municipal district contains the administrative area of the former borough of Kilkenny, that was dissolved with effect from the transfer date, then, notwithstanding subsection (1), the municipal district so containing shall be known—

(i) in the Irish language, as 'Ceantar Bardasach Chathair Chill Chainnigh', and

(ii) in the English language, as 'the Municipal District of Kilkenny City'.

(3) In the case of a municipal district in respect of which a designation referred to in subsection (2) does not apply, the municipal district shall be known—

(a) in the Irish language, as 'Ceantar Bardasach.....' followed by the name of the municipal district in Irish, and

(b) in the English language, as 'the Municipal District of.....' followed by the name of the municipal district in English.

(4) Subsection (1) does not apply in the case of the counties of Dun Laoghaire-Rathdown, Fingal and South Dublin.

(5) This section has effect in respect of the local elections for the year 2014 and subsequent local elections and, accordingly—

(a) a municipal district shall continue in existence until it ceases by order under section 23(1) (c), and

(b) its area shall continue to be that as determined by the order under section 23(1) (c), subject to any subsequent provision relating to its area being made by such an order.

Members for municipal districts

22B. The members of a county council or city and county council, elected in accordance with this Act for the local electoral areas situated in a municipal district of the county or the city and county concerned (as the case may be), collectively comprise the council membership for that municipal district for the purpose of the performance in that collective capacity of functions of the county council or city and county council in accordance with section 131A and, in respect of each municipal district, collectively shall be known as the municipal district members.

Cathaoirleach of municipal district

22C. In the case of each municipal district, the municipal district members shall elect a Cathaoirleach and Leas-Chathaoirleach in accordance with Part 5.".

Local electoral areas and municipal districts

20. (1) Section 23 of the Principal Act is amended—

(a) by substituting the following for subsection (1):

"(1) Subject to and without prejudice to Part V of the Local Government Act 1991 (as amended by the Local Government Act 1994), the Minister may by order—

(a) divide each county, city or city and county referred to in section 10(2) into local electoral areas,

(b) fix the number of members to be elected for each local electoral area, and

(c) determine the municipal districts within a county or a city and county for the purposes of section 22A, each of which shall consist of one or more than one local electoral area.

(1A) Subsection (1) (c) does not apply in respect of the counties of Dun Laoghaire-Rathdown, Fingal and South Dublin.",

(b) by substituting the following for subsection (3):

"(3) Where, on the commencement of this provision, an order is in force dividing a local government area referred to in section 10(2) into local electoral areas or fixing the number of members for each local electoral area, the order shall continue in force in relation to that area and be deemed to be an order under this section and may be amended or revoked accordingly.",

(c) in subsection (4) by substituting "any local electoral area in a local government area referred to in section 10(2)" for "any local electoral area in a county, city or town", and

(d) by deleting subsections (6) to (8).

(2) Part 1 (which relates to Acts repealed) of Schedule 3 to the Principal Act is amended in column 3, opposite the reference in column 2 to the "Local Government Act, 1991", by inserting "(other than Part V)" after "Parts II to VI".

(3) Section 32(2) of the Local Government Act 1991 (as amended by the Local Government Act 1994), is amended by substituting "section 23 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001" for "section 24 of the Local Government Act, 1994".

Functions of municipal district members — amendments to Principal Act

21. (1) Section 63 of the Principal Act is amended by substituting the following for subsection (4):

"(4) Subject to law, the functions of a local authority shall be performed for or on behalf of the local authority and in its name by the elected council (including the municipal district members in respect of each municipal district pursuant to section 131A) or the chief executive, as may be appropriate, in accordance with Part 14.".

(2) Section 131 of the Principal Act is amended—

(a) in subsection (1)(a) by substituting "Subject to section 131A, the elected council of a local authority or the members of a joint body shall" for "The elected council of a local authority or the members of a joint body shall",

(b) in subsection (2) by substituting the following for paragraph (a):

"(a) designated as a reserved function by any provision of the *Local Government Acts 1925 to 2014* (including a designation by order under subsection (3)), a provision of any other Act that is to be construed together with those Acts, or as specified in Schedule 14 or, subject to section 131B(1), Schedule 14A,",

and

(c) in subsection (3) by inserting the following after paragraph (b):

"(c) An order under paragraph (a) may provide that a specified function designated by such order to be a reserved function may be performed, or shall be performed, as provided in the order, in respect of each municipal district in the county or the city and county, as the case may be, by the municipal district members concerned, subject to the provisions of subsections (4) to (6) of section 131A.".

(3) The Principal Act is amended by inserting the following section after section 131:

"Performance of reserved functions in respect of municipal district members

131A. (1) Subject to subsection (4), in respect of the elected council of a local authority that is the council of a county (other than the

council of a county to which section 22A(4) relates) or of a city and county, a reserved function which is specified in—

(a) paragraphs 1 and 3 (other than in respect of a joint body) of Schedule 14 and Part 1 of Schedule 14A shall be performed in respect of each municipal district within the administrative area of the local authority by the municipal district members concerned, and

(b) paragraphs 5, 6 or 7 of Schedule 14 and Part 2 of Schedule 14A, may be performed in respect of a municipal district within the administrative area of the local authority by—

(i) the municipal district members, or

(ii) the local authority.

(2)(a) In addition to the functions referred to in subsection (1), a local authority that is the council of a county or a city and county may, subject to paragraph (e), by resolution delegate with or without restrictions to the municipal district members for any municipal district in the area of the local authority any of its functions that may be performed by resolution and a function so delegated shall, accordingly, be performed in respect of each such municipal district in the administrative area of the local authority (or any part of such district) by the municipal district members concerned.

(b) A local authority may, following consultation with the municipal district members concerned, by resolution, revoke the delegation by it under this subsection of a function, but the revocation is without prejudice to anything previously done by virtue of the delegated function.

(c) A function shall not be delegated by a local authority in such a manner that, at the same time, it is exercisable—

(i) by a committee established under section 51, and

(ii) by municipal district members under this subsection.

(d) A resolution of a local authority delegating or revoking the delegation of a function to municipal district members shall not be treated as having been passed unless at least a half of the total number of members of the local authority concerned vote in favour of the resolution.

(e) A local authority shall not delegate any of its functions to which subparagraphs (i) to (iv) of section 51(2) (a) relates to the municipal district members.

(3) The functions, by virtue of subsection (2) (a), of municipal district members shall not be delegated by the municipal district members.

(4) Municipal district members may by resolution decide, subject to the approval by resolution of the local authority and the approval of the Minister, that a particular function to which subsection (1) relates should be performed only by the local authority.

(5)(a) The Minister may make regulations specifying conditions, restrictions, procedures or other provisions to apply—

(i) generally in relation to the performance of functions to which subsections (1) and (2) relate,

(ii) specifically in relation to performance of one or more than one function to which any of those sections relate,

(iii) in relation to the delegation of functions or the revocation of a delegation of functions under subsection (2), or

(iv) in relation to a decision under subsection (4).

(b) Without prejudice to the generality of paragraph (a), regulations under this subsection may provide for any of the following:

(i) requirements for the purpose of ensuring that municipal district members performing functions do so in a manner consistent with the policies, strategies, programmes or plans of the local authority concerned;

(ii) requirements for the purpose of ensuring the avoidance of unnecessary duplication in the performance of functions between the municipal district members for each of the municipal districts in a local authority area or between the municipal district members and the local authority for that area;

(iii) that specified functions may not be delegated under subsection (2), or may only be delegated with the approval of the Minister;

(iv) that, in circumstances provided for in the regulations, a local authority may perform a specified delegated function in place of the municipal district members in a particular case or occasion;

(v) arrangements for the resolution of any difference or disagreement between a local authority and the municipal district members in relation to the performance of a function which is specified in paragraphs 5, 6 or 7 of Schedule 14 or Part 2 of Schedule 14A;

(vi) that a particular function set out in paragraphs 5, 6 or 7 of Schedule 14 or Part 1 or 2 of Schedule 14A shall only be performable in every instance by the local authority concerned;

(vii) provisions to determine whether a function specified in paragraph 5, 6 or 7 of Schedule 14 and Part 2 of Schedule 14A should, in particular circumstances be performed by municipal district members or by the local authority.

(6) The Minister may issue general policy guidelines to local authorities for the purposes of any provision of this section (including any regulations made under it) and each local authority shall comply with any such guidelines.

Supplemental provisions to section 131 and 131A

131B. (1) For the purposes of sections 131 and 131A, and for convenience of reference only, there is set out in column (3) of Parts 1, 2 and 3 of Schedule 14A the provisions of enactments under which reserved functions are conferred.

(2) The validity of any function conferred on a local authority by law is not affected by the fact that it is not specified in Schedule 14 or 14A.".

(4) The Principal Act is amended by inserting, after Schedule 14, the Schedule set out in *Schedule 3*.

Application of certain provisions of the 2001 Act to municipal district members

22. (1) Except where otherwise provided for by the *Local Government Acts 1925 to 2014* in respect of a municipal district or the municipal district members, the Minister may by regulations apply, with or without modification, to municipal districts or to municipal district members (either generally or to a class or classes of such districts as may be prescribed) provisions of the Principal Act relating to a local authority or the council of a local authority in so far as those provisions deal with—

(a) subject to section 21(3) of the Principal Act, the proportion of the total number of members of a local authority necessary in relation to the doing of any particular act,

(b) alternative titles to those of Cathaoirleach or Leas-Chathaoirleach of a local authority,

(c) the resignation of the Cathaoirleach or Leas-Chathaoirleach of a local authority,

(d) removal of Cathaoirleach or Leas-Chathaoirleach of a local authority from office,

(e) the annual election of Cathaoirleach or Leas-Chathaoirleach of a local authority,

(f) any other matter relating to the Cathaoirleach and Leas-Chathaoirleach of a local authority, but not including matters to which subsections (2), (8) and (11) of section 31 of the Principal Act relate,

(g) meetings and proceedings of local authorities (including suspension of members) or the attendance of the public and representatives of the media (within the meaning of section 45 of the Principal Act) at such meetings,

(h) the appointment and dissolution of committees of local authorities,

(i) the establishment of one or more than one committee under subsection (1) (a) of section 51 to consider matters connected with the functions of a local authority and the application, in so far as they relate to that subsection, of subsections (3)to (6) of that section,

(j) the making of regulations relating to committees of a local authority, but not including matters to which paragraphs (a) and (d) of section 54(1) relate,

(k) the making of a decision under section 64(3) in relation to the representation of the views of the local community,

(l) the making of arrangements under section 127(2) (f) for attendance and raising of issues by interested persons at meetings,

(m) determining under section 130 the policy of the elected council,

(n) the furnishing of information to the elected council of a local authority under section 136 of the Principal Act,

(o) the making of regulations under section 142 relating to members expenses and remuneration, other than paragraphs (b), (c) and (d) of subsection (1), and subsections (2) (b), (4) (i), (5) and (7), of that section,

(p) the payment of an allowance for reasonable expenses of a Cathaoirleach and Leas-Chathaoirleach of a local authority under section 143 of the Principal Act,

(q) attendance of chief executive at local authority meetings under section 152 of the Principal Act,

(r) provisions of Part 15 (ethical framework) of the Principal Act relating to beneficial interests, including disclosure by member of local authority of pecuniary or other beneficial interests under section 177 of that Act.

(2) *Subsection (1)* is without prejudice to *section 4*.

Annotations

Editorial Notes:

E13 Power pursuant to section exercised (1.06.2014) by *Local Government (Application of Certain Provisions of the Local Government Act 2001 to Municipal District Members) Regulations 2014* (S.I. No. 230 of 2014), in effect as per reg. 3.

Chapter 2

Dissolution of Town Councils

Definitions (*Chapter 2*)

23. In this Chapter—

"dissolved body'' means a town council which is dissolved under *section 24(2)*;

"transfer date" has the meaning given in *section 24(1)*.

Dissolution of town councils and transfer date

24. (1) The Minister shall by order specify a date (in this Part referred to as the "transfer date") to be the transfer date for the purposes of this Part.

(2) On the transfer date each town council stands dissolved and ceases to exist and—

(a) the local authority for a county or a city and county in which a town whose town council is so dissolved is situated shall, for all purposes, become and be the successor to the town council on that date, and

(b) the area of a town whose town council is so dissolved shall, for the purposes of all functions of the local authority (whether under the *Local Government Acts 1925 to 2014* or otherwise) for the county or city and county in which the town is situated, be included in and form part of that county or city and county.

Annotations

Editorial Notes:

E14 Power pursuant to subs. (1) exercised (1.06.2014) by *Local Government Reform Act 2014 (Transfer Date) Order 2014* (S.I. No. 216 of 2014).

2. The 1st day of June 2014 is appointed as the transfer date for the purposes of the Local Government Reform Act 2014 (No. 1 of 2014).

Dissolution of town councils — consequential provisions

25. (1) (a) All acts done and decisions duly made, whether by resolution, manager's order or otherwise, before the transfer date in respect of a town council shall, subject to this Act, continue to have all such force and effect as they had immediately before that date.

(b) In this subsection "acts done or decisions duly made" include resolutions of the town council concerned and manager's orders of that authority.

(2) A function of a town council (including a reference construed by section 3(2) of, and Schedule 2 to, the Principal Act as a reference to a town council and whether of general application to town councils or otherwise under an enactment) that—

(a) has not been repealed or otherwise provided for by this Act, or

(b) is neither spent nor obsolete,

shall, if the context permits in respect of one or more than one town council concerned, be read as a reference to a function of the local authority in whose administrative area the town council so dissolved is situated.

(3) Without prejudice to *section 4*, the Minister may make regulations providing for any matter or thing which the Minister considers necessary to give effect to the dissolution of any one or more town councils.

(4) For the purposes of this Part but without prejudice to *section 5* and *Part 1* of *Schedule 1* (where relevant)—

(a) section 2(1) of the Principal Act is amended—

(i) in the definition of "administrative area" in the manner provided for in *Part 1* of *Schedule 1*, and

(ii) by deleting the interpretation given to "town council", as provided for in *Part 1* of *Schedule 1*,

(b) section 10 of the Principal Act is amended by deleting the reference to "town council" in the manner provided for by *section 12*,

(c) section 11 of the Principal Act is amended—

(i) by deleting subsection (4), and by deleting the reference to subsection (4) in subsection (7), in the manner provided for by *section 14*, and

(ii) by inserting subsection (16A) into that section in the manner provided for by *section 14*,

(d) Part 17 (sections 185 to 187) of the Principal Act is repealed as provided for in *Part 1* of *Schedule 1*, and

(e) Schedule 6 to the Principal Act is repealed as provided for in *Part 1* of *Schedule 1*.

PART 4

General Provisions Relating to Dissolutions, etc.

Consequential provisions on dissolution of certain bodies

26. (1) *Schedule 4* shall (so far as may be appropriate) apply in relation to the dissolutions effected by *Parts 2* and *3* and to each dissolved authority and its successor authority.

(2) (a) In this subsection "Joint Committee" means the County Tipperary Joint Libraries Committee established with effect from 1 January 1927 pursuant to section 3(1) of the Public Libraries (Ireland) Act 1894 and consequent on the adoption of the Public Libraries Act (Ireland) 1855 by Tipperary North Riding and Tipperary South Riding, which Committee was continued to stand established by virtue of Article 4(1) of the Local Government Act 2001 (County Tipperary Joint Libraries Committee) Regulations 2002 (S.I. No. 214 of 2002).

(b) The Minister shall by order dissolve the Joint Committee with effect from such date as is specified in the order.

(c) The Minister may by order make provision for the transfer of the assets and liabilities of the Joint Committee in such manner as the Minister considers appropriate.

(d) An order to which *paragraph (c)* relates shall contain such provision as the Minister considers necessary or expedient consequential on the dissolution of the Joint Committee and, without prejudice to the generality of the forgoing, may make provision—

(i) for the application of any of the provisions of *Schedule 4* (other than *paragraphs 6(2)(a)*, *7*, *8*, *12* and *13*, *subparagraphs (3)* and *(4)* of *paragraph 14* and *paragraph 15* and such other provisions as may be specified) to the Joint Committee as if—

(I)references in that Schedule to "relevant day or date" were a reference to the date specified under *paragraph (b)* for the dissolution of the Joint Committee,

(II)references to a dissolved authority were references to the Joint Committee dissolved by order under *paragraph (b)*, and

(III)in relation to the Joint Committee, references to the successor authority were to the local authority established under *section 13(1)(c)*,

and

(ii) for such other matters of a transitional, supplementary or incidental nature as appears to the Minister to be necessary or expedient to facilitate the dissolution of the Joint Committee and the transfer of its assets and liabilities.

(e) Any land to which an order under *paragraph (c)* relates shall, on the date specified in that order in relation to the land, vest that land in the successor authority referred to in *section 13(1)(c)* without any further conveyance, transfer or assignment.

Annotations

Modifications (not altering text):

C2 Application of subs. (2)(d) extended (29.05.2014) by *Local Government Reform Act 2014 (Dissolution of the County Tipperary Joint Libraries Committee and Transfer of Assets and Liabilities) Order 2014* (S.I. No. 232 of 2014), reg. 5.

4. On 1 June 2014, the assets and liabilities of the Joint Committee transfer to Tipperary County Council in accordance with Article 5.

5. The provisions of section 26(2)(d) and Schedule 4 (other than paragraphs 6(2)(a), 7, 8, 12, 13, subparagraphs (3) and (4) of paragraph 14, 15, 16, 17 and 18) of the Act of 2014 apply to the transfer of assets and liabilities referred to in Article 4.

Editorial Notes:

E15 Power pursuant to subs. (2) exercised (29.05.2014) by *Local Government Reform Act 2014 (Dissolution of the County Tipperary Joint Libraries Committee and Transfer of Assets and Liabilities) Order 2014* (S.I. No. 232 of 2014).

Implementation of Act by local authorities, actions in anticipation of 2014 establishment day

27. (1) It shall be the duty of the relevant local authorities and their employees to cooperate with each other and generally to exercise their functions so as to facilitate the implementation of this Act.

(2) Subject to the provisions of this Act and of any regulations made under it and notwithstanding the provisions of any other enactment, the relevant local authorities and their employees may, prior to the commencement of any provision of this Act and in anticipation of such commencement, or following such commencement, do anything which may be necessary as a preliminary to, or for the purpose of facilitating, the commencement or securing the operation of such provision or which is necessary to give full effect to, or which arises from, by reason of or is otherwise related to such provision.

(3) Every act done by a relevant local authority before and in anticipation of the commencement of any of the provisions of this Act shall have and be deemed always to have had all such (if any) validity and effect as it would have had if this Act or if such provisions had been in force when such act was done.

(4) In this section "relevant local authority" means—

(a) in relation to the amalgamation of local government areas set out in *section 9(1)*—

(i) prior to the 2014 establishment day, a local authority referred to in *paragraph (a)*, *(b)* and *(c)* of *section 13(1)* for the area mentioned, respectively, in *paragraphs (a)*, *(b)* and *(c)* of *section 9(1)*,

(ii) on and after the 2014 establishment day, the successor authority concerned,

(b) in relation to the dissolution of a town council under *section 24*—

(i) prior to the transfer date, the town council and the county council of the county concerned,

(ii) on and after the transfer date, the successor authority concerned.

Elections to local authorities in 2014

28. (1) For the purpose of holding in 2014 elections of members of local authorities—

(a) the local government areas provided for by section 10 of, and Schedule 5 to, the Principal Act shall have effect as amended by *section 12*,

(b) the amendments by *section 14* to section 11 of the Principal Act shall have effect,

(c) the numbers of members of local authorities provided for in section 21 of, and Schedule 7 to, the Principal Act shall have effect as amended by *section 15*,

(d) the amendments by *section 20(1)* to section 23 of the Principal Act shall have effect,

(e) such other amendments by this Act to the Principal Act as are necessary to enable the holding of local elections shall have effect, including amendments to section 2 of the Principal Act,

(f) the Electoral Acts 1992 to 2014, the Local Elections Acts 1974 to 2012 and the Local Elections Regulations 1995 (S.I. No. 297 of 1995) shall have effect as amended by *section 5(4)* and *Part 2* of *Schedule 2*, and

(g) Schedule 6 to the Principal Act shall not have effect.

(2) For the purpose of *subsection (1)* and for the purpose of holding elections to local authorities after 2014, regulations and orders may be made by the Minister under the appropriate provisions of the Local Government Acts 1925 to 2014 having regard to *paragraphs (a)* to *(f)* of *subsection (1)*.

(3) For the purposes of the local elections held in 2014, the definition of "ordinary day of retirement" in section 17(1) of the Principal Act shall be read—

(a) in the case of every local authority (including a local authority that is being dissolved under *section 17*)—

(i) as if the reference in that definition to the seventh day after the polling day at the election of the incoming members of the local authority were a reference to the 2014 establishment day, and

(ii) as if the reference to the seventh day after the date provided for the purposes of paragraph (b) of that definition were a reference to the 2014 establishment day or the seventh day after the day on which the poll is completed or the fresh poll held, whichever is the later,

and

(b) in the case of a local authority that is being dissolved under *section 24*, as if that definition referred to the transfer date and to no other day referred to in that definition.

(4) Nothing in section 26 of the Principal Act shall be read as enabling the holding of an election for members of—

(a) a town council, or

(b) a local authority that is to be dissolved on the 2014 establishment day,

but this subsection is without prejudice to filling, in accordance with section 19 of the Principal Act, a casual vacancy that occurs before the transfer date or the 2014 establishment day, as appropriate.

(5) This section has effect upon the passing of this Act.

PART 5

Financial Provisions Consequential on Dissolutions and Provisions relating to Rates

Rates

29. (1) In this section—

"adjustment period", in relation to a specified area, means a period referred to in *subsection (7)* within which the base year adjustment is operational;

"annual rate on valuation", in relation to a year, means, subject to *subsection (9)*, the rate determined by the local authority concerned as the rating authority pursuant to F1**[**section 3 of the Local Government Rates and Other Matters Act 2019**]**;

"base year adjustment" means the adjustment, by way of discount or levy, receivable or payable under *subsection (5)* by ratepayers in a specified area during the adjustment period;

"specified area" means any area of a rating authority where a different annual rate on valuation to that determined for Year 1 of the adjustment period applied in the year immediately preceding Year 1;

"Year 1" means the first year of the adjustment period.

(2) A base year adjustment shall be determined in accordance with *subsections (3)* and *(4)* by a rating authority in respect of each year of the adjustment period for each of the specified areas of the rating authority.

(3) In respect of a specified area, the base year adjustment shall be calculated in Year 1 of the adjustment period, by the formula—

A - B

where

A is the annual rate on valuation in respect of the year immediately preceding Year 1 that is applicable in the specified area, and

B is the annual rate on valuation determined by the rating authority in Year 1 of the adjustment period applicable generally in the area of the rating authority.

(4) In respect of each year of the adjustment period subsequent to Year 1, the base year adjustment shall be adjusted separately for each specified area by the rating authority concerned, following consultation with municipal district members in that area, by reducing the discount or levy (as the case may be) referred to in *subsection (5)*, incrementally each year, until it is eliminated.

(5) The base year adjustment applicable to a specified area shall be applied to rating bills issued to ratepayers in the specified area and shall operate as either a discount or levy (as the case may be) on the amount due calculated by reference to the annual rate on valuation.

(6) *Subsection (5)* applies to the levy provided for in respect of a property to which section 211B or 211E (inserted by the Local Government (Business Improvement Districts) Act 2006) of the Principal Act relates.

(7) Base year adjustments shall cease at the end of the adjustment period for each specified area, which period—

(a) shall not be greater than 10 years commencing with Year 1, but

(b) may, at the discretion of the rating authority concerned, be a shorter period in respect of any specified area within the administrative area of that rating authority,

and, accordingly, the adjustment period shall cease in respect of a specified area when the base year adjustment for that area has been eliminated or the period of 10 years referred to in *paragraph (a)* has elapsed, whichever first occurs.

(8) Notwithstanding *subsection (7)*, where—

(a) in respect of a specified area the base year adjustment calculated in accordance with *subsection (3)* would result in a levy with a value greater than 20,

(b) the local authority concerned, following the adoption by it of a resolution for the purpose of this subsection—

(i) applies in writing to the Minister to make an order that the adjustment period applicable to such specified area may be greater than 10 years, and

(ii) such resolution and application states the length of the extension being sought (which extension so stated shall be in respect of a period not greater than 10 years),

and

(c) following consideration of the application under *paragraph (b)*, the Minister determines that an extension should be granted,

then, the Minister may by order grant an extension, which extension may, if the Minister considers it appropriate in the circumstances but subject to it not being greater than 10 years, be different from that sought in the application referred to in *paragraph (b)* and, accordingly, in its application to that specified area, the reference to 10 years in *subsection (7)(a)* shall be read as if it were a reference to the sum of those 10 years and the extension provided for by that order.

(9) In respect of a rating authority to which this section relates, the annual rate on valuation determined by such rating authority in Year 1 of the adjustment period shall not be increased in subsequent years until the adjustment period ceases, as provided for by *subsection (7)*, for every specified area within the administrative area of that authority.

(10) Notwithstanding *subsection (9)*, it shall be lawful for the rating authority to determine an increase in the annual rate on valuation where—

(a) the adjustment period of a specified area in the administrative area of the rating authority has been the subject of an order under *subsection (8)*, and

(b) the adjustment period applicable to all specified areas in the administrative area of the rating authority, other than any specified area that is the subject of an order under *subsection (8)*, have ceased in accordance with *subsection (7)*.

(11) Where a revaluation under the Valuation Act 2001 takes effect in a rating authority in any year after Year 1 of the adjustment period, the base year adjustment referred to in this section shall continue to be applied to relevant properties by means of a percentage discount or levy equivalent to the former base year adjustment as a percentage of the annual rate on valuation as determined by such rating authority in Year 1 of the adjustment period.

(12) This section does not apply to any rating authority where a revaluation under the Valuation Act 2001 takes effect in the first year of the adjustment period.

(13) The adjustment period referred to in this section shall commence on the first day of January in the year following the commencement of this section.

Annotations

Amendments:

F1 Substituted (6.11.2023) by *Local Government Rates and other Matters Act 2019* (24/2019), s. 22(a), S.I. No. 536 of 2023.

Editorial Notes:

E16 Power pursuant to subs. (8) exercised (9.11.2017) by *Local Government Reform Act 2014 (Rates) Order 2017* (S.I. No. 484 of 2017).

Amalgamation of local funds of certain city councils and county councils

30. The local fund maintained immediately before the 2014 establishment day—

(a) by Limerick City Council and by Limerick County Council,

(b) by South Tipperary County Council and by North Tipperary County Council, and

(c) by Waterford City Council and by Waterford County Council,

shall, with effect from that day, be amalgamated and maintained by the successor authority in each case, as appropriate.

Amendment of certain provisions relating to rates on vacant premises

31. (1) Section 71 of the Local Government (Dublin) Act 1930 is amended—

(a) by inserting the following after subsection (1):

"(1A) A local authority may—

(a) specify a local electoral area or local electoral areas within its administrative area where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of the municipal rate to that referred to in subsection (1), and

(b) determine the proportion of the refund to apply in respect of each specified local electoral area or local electoral areas in accordance with paragraph (a).

(1B) The specifying of a local electoral area or local electoral areas and the determination of the proportion of the refund shall be a reserved function.",

and

(b) by inserting the following after subsection (3):

"(4) The Minister may make regulations specifying the financial considerations and administrative and other procedures to apply

in relation to the performance by Dublin City Council of functions to which subsections (1A) and (1B) relate.".

(2) Section 20 of the Cork City Management Act 1941 is amended—

(a) by inserting the following after subsection (1):

"(1A) A local authority may—

(a) specify a local electoral area or local electoral areas within its administrative area where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of the municipal rate to that referred to in subsection (1), and

(b) determine the proportion of the refund to apply in respect of each specified local electoral area or local electoral areas in accordance with paragraph (a).

(1B) The specifying of a local electoral area or local electoral areas and the determination of the proportion of the refund shall be a reserved function.",

and

(b) by inserting the following after subsection (3):

"(4) The Minister may make regulations specifying the financial considerations and administrative and other procedures to apply in relation to the performance by Cork City Council of functions to which subsections (1A) and (1B) relate.".

(3) Section 14 of the Local Government Act 1946 is amended—

(a) in subsection (1) by deleting "which is situated in a county but not in an urban area and",

(b) by inserting the following after subsection (1):

"(1A) For the purposes of subsection (1) reference to county rate shall include a rate adopted by a city and county council.

(1B) A local authority may—

(a) specify a local electoral area or local electoral areas within its administrative area where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of the county rate to that referred to in subsection (1), and

(b) determine the proportion of the refund to apply in respect of each specified local electoral area or local electoral areas in accordance with paragraph (a).

(1C) The specifying of a local electoral area or local electoral areas and the determination of the proportion of the refund shall be a reserved function.",

and

(c) by inserting the following after subsection (3):

"(4) The Minister may make regulations specifying the financial considerations and administrative and other procedures to apply in relation to the performance by a local authority of functions to which subsections (1B) and (1C) relate.".

Duty to inform rating authority of transfer of relevant property

32. [...]

Annotations

Amendments:

F2 Repealed (1.01.2024) by *Local Government Rates and other Matters Act 2019* (24/2019), s. 27 and sch. part 1 ref. 13, S.I. No. 536 of 2023.

Amalgamated valuation list

33. (1) Where before the 2014 establishment day or the transfer date, as the case may be, the Commissioner of Valuation made orders under section 19 of the Valuation Act 2001, in respect of the area of 2 or more rating authorities then subsisting, the councils of which areas were dissolved after that day or date by *section 17* or *24*, then the Commissioner shall, in due course, cause to be published under section 23 of that Act an amalgamated valuation list in respect of the area of the successor authority in each case, as if—

(a) the successor authority was in existence when the orders concerned were so made,

(b) the orders so made in respect of that area were orders that related to the successor authority,

(c) the successor authority was the rating authority when the orders were so made,

and, accordingly, each such list shall be effective for the purposes of the Valuation Act 2001.

(2) Notwithstanding the fact that, as a consequence of the 2014 establishment day order or the transfer date order, a dissolved authority ceased to exist as a rating authority for the area concerned, a valuation list existing for that area (together with so much of the central valuation list, within the meaning of the Valuation Act 2001, as relates to that area) and the value of each property appearing on the valuation list (together with so much of the central valuation list as so relates) shall, subject to any amendment made in accordance with the Valuation Act 2001, continue in force in relation to that area for all the purposes of that Act, and section 29 (as amended by section 45 of the Local Government Act 1994) of the Local Government Act 1946 until the date on which a valuation list is caused to be published under section 23 of the Valuation Act 2001 for the local authority area that includes the first-mentioned area.

(3) Any valuation list so published shall not affect the continuance of the central valuation list to which this section relates.

References to county rate

34. Except where the contrary intention appears from this Act, a reference however expressed in any enactment to a county rate (being a county rate to which section 12 of the Local Government Act 1946 relates) shall, if the context permits, be read as a reference to a rate in respect of a county council or a city and county council.

PART 6

COMMUNITY DEVELOPMENT WITHIN LOCAL AUTHORITY AREAS

CHAPTER 1

County Development Boards and City Development Boards

Dissolution of county development boards and city development boards

35. (1) In this section "Boards" means the county development boards and city development boards established under section 129 of the Principal Act.

(2) The Minister shall by order dissolve all the Boards with effect from such date or dates as the Minister specifies.

(3) The Minister may, with the consent of the Minister for Public Expenditure and Reform, by order make provision for the transfer of the assets and liabilities of the Boards, either generally or in respect of any particular Board or class of Boards.

(4) An order to which *subsection (3)* relates shall contain such provisions as the Minister considers necessary or expedient consequential on the dissolution of the Boards concerned, and, in particular, may make provision for—

(a) the application of any of the provisions of *Schedule 4* (other than *paragraphs 3(2)*, *6(2)(a)*, *7*, *8*, *12* and *13*, *subparagraphs (3)* and *(4)* of *paragraph 14* and *paragraph 15* and such other provisions as may be specified) either generally to all Boards or to one or more than one named Board as if—

(i) references in that Schedule to "relevant day or date" were a reference to the date provided for in the order for the dissolution of the Board concerned,

(ii) references to a dissolved authority were references to a Board dissolved by order under this section,

(iii) in relation to a Board, references to a successor authority were references to such corporate or unincorporated body designated in the order as the successor body, and different bodies may be designated in respect of different matters, including by reference to a geographical area,

together with such other modifications as the Minister considers necessary or expedient, and

(b) any other transitional, supplementary or incidental matters that appear to the Minister to be necessary or expedient to facilitate the dissolution either generally of all Boards or of one or more than one named Board.

(5) Where an order under *subsection (3)* is made, land to which the order relates shall, on the date specified in the order in relation to that land, vest in such person or body referred to for that purpose in the order without any further conveyance, transfer or assignment.

Annotations

Editorial Notes:

E17 Power pursuant to section exercised (1.06.2014) by *County and City Development Boards Dissolution Order 2014* (S.I. No. 233 of 2014), in effect as per art. 2.

Chapter 2

Local Community Development Committees

Local Community Development Committees

36. (1) The Principal Act is amended by inserting the following after section 49:

"Local Community Development Committees

49A. (1) Subject to subsection (3), there shall be established, in accordance with this section and Chapter 2 of Part 13 (including any regulations made or general policy guidelines issued under that Chapter) by resolution of each local authority in respect of its administrative area a committee, to be known as the Local Community Development Committee, for the purposes of developing, co-ordinating and implementing a coherent and integrated approach to local and community development.

(2) Subject to this section and Chapter 2 of Part 13, each Local Community Development Committee is independent in the performance of its functions.

(3) Where the Minister has approved in writing a proposal by a local authority for the establishment of more than one Local Community Development Committee within its administrative area, the local authority may by resolution establish such number of Committees so proposed.

(4) A local authority may, by resolution and with the prior approval of the Minister in writing, dissolve a Local Community Development Committee established by it but the dissolution is without prejudice to anything previously done by such Committee.

(5) A Local Community Development Committee dissolved in accordance with subsection (4) shall be replaced by resolution of the local authority concerned—

(a) where subsection (3) applies, by such number of Local Community Development Committees as are approved by the Minister for establishment under that subsection, or

(b) in any other case, by a new Local Community Development Committee.

(6) Except where a Local Community Development Committee would stand dissolved in accordance with subsection (4) in respect of a day that would be the ordinary day of retirement of the members of the local authority concerned, a Local Community Development Committee shall, notwithstanding section 51(6), continue to stand established on and following that day.

(7) An annual report of a local authority shall include an outline of the activities of each Local Community Development Committee within the authority's functional area during the period to which the annual report relates.

(8) Section 45 shall not apply to meetings of the Committee.".

(2) Part 13 of the Principal Act is amended by designating sections 127 and 128 as Chapter 1 of that Part and by inserting the following Chapter to that Part before Part 13A:

"Chapter 2

Local Community Development Committees

Interpretation (Chapter 2)

128A. In this Chapter—

'chief officer', in relation to a Committee, means the person designated as such by the chief executive of the local authority concerned under section 128E(1) ;

'Committee' means a Local Community Development Committee;

'community elements of the Plan' means those parts of a local economic and community plan relating to the local and community development of the functional area of the Committee pursuant to section 66B;

'economic elements of the Plan' means those parts of a local economic and community plan relating to the promotion of economic development of the administrative area of the local authority pursuant to section 66B;

'functional area of a Committee', in relation to a Committee, means the area to which the Committee relates, being the same area as the administrative area of the local authority concerned or such part of that area as may be determined by a resolution of the local authority under section 49A;

'local and community development programme' means any action, intervention, programme, scheme or any other support, financial or otherwise, which is concerned with promoting the interests of local communities and includes matters to which section 66(3) relates;

'Local Community Development Committee' means the committee established pursuant to section 49A;

'Plan' means the local economic and community plan to which section 66B relates;

'publicly funded body' means a body whose funds, directly or indirectly and in whole or in part, come out of moneys provided by the Oireachtas for the purpose of performing its functions;

'representatives of local community interests', in relation to the functional area of a Committee, means persons who are representative of community interests that are concerned with promoting the development of aspects of those interests within that area and such representatives may include representatives of non-governmental organisations, development agencies, community-based groups, recognised associations for the purposes

of section 128, youth organisations, cultural bodies, sporting bodies and social movements and networks.

Functions of Local Community Development Committees

128B. (1) The functions of a Committee are—

(a) to prepare and adopt the community elements of every 6 year local economic and community plan concerned in accordance with section 66C and any regulations made, or general policy guidelines issued, by the Minister for the purposes of that section,

(b) to implement, or to arrange for the implementation of, the community elements of the Plan (as the case may be) as made by the local authority in accordance with section 66C(4),

(c) to undertake a review of the community elements of the Plan at least once within the period of 6 calendar years after the Plan was adopted or last amended for the purposes of this paragraph and, if the Committee considers it necessary after any such review—

(i) to amend the community elements of the Plan, or

(ii) to prepare and adopt new community elements of the Plan to be made by the local authority under section 66C,

and any such amendment or adoption shall be in accordance with any regulations made, or general policy guidelines issued, by the Minister for that purpose,

(d) to monitor and review on an ongoing basis the implementation of the community elements of the Plan, including performance against any benchmarks or indicators of performance set out in the community elements of the Plan or other relevant indicators and, if the Committee considers appropriate, to revise the actions and strategies set to achieve the objectives of those elements of the Plan,

(e) in furtherance of paragraph (b), to co-ordinate, manage and oversee the implementation of local and community development programmes that have been either—

(i) approved by resolution from time to time for that purpose by the local authority concerned in respect of all or part of its administrative area, or

(ii) agreed for that purpose between the Committee and a public authority,

and to ensure that any plans and strategies related to those programmes are implemented in accordance with the community elements of the Plan,

(f) to seek to ensure effectiveness, consistency, co-ordination and avoidance of duplication between the local and community development programmes to which paragraph (e) applies and the functions of the local authority in relation to promoting the interests of local communities or in other related functions under section 66 (as provided for by subsection (2)) or otherwise,

(g) in addition to those programmes to which paragraphs (e) and (f) apply, to pursue the co-ordination generally of all local and community development programmes within the functional area of the Committee, so as to optimise resources for the benefit of local communities in that area and improve the efficiency with which publicly-funded local and community development resources are used,

(h) to consider and adopt a statement in respect of the economic elements of a draft of the Plan prepared by the local authority in accordance with section 66C, and

(i) not later than 31 March in each year, to prepare, adopt and submit to the local authority a report in relation to the performance of its functions during the year immediately preceding the year in which the report is submitted.

(2) The functions of a local authority under section 66, shall be deemed to be delegated to a Committee, in so far as those functions are necessary for the performance by the Committee of its functions otherwise provided for by this section.

(3)(a) The Committee may enter into an agreement in writing with a public authority, local development or community development body, or other person for the carrying out of those functions by such an authority, body or person, as the case may be, which the Committee considers appropriate to be carried out by such an authority, body or person, subject to such terms, conditions, restrictions and other requirements as the Committee considers necessary and specifies in the agreement.

(b) In this subsection a 'local development or community development body' includes a not-for-profit organisation that provides programmes, offers services or engages in other activities that promote and support the interests of a local community or any part of a community or group within a local community.

(4)(a) The Minister may, with the consent of the Minister for Public Expenditure and Reform, by order confer on a Committee or Committees such additional functions connected with the functions for the time being of a Committee, class of Committees or Committees generally (as the case may be) as the Minister determines, subject to such conditions (if any) as may be specified in the order.

(b) The Minister may make such provision as he or she considers necessary or expedient in respect of matters ancillary to or arising out of any of the functions referred to in paragraph (a).

(c) The Minister shall not make an order under this subsection in respect of functions for which another Minister of the Government is directly or indirectly responsible unless that Minister consents to that order being made.

(5) The Committee, in performing its functions, shall have regard to—

(a) the resources, wherever originating from, that are available or likely to become available to it for the purpose of such performance and the need to secure the most beneficial, effective and efficient use of such resources,

(b) the need for co-operation with, and the co-ordination of its activities with those of local authorities, public authorities and

publicly funded bodies, the performance of some of whose functions affect or may affect the Committee, so as to ensure efficiency and economy in the performance by the Committee of its functions,

(c) the need for consultation with public authorities and publicly funded bodies in appropriate cases,

(d) the need for consistency with the policies and objectives of the Government or any Minister of the Government or other public authority in so far as they may affect or relate to the Committee's functions,

(e) the need to integrate sustainable development considerations into policy development and implementation, and

(f) the need to promote social inclusion.

(6) The Committee has all such powers as are necessary for, or incidental to, the performance of its functions under this section.

(7) Subject to subsections (2) and (8), this section and section 49A are without prejudice to and do not restrict the functions of a local authority in relation to promoting the interests of local communities or other related functions under section 66 or otherwise.

(8) Section 140 shall not apply to the performance of any functions of the Committee and any resolution purporting to be passed under that section in relation to those functions which contravenes this subsection is void.

Membership of Local Community Development Committees

128C. (1) Subject to and in accordance with any regulations made, or general policy guidelines issued, by the Minister for the purposes of this section, the membership of a Committee shall comprise partly of persons who are and partly of persons who are not members of the local authority concerned.

(2) For the purposes of subsection (1), the Committee shall include—

(a) members of the local authority,

(b) the chief executive of the local authority or such other person employed by, or seconded to, the local authority (either by name or by reference to the person for the time being holding or exercising the functions of a particular post in that authority) standing nominated for the time being by the chief executive,

(c) representatives of public authorities having responsibility for the provision of services to or within, the area of the Committee,

(d) representatives of local community interests,

(e) individuals acting in a private capacity who are or have been members or otherwise associated with any body (however described) of a type referred to in the definition of 'local community representatives' in section 128A,

(f) representatives of publicly funded or supported local development bodies concerned with promoting the interests of local communities, and

(g) such other persons or bodies (if any) as may be provided for by such regulations made, or general policy guidelines issued, by the Minister under section 128E.

(3)(a) The chief officer of the Committee shall, in consultation with the Corporate Policy Group, seek and select nominees to the Committee, from time to time, in accordance with subsection (2) and any regulations made, or general policy guidelines issued, by the Minister for that purpose, and shall submit a list of recommended nominees to the members of the local authority for their consideration.

(b) The nominees shall be appointed to the Committee, without omission or addition, by resolution of the local authority.

(c) If the recommended nominees have not been appointed in accordance with paragraph (b) either because—

(i) the local authority did not pass the resolution concerned on any of the 2 days upon which it has met after submission of the list of recommended nominees under paragraph (a), or

(ii) 60 days have elapsed since submission under paragraph (a) of the list of nominees,

then the recommended nominees shall be deemed to have been appointed on the day following the last day to which subparagraph (i) or (ii) relates, whichever first occurs.

(4) The members of a Committee shall elect one of their number to be the chairperson.

Staffing of Local Community Development Committee

128D. (1) The chief executive of a local authority shall assign an employee or employees of the local authority (either by name or by reference to the employee for the time being holding or exercising the functions of a particular post in that authority)—

(a) to assist the Committee in performing its functions, and

(b) one of those persons shall be designated by the chief executive to be the chief officer of the Committee and have responsibility for carrying out, managing and controlling generally the administration and business of the Committee and arranging for the provision of appropriate administrative, secretarial and other support.

(2) The chief executive of the local authority may delegate such of his or her functions as he or she considers necessary to an employee or employees of the local authority for the purpose of subsection (1) and section 154 shall apply for the purposes of any such delegation, subject to any necessary modifications.

Regulations and general policy guidelines

128E. (1) The Minister may, following consultation with such public authorities as he or she considers appropriate, make regulations for the purposes of this Chapter and section 49A either generally or in relation to a Committee or to a particular class or classes of Committees.

(2) The Minister may, in particular but without prejudice to the generality of subsection (1), make regulations in relation to—

(a) matters relating to the establishment and membership of a Committee including—

(i) the representation of sectoral interests,

(ii) the tenure of office of the chairperson and members of a Committee, and

(iii) the procedures to apply to ensure fairness and equity in the selection of members and the election of a chairperson of a Committee,

(b) the performance of the functions of a Committee, including the functions of a local authority under section 66 delegated to a Committee,

(c) procedures to apply to ensure fairness and equity in the decisions of a Committee,

(d) the involvement of public authorities and other bodies and interests in the work of a Committee,

(e) the carrying out, management and control of the administration and business of a Committee and any administrative, secretarial and other support of a Committee, including the delegation of functions by the chief executive for the purposes of such support, and

(f) meetings and proceedings of the Committee, including arrangements relating to scheduling and notification of meetings and meeting agendas.

(3) The Minister may, following consultation with such public authorities as the Minister considers appropriate, issue general policy guidelines for the purposes of any provision of this Chapter and section 49A and each Committee shall, to the extent that those guidelines apply to it, comply with those guidelines.

(4) The Minister may, in particular but without prejudice to the generality of subsection (3), issue general policy guidelines in relation to—

(a) principles guiding the work of Committees,

(b) proposals of local authorities in relation to the establishment of 2 or more Committees within administrative areas,

(c) size of Committees and criteria and procedures for the selection of nominees to Committees,

(d) persons or bodies who may be considered for nomination to Committees and to whom section 128C(2)(g) relates,

(e) the representation of members of the local authority or its officials,

(f) the representation of non-governmental organisations, development agencies, community-based groups, recognised associations for the purposes of section 128, cultural bodies, sporting bodies and social movements and networks,

(g) procedures and processes for establishing and managing working groups of Committees,

(h) matters to be taken into account when dissolving Committees,

(i) consultation with local communities and measures for promoting participation by citizens and communities in the work of Committees,

(j) co-ordination of local and community development activities, avoidance of duplication and optimising the use of available resources,

(k) implementation arrangements, including arrangements for the management and disbursement of funding by a Committee, in respect of the local and community development programmes referred to in section 128B(1)(e),

(l) matters to be taken into account by Committees when giving advice and making recommendations under section 128F, and

(m) any other matter of a general policy nature that the Minister considers appropriate for inclusion in the guidelines.

Co-operation with Local Community Development Committees

128F. (1) In this section 'relevant body' means—

(a) a local authority,

(b) a regional assembly,

(c) a trust or other body to which paragraph (c) of the definition of 'local government body' in section 126A relates or in respect of which there is a determination under section 126L(3),

(d) a body referred to in Schedule 16,

(e) a publicly funded body in respect of which there is an order under subsection (7)(a).

(2) In respect of those local and community development programmes to which section 128B(1)(e) relates, it is the duty of a relevant body, in so far as is not inconsistent with the performance of its functions, and subject to law—

(a) to co-operate with the Committee in the performance by the Committee of its functions,

(b) to comply with all lawful requests from the Committee in respect of information sought which is of relevance to the Committee's functions,

(c) in so far as is practicable, to ensure—

(i) in respect of any of the relevant body's local and community development programmes and related policies and strategies, however described, in particular those programmes and related policies and strategies to which section 128B(1)(g) relate, and

(ii) in so far as those programmes and related policies and strategies impact on the functions of the Committee,

that they are consistent with the objectives of community elements of the Plan, and the Plan generally, and the actions duly taken by the Committee in the furtherance of community elements of the Plan, and

(d) as appropriate, to have due regard to any advice that may be given or to any recommendations that may be made to the relevant public authority by the Committee under subsection (4).

(3) A public authority that is not a relevant body shall, in respect of the local and community development programmes of such an authority, or body, have due regard to community elements of the Plan, and the Plan generally, and any recommendations made to it by a Committee in accordance with subsection (4)(b) and shall use its best endeavours to facilitate any requests of the Committee.

(4) Subject to and in accordance with the functions of the Committee under section 128B (including those of its functions to which section 66 relates), and any regulations made or general policy guidelines issued by the Minister for the purposes of those functions, the Committee may, for the purposes of ensuring consistency with the objectives of community elements of the Plan, and the Plan generally, —

(a) advise the local authority that established it as to the way in which the local and community development programmes and related policies and strategies of the local authority should be developed or operated as regards the administrative area of that authority, and

(b) in any other case make recommendations to any public authority or publicly funded body, as to the way in which the local and community development programmes and related policies or strategies of such public authority or publicly funded body should be developed or operate as regards the county or city or city and county concerned.

(5) Nothing in this section shall be read as requiring the disclosure to a Committee of confidential information, the disclosure of which would be in breach of non-disclosure obligations provided for by law, or the disclosure of commercially sensitive information.

(6) Where a Committee has made a request to a relevant body for information under paragraph (b) of section 128F(2), nothing in that paragraph shall be read as requiring the disclosure of information that would be materially disproportionate to what was required to achieve the intended result of the request.

(7)(a) Where the Minister is of the opinion that a public authority or other publicly funded body that is not a relevant body should, having regard to this Chapter, section 49A and some or all of the functions of that public authority or publicly funded body, be a relevant body in respect of those functions then, subject to paragraph (b), the Minister may by order declare that that authority or body is a relevant body for the purposes of this Chapter and section 49A, and shall have effect accordingly.

(b) The Minister shall not make an order under paragraph (a) in respect of a public authority for which another Minister of the Government is directly or indirectly responsible unless that other Minister consents to the order being made.".

(3) The Principal Act is amended by inserting after Schedule 15 of that Act the Schedule set out in *Schedule 5* to this Act.

(4) Sections 66, 140(10) and 221(2) of the Principal Act are amended in the manner set out in *Schedule 1*.

PART 7

Local Authority Governance and Management, etc.

Alternative titles to Cathaoirleach and Leas-Chathaoirleach, etc.

37. (1) The Principal Act is amended by substituting the following for section 32:

"32. (1) Where prior to the commencement of section 31—

(a) Cork City Council or Dublin City Council used the title 'Lord Mayor' or 'Deputy Lord Mayor', or

(b) Galway City Council used the title 'Mayor' or 'Deputy Mayor',

to describe its office of Cathaoirleach or Leas-Chathaoirleach as the case may be, it shall continue to so use such title or titles notwithstanding the provisions of section 31.

(1A) Where—

(a) immediately before the 2014 establishment day (provided for in *Part 2* of the *Local Government Reform Act 2014*) Limerick City Council or Waterford City Council used the title 'Mayor' or 'Deputy Mayor', to describe its office of Cathaoirleach or Leas-Chathaoirleach, as the case may be, then, if a municipal district containing the area of the former city council is determined by order under section 23(1)(c), the municipal district members (being the municipal district members for a metropolitan district by virtue of section 22A(2)(a)) may use such title or titles notwithstanding the provisions of section 31 (as amended by that Act),

(b) immediately before the transfer date (provided for in *Chapter 2* of *Part 3* of the *Local Government Reform Act 2014*) a borough council referred to in Chapter 1 of Part 1 of Schedule 6 used the title 'Mayor' or 'Deputy Mayor', to describe its office of Cathaoirleach or Leas-Chathaoirleach, as the case may be, then, if a municipal district containing the area of the former borough council is determined by order under section 23(1)(c), the municipal district members (being the municipal district members for a borough district by virtue of section 22A(2)(b) or for the municipal district of Kilkenny City by virtue of section 22A(2) (c)) may use such title or titles notwithstanding the provisions of section 31 (as amended by that Act), and

(c) a municipal district contains the area of a town (including all the environs of the town for the purposes of the census of population concerned) the population of which, when rounded to the nearest 1,000 as shown in the latest census report of the Central Statistics Office, is equal to or greater than 20,000, then the municipal district members for such district may decide by resolution to use the title 'Mayor' or 'Deputy Mayor', to describe its office of Cathaoirleach or Leas-Chathaoirleach notwithstanding the provisions of section 31 (as amended by the *Local Government Reform Act 2014*).

(2) A local authority or the municipal district members, to which subsection (1) or (1A) (respectively) relates, may by resolution give the title Cathaoirleach or Leas-Chathaoirleach to the Lord Mayor or Deputy Lord Mayor, Mayor or Deputy Mayor, as the case

may be, and in that case shall be styled in accordance with section 31.

(3) Where titles are continued in accordance with subsection (1) or (1A), the holders of the offices concerned shall, as appropriate, be styled—

(a) in the case of Cork City Council, in the Irish language 'Ard-Mhéara Chathair Chorcaí' and 'Leas-Ardmhéara Chathair Chorcaí', and in the English language 'Lord Mayor of the City of Cork' and 'Deputy Lord Mayor of the City of Cork',

(b) in the case of Dublin City Council, in the Irish language 'Ard-Mhéara Chathair Bhaile Átha Cliath' and 'Leas-Ardmhéara Chathair Bhaile Átha Cliath', and in the English language 'Lord Mayor of the City of Dublin' and 'Deputy Lord Mayor of the City of Dublin',

(c) in the case of Galway City Council, in the Irish language 'Méara Chathair na Gaillimhe' and 'Leas-Mhéara Chathair na Gaillimhe', and in the English language 'Mayor of the City of Galway' and 'Deputy Mayor of the City of Galway',

(d) in the case of a municipal district to which subsection (1A) relates, in the Irish language 'Méara.....' and 'Leas-Mhéara.....' followed by the name of the municipal district in Irish, and in the English language 'Mayor of.....' and 'Deputy Mayor of.....' followed by the name of the municipal district in English in accordance with subsections (2) and (3) of section 22A.

(4) Notwithstanding section 31 a local authority which is a city and county council may, subject to Schedule 8, give an alternative title to its Cathaoirleach or Leas-Chathaoirleach or revert to the title or titles of Cathaoirleach or Leas-Chathaoirleach as the case may be.".

(2) The Principal Act is amended by substituting the following for Schedule 8:

"SCHEDULE 8

Section 32(4)

Alternative Titles to Cathaoirleach and Leas-Chathaoirleach, etc.

1. A local authority which is a city and county council may by resolution give to the office of its Cathaoirleach or Leas-Chathaoirleach the following titles:

(a) in the Irish language the title of 'Méara' or 'Leas- Mhéara', respectively, and

(b) in the English language, the title of 'Mayor' or 'Deputy Mayor', respectively.

2. Where titles are given in accordance with paragraph 1, the holders of the offices shall, as appropriate, be styled, in the Irish language 'Méara Cathair agus Chontae.....' and 'Leas-Mhéara Cathair agus Chontae.....' followed by the name of the city and county in Irish, and in the English language 'Mayor of the City and County of.....' and 'Deputy Mayor of the City and County of.....' followed by the name of the city and county in English.

3. A local authority which has by resolution under paragraph 1 given the titles provided in that paragraph may revert by resolution to the titles of Cathaoirleach or Leas-Chathaoirleach provided for in

section 31 and which shall be styled in accordance with that section.".

Amendment of section 34 (removal of Cathaoirleach or Leas-Chathaoirleach from office, etc.) of Principal Act

38. Section 34 of the Principal Act is amended—

(a) by substituting the following for subsection (1):

"(1) Subject to this section, a local authority may by resolution remove from office the Cathaoirleach or Leas-Chathaoirleach of such local authority for stated misbehaviour or if his or her removal appears to it to be necessary for the effective performance by the local authority of its functions and such removal may also be for those reasons arising from the performance of his or her duties as chair of the corporate policy group.

(1A) Subject to this section, a local authority may by resolution remove from office the chairperson of any strategic policy committee of such local authority for stated misbehaviour or if his or her removal appears to them to be necessary for the effective performance by the local authority of its functions or by the committee of its functions.",

(b) by substituting the following for paragraph (e) of subsection (2):

"(e) be delivered or sent to the Cathaoirleach, Leas-Chathaoirleach or chairperson of the strategic policy committee concerned.",

and

(c) by substituting the following for subsection (5):

"(5) It is necessary for the passing of a resolution under this section that the number of members of the local authority concerned voting in favour of the resolution is at least two-thirds of those present and voting.".

Application of Chapter 2 of Part 5 of Principal Act to municipal district members

39. The Principal Act is amended by inserting the following after section 35:

"35A. This Chapter applies to municipal district members as if every reference in the other provisions of this Chapter to a local authority or to a member of a local authority were, respectively, a reference to the municipal district members or to a member of a municipal district.".

Effective discharge of business

40. The Principal Act is amended by substituting the following for section 47:

"47. A local authority shall seek to secure as regards—

(a) the establishment of committees under Part 7, and

(b) meetings of the authority and each of its committees and municipal district members,

that they are organised and operate so as to promote effectiveness and efficiency in the discharge of business.".

Amendment of section 48 (strategic policy committees) of Principal Act

41. Section 48 of the Principal Act is amended—

(a) by inserting the following after subsection (1):

"(1A)One of the committees established under subsection (1) shall be to consider matters which relate to the functions of the local authority in relation to economic development and matters connected to the promotion of, including support for, enterprise, and to advise the authority on those matters.",

(b) by substituting the following for subparagraph (i) of subsection (3)(b):

"(i) the representation of each local community development committee established in accordance with section 49A and of sectoral interests,",

(c) by inserting the following after paragraph (b) of subsection (3):

"(ba) Guidelines referred to in paragraph (a) may include—

(i) provisions for procedures for presentation of proposals to the local authority concerned connected with the formulation, development, monitoring and review of policy for the purposes of this section,

(ii) provisions relating to the format, content and layout of any particular class or classes of policy papers and other documents (including the preparation of preliminary documents) prepared by or presented to the strategic policy committee, and

(iii) provisions for procedures to ensure that sufficient time for input by the strategic policy committee into policy papers is provided prior to completion and subsequent presentation to the local authority concerned.

(bb) Guidelines referred to in paragraph (a) may apply to local authorities generally, to any class or classes of local authorities specified in the guidelines or to a particular local authority so specified and shall, in so far as the guidelines relate to them, be complied with by every local authority, chief executive, strategic policy committee and municipal district member.",

and

(d) by inserting the following after subsection (3):

"(3A) (a) For the purposes of assisting a strategic policy committee in considering matters in accordance with subsections (1) and (1A) the committee may request the attendance of a public authority at a meeting of the committee.

(b) Where a public authority refuses or otherwise fails to attend a meeting of a strategic policy committee following a request by the committee, then the chairperson of the committee—

(i) may report such refusal or failure to a meeting of the local authority, and

(ii) where so reported, shall provide the meeting of the local authority with any explanation furnished by the public authority for so refusing or failing to attend.

(c) Where any refusal or failure by a public authority is reported to a local authority under paragraph (b), then the local authority may report such refusal or failure, together with any explanation furnished by the public authority, to any Minister of the Government—

(i) on whom functions relating to the public authority concerned stand conferred, or

(ii) who has general responsibility for the public authority concerned.

(3B) When formulating, developing, adopting, monitoring and reviewing policies which relate to the functions of a local authority each strategic policy committee of the local authority shall have regard to the regional spatial and economic strategy of the appropriate regional assembly.".

Area committees

42. The Principal Act is amended by substituting the following for section 50:

"50. (1) A local authority to which this section applies may establish by resolution a committee in respect of a local electoral area or of 2 or more adjoining such areas or any other area in its administrative area to be known by some appropriate name followed by the words 'Area Committee', or by such other title, as may be designated by the authority.

(2) This section applies to the following local authorities:

(a) Cork City Council;

(b) Dublin City Council;

(c) Dun Laoghaire-Rathdown County Council;

(d) Fingal County Council;

(e) Galway City Council;

(f) South Dublin County Council.".

Amendment of section 66 (promotion of interests of local communities) of Principal Act

43. Section 66 of the Principal Act is amended by substituting the following for subsection (3):

"(3) (a) Subject to this section, a local authority may take such measures, engage in such activities or do such things in accordance with law (including the incurring of expenditure) as it considers necessary or desirable to promote the interests of the local community.

(b) For the purposes of this section a measure, activity or thing is deemed to promote the interests of the local community if it promotes, directly or indirectly—

(i) social inclusion or the social, environmental, recreational, cultural or community development, or

(ii) the general development including enterprise and economic development,

of the administrative area (or any part of it) of the local authority concerned or of the local community (or any group consisting of members of it).

(c) Nothing in subsection (4) or section 66B or 67 shall be read as restricting the generality or meaning of this subsection.".

Local economic and community plan

44. The Principal Act is amended by inserting the following sections after section 66:

"Interpretation (sections 66A to 66H)

66A. In the relevant sections—

'Committee' means a local community development committee established pursuant to section 49A;

'Plan' has the meaning assigned in section 66B;

'relevant sections' means sections 66A to 66H.

Local economic and community plan

66B. (1) Each local authority shall make, in accordance with section 66C and any regulations made, or general policy guidelines issued, by the Minister for the purposes of that section, and the principles of sustainable development, a 6 year local economic and community plan (in this section referred to as the 'Plan'), which shall be referred to as the 'Local Economic and Community Plan', prefixed by the name of the local authority concerned, and the Plan shall be for—

(a) the promotion of economic development in its functional area, and

(b) the promotion of local and community development in its functional area.

(2) For the purposes of subsection (1), promotion of economic development includes but is not limited to—

(a) creating and sustaining jobs,

(b) promoting the interests of the community, including—

(i) enterprise and economic development across economic sectors,

(ii) foreign direct investment,

(iii) indigenous industry,

(iv) micro-enterprises and small and medium sized enterprises,

(v) tourism, and

(vi) agriculture, forestry and the marine sectors, and other natural resource sectors,

(c) identifying local attributes that are essential—

(i) to enhancing local economic performance, such as the quality of the environment and the qualities of cities, towns and rural areas, including—

(I) accessibility, physical character, and infrastructure,

(II) employment opportunities and quality of life,

and the means by which these may be utilised to enhance competitiveness, and be supported by investment decisions relating to economic infrastructure (including transportation, water services, energy, communications and waste management), together with social and cultural facilities, and

(ii) to promoting local economic activities,

(d) supporting enhancement of local innovation capacity, including investment in research and development capacity, technology transfer, up-skilling and re-skilling,

(e) identifying, for existing and prospective businesses, opportunities to engage with local government on relevant matters in setting up and managing their businesses and to ensure speedy and co-ordinated access and response,

(f) identifying local strengths and opportunities, weaknesses and deficiencies relevant to economic performance and—

(i) in relation to such strengths and opportunities having regard to economic and employment trends, the means of maintaining and augmenting them, and

(ii) in relation to such weaknesses and deficiencies, the means of addressing or rectifying them,

and

(g) identifying economic potential and the requirements to realise it.

(3) For the purposes of subsection (1), promotion of local and community development includes, but is not limited to—

(a) promoting and supporting the interests of local communities, or any part of a community or group within a local community, including measures to enhance quality of life and well-being of communities and measures aimed at—

(i) tackling poverty, disadvantage and social exclusion through support for basic services and other initiatives,

(ii) supporting training and up-skilling, creating and sustaining employment and self-employment opportunities, and investing in local development through community-focused supports and services, and

(iii) the provision of infrastructure and community facilities and investment in physical regeneration and environmental improvements,

(b) supporting the capacity of local communities to improve their quality of life,

(c) supporting social enterprise, social capital, volunteering and active citizenship,

(d) developing integrated and evidenced-based approaches to local service planning and delivery,

(e) identifying the needs and priorities of local communities to enhance their well-being, and developing sustainable solutions that make the best use of local assets, strengths and opportunities to address those needs and priorities,

(f) exploiting and co-ordinating funding sources from the public, private and community and voluntary sectors to stimulate and support local development and sustainability, and

(g) promoting, supporting and facilitating community involvement in policy development and decision-making processes related to the planning, development and delivery of services.

(4) Every Plan made pursuant to subsection (1) shall be consistent with—

(a) the core strategy and the objectives of the development plan (being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned, and

(b) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000),

that apply to the area of the Plan, and shall consist of a written statement which may include objectives for the sustainable development of the area of the Plan.

(5)(a) Without prejudice to subsections (2) and (3), the Plan to which subsection (1) relates shall include and integrate—

(i) economic elements in respect of local economic development, and

(ii) community elements in respect of local and community development.

(b) Each local authority shall, without prejudice to and, in accordance with section 66C and any regulations made or policy guidelines issued by the Minister for that purpose, draft the economic elements of the Plan.

(c) Each Committee shall, without prejudice to and, in accordance with sections 66C and 128B and any regulations made or policy guidelines issued by the Minister for that purpose, draft, adopt and obtain approval for the community elements of the Plan.

Preparation and making of local economic and community plans

66C. (1) A local authority and a Committee shall, in preparing the economic and community elements of a Plan, have regard to—

(a) the need to integrate sustainable development considerations into the Plan,

(b) the resources, wherever originating from, that are available or likely to become available to it for the purpose of the Plan and the need to secure the most beneficial, effective and efficient use of such resources,

(c) the need for co-operation with, and the co-ordination of its activities with those of other local authorities, public authorities and publicly funded bodies, the performance of some of whose functions affect or may affect the local authority and the Committee,

(d) the need for consistency with the policies and objectives of the Government or any Minister of the Government or other public authority in so far as they may affect or relate to the promotion of economic and community development as provided for in sections 66B(2) and 66B(3), and

(e) the need to integrate the economic and community elements, developed in accordance with the provisions of subsections (2) and (3), into the Plan.

(2)(a) Each local authority in developing the economic elements of the Plan shall, in accordance with regulations made by the Minister under section 66H—

(i) consult with members of the public (in this subsection referred to as a 'public consultation process') by publishing a public notice (which notice may be given by means of the internet or otherwise) inviting them to make observations or other submissions in writing to the local authority in relation to its proposed development of those elements of the Plan and, in relation to the observations and other submissions so made—

(I) prepare and publish a report on them, and

(II) have regard to them when preparing the economic elements of the Plan,

(ii) consult with those public authorities and publicly funded bodies exercising functions that, in the local authority's opinion, have a contribution to make or are making to economic development within the functional area of that local authority, and

(iii) consult with any person or body prescribed by regulations made by the Minister under section 66H.

(b) Following consultations in accordance with paragraph (a), the local authority concerned shall submit a draft of the economic elements of the Plan for consideration—

(i) in respect of each municipal district concerned, by the municipal district members, and

(ii) by the regional assembly for the region within which the local authority is located pursuant to section 43 of the Local Government Act 1991,

and each shall adopt a statement on the draft for consideration by the elected council of that local authority and by the Committee.

(c) The consideration of the economic elements of a draft of the Plan by the regional assembly, the municipal district members, in accordance with pararaph (b), and the Committee, in accordance with section 128B(1) (h), shall relate to its consistency with—

(i) the core strategy and the objectives of the development plan (being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned,

(ii) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000), that may apply, and

(iii) the community elements of a draft of the Plan submitted by the Committee in accordance with subsection (3)(b).

(d) The adoption by the municipal district members of a statement under paragraph (b) is a reserved function.

(3)(a) The Committee, in developing the community elements of the Plan shall, in accordance with regulations made by the Minister under section 66H—

(i) consult with members of the public (in this subsection referred to as a 'public consultation process') by publishing a public notice (which notice may be given by means of the internet or otherwise) inviting them to make observations or other submissions in writing to the local authority in relation to its proposed development of those elements of the Plan and, in relation to the observations and other submissions so made—

(I) prepare and publish a report on them, and

(II) have regard to them when preparing the community elements of the Plan,

(ii) consult with those public authorities and publicly funded bodies exercising functions that, in the local Committee's opinion, have a contribution to make or are making to community development to or within, the area of the Committee, and

(iii) consult with any person or body prescribed by regulations made by the Minister under section 66H.

(b) Following consultations in accordance with paragraph (a), the Committee concerned shall submit a draft of the community elements of the Plan for consideration—

(i) in respect of each municipal district concerned, by the municipal district members, and

(ii) by the regional assembly for the region within which the local authority, to which the Committee relates, is located pursuant to section 43 of the Local Government Act 1991,

and each shall adopt a statement on the draft for consideration by the elected council of that local authority.

(c) The consideration of the community elements of a draft of the Plan by the regional assembly, the municipal district members,

in accordance with paragraph (b), and the local authority concerned, in accordance with subsection (4)(a), shall relate to its consistency with—

(i) the core strategy and the objectives of the development plan (being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned,

(ii) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000), that may apply, and

(iii) the economic elements of a draft of the Plan prepared in accordance with subsection (2)(b).

(d) The adoption by the municipal district members of a statement under paragraph (b) is a reserved function.

(4)(a) Following the adoption of statements provided for in subsections (2)(b) and (3)(b) and any statement adopted by the Committee, the Plan (including any Plan amended consequent to subparagraph (i), or new Plan made consequent to subparagraph (ii) of section 66F(b)) shall integrate the economic and community elements and that Plan shall be made by the elected council of the local authority, with or without amendment, and any amendment by it shall relate only to the consistency of the Plan with—

(i) the core strategy and the objectives of the development plan (being the development plan for the purposes of Chapter I of Part II of the Act of 2000) of the local authority concerned that apply to the area of the Plan, and

(ii) any regional spatial and economic strategy or, as appropriate, regional planning guidelines (being a strategy or guidelines for the purposes of Chapter III of Part II of the Act of 2000) that apply to the area of the Plan.

(b) The making of the Plan under paragraph (a) by the elected council of the local authority is a reserved function.

Publication of local economic and community plans

66D. As soon as may be after the making of a Plan under section 66C, a copy of it—

(a) shall be made available at the principal offices of the local authority and on its internet website,

(b) shall be furnished to the Minister, and

(c) may be inspected by any member of the public during normal opening hours, and purchased at a price not exceeding the reasonable cost of reproduction.

Implementation of the economic elements of local economic and community plans

66E. (1) Without prejudice to the implementation of the community elements of the Plan in accordance with section 128B, each local authority shall—

(a) implement, or arrange for the implementation of the economic elements of the Plan as made in accordance with section 66C,

(b) co-ordinate, manage and oversee the implementation of the economic elements of the Plan and any projects or programmes prepared to support or advance the implementation of the economic elements of the Plan that have been either—

(i) approved by resolution from time to time for that purpose by the local authority concerned in respect of all or part of its administrative area, or

(ii) agreed for that purpose between the local authority and a public authority,

and ensure that any plans and strategies related to those projects or programmes are implemented in accordance with the economic elements of the Plan,

(c) seek to ensure effectiveness, consistency, co-ordination and avoidance of duplication between the economic development programmes to which paragraph (b) applies and the functions of the local authority in relation to promoting the interests of local communities or in other related functions under sections 66 and 66B or otherwise, and

(d) in addition to those projects or programmes to which paragraphs (b) and (c) apply, pursue the co-ordination generally of all economic development programmes within the functional area of the local authority, for the purposes of—

(i) supporting or advancing the implementation of the economic elements of the Plan or optimising resources for the benefit of local communities in that area, and

(ii) improving the efficiency with which public authorities use their resources.

(2) For the purposes of subsection (1), each local authority shall prepare, review and update, as appropriate, on an annual basis an implementation strategy.

(3) The making and amendment of an implementation strategy is a reserved function.

Monitoring and review of economic elements of local economic and community plans

66F. Without prejudice to the monitoring and review of the community elements of the Plan in accordance with section 128B, each local authority shall—

(a) monitor and review on an ongoing basis the implementation of the economic elements of the Plan, including performance against any benchmarks or indicators of performance set out in it and, if the local authority considers appropriate, to revise the actions, plans and strategies set to achieve its objectives,

(b) undertake a review of the economic elements of the Plan at least once within the period of 6 calendar years after it was made or last amended for the purposes of this paragraph and, if the local authority considers it necessary after any such review—

(i) to amend the economic elements of the Plan, or

(ii) to make new economic elements of the Plan for approval by the local authority in accordance with the provisions of section 66C,

and any such amendment or making shall be in accordance with any regulations made, or general policy guidelines issued, by the Minister for that purpose.

Annual Report on monitoring and review of local economic and community plans

66G. Each local authority shall include in its annual report an assessment in relation to the implementation and, where appropriate, review of its Plan in accordance with sections 66E, 66F and 128B during the year immediately preceding the year in which the report is submitted.

Regulations and general policy guidelines

66H. (1) The Minister may, following consultation with such public authorities as he or she considers appropriate, make regulations for the purposes of the relevant sections and sections 128B to 128F either generally or in relation to a regional assembly or a local authority or a Committee or to a particular class or classes of regional assemblies or local authorities or Committees and each regional assembly, local authority and Committee shall, to the extent that those regulations apply to it, comply with those regulations.

(2) The Minister may, in particular but without prejudice to the generality of subsection (1), make regulations under that subsection in relation to the Plans including—

(a) the preparation of a Plan,

(b) the co-ordination of the preparation of the economic and community elements of a Plan,

(c) the integration of the economic and community elements into a Plan,

(d) the timing of the preparation of a Plan,

(e) the role of the strategic policy committee established pursuant to section 48(1A),

(f) extending or shortening the period of a Plan for the purposes of synchronising the time period for a Plan with other relevant plans and strategies,

(g) the format and content of a Plan,

(h) the procedures and processes to ensure consistency with the core strategy and objectives of the development plan of a local authority,

(i) the procedures and processes to ensure consistency with the regional spatial and economic strategy and any regional planning guidelines referred to in subsections (2) (c) (ii), (3) (c) (ii) and (4) (a) (ii) of section 66C for the purposes of Chapter III of Part II of the Act of 2000,

(j) engagement and consultation with the local community in the preparation of a Plan,

(k) public consultation when a Plan is being prepared or reviewed, including the procedures and processes for seeking the timely and effective participation by the public concerned,

(l) developing performance indicators and arrangements for measuring performance of a Plan,

(m) publication of a Plan,

(n) implementation of a Plan, including the preparation, review and updating of the implementation strategies provided for in section 66E(2) and the arrangements for implementation provided for in section 128B(1), and

(o) the review and amendment of a Plan.

(3) For the purposes of the relevant sections and sections 128B to 128F, the Minister may issue general policy guidelines in relation to—

(a) principles guiding the preparation of the Plan,

(b) matters to be taken into consideration when a public consultation process is being undertaken for the purposes of preparing or reviewing the Plan,

(c) matters to be taken into account when a review of the Plan is being undertaken,

(d) avoidance of duplication and optimising the use of available resources,

(e) implementation arrangements for the Plan, and

(f) any other matter of a general policy nature that the Minister considers appropriate for inclusion in the guidelines,

and guidelines issued under this subsection may relate generally to all local authorities or to a particular class or classes of local authorities and shall, in so far as the guidelines relate to them, be complied with by every local authority, municipal district members and each Committee.".

Amendment of section 72 (transfer of certain functions to local authorities) of Principal Act

45. Section 72 of the Principal Act is amended—

(a) in subsection (1) (a) by substituting "function of a Minister of the Government or of any other public authority" for "function of a Minister of the Government",

(b) in subsection (1) (c) by substituting "Minister of the Government or the other public authority, as the case may be, from which it was transferred" for "Minister of the Government from whom it was transferred",

(c) by deleting subsection (2),

(d) in subsection (3) by deleting "or an order under subsection (2) " in both places where it occurs, and

(e) by inserting the following after subsection (3):

"(4) In this section 'public authority' does not include a body to which paragraph (g) of the definition of 'public authority' in section 2(1)relates.".

Consultation with local community

46. The Principal Act is amended by substituting the following for section 127:

"127. (1) A local authority may take such steps as it considers appropriate to consult with and promote effective participation by the local community in local government.

(2) Without prejudice to the generality of subsection (1) a local authority may—

(a) undertake such action under section 64 as the authority may consider appropriate,

(b) establish strategic policy committees in accordance with Part 7,

(c) consult with local sectoral, community or other groups,

(d) arrange for the representation on relevant committees of the authority of persons having knowledge or experience of relevance to the work of the particular committee,

(e) consult with a recognised association under section 128,

(f) make arrangements for attendance and raising of issues by interested persons at meetings of the authority or of any of its committees in accordance with such rules as may be determined by resolution of the authority,

(g) arrange for the holding of information meetings and the dissemination of information to the public in relation to any matter connected with its functions.

(3) Without prejudice to the generality of subsection (1) each local authority shall, in accordance with regulations made under subsection (6) and general guidelines issued under subsection (7), adopt a document to be known as a Framework for Public Participation in Local Government (in this section referred to as the 'Framework') for the purposes of promoting, developing and implementing a coherent and integrated approach to participation in decision-making processes of the local authority by the local community.

(4) For the purposes of subsection (3), the Framework shall seek to provide for participation by the local community within municipal districts and shall include the following:

(a) participatory mechanisms to promote, support and facilitate the local community's input into decision making by the local authority, without prejudice to any consultation procedures provided for in any enactment;

(b) clear and transparent mechanisms for the selection of members of the local community to participate in such participatory mechanisms including selection processes that seek to balance gender, geography, social inclusion, sectoral, age and other interests and factors;

(c) mechanisms to monitor, measure and evaluate participation by members of the local community with local government and to provide information to the local community arising from such monitoring, measurement and evaluation;

(d) mechanisms to provide for accountability of such participants to the local community;

(e) mechanisms for the provision of information by the local authority to the local community.

(5) In developing the Framework, a local authority may take such steps as it considers appropriate to consult with the local community, including local sectoral, community or other groups.

(6)(a) The Minister may make regulations relating to the adoption and establishment of a Framework by each local authority and its implementation, review and revision by the local authority concerned.

(b) Regulations under this subsection may be made in respect of local authorities generally or in respect of any particular class or classes of local authorities as determined by those regulations.

(7)(a) The Minister may issue general policy guidelines to local authorities for the purposes of any provision of this section (including any regulations made under subsection (6)) and each local authority shall comply with any such guidelines that relate to it.

(b) Without prejudice to the generality of paragraph (a), guidelines under this section may provide for any of the following:

(i) assistance to the local community with the preparation of strategies within municipal districts for the well-being of all;

(ii) provision of opportunities for networking, communication and the sharing of information with the local community;

(iii) mechanisms to support inclusion of socially excluded groups;

(iv) developing capacity and supports for public engagement and participation;

(v) participatory mechanisms;

(vi) consultation procedures and processes;

(vii) mechanisms for the provision of information;

(viii) accountability mechanisms.

(8) (a) Where in relation to any function of a local authority under this or under any other enactment the relevant enactment requires the publication of a notice in a newspaper or on the local authority's website and the invitation of submissions or observations in connection with the performance of that function, the local authority may take such additional steps as it may consider appropriate to publicise, facilitate or promote the consultation process including the use of other forms of communications, including local radio stations, and the use of electronic forms of communication.

(b) A local authority may, in respect of reports, plans or any other material in relation to the performance of its functions, arrange for the making available or display of such materials at suitable locations (which locations may include the internet) additional to those required by this or any other enactment.

(9) An elected council may, by resolution, require that specified action be taken in accordance with this section for the purpose of consultation with the local community.

(10) Nothing in this section shall be read as limiting or departing from the role of a local authority as an elected body.

(11) The procedures and actions provided for under this section to promote and facilitate public engagement under the Framework may supplement but shall not be read as limiting or restricting—

(a) any consultation procedures, or

(b) any procedures requiring consultation,

that are otherwise provided for under any enactment and any actions taken under the Framework, or any failure to take any specified action under the Framework, shall not affect any such consultation procedures or procedures.

(12) The adoption of the Framework to promote and facilitate participation by the local community under this section is a reserved function.".

Reserved functions: duty of chief executive

47. The Principal Act is amended by substituting the following for section 132:

"132. (1) It is the duty of every chief executive to carry into effect all lawful directions of the elected council of a local authority or a joint body for which he or she is chief executive in relation to the exercise and performance of the reserved functions of the local authority or joint body.

(2)(a) Where in relation to the exercise or performance of a reserved function a legal opinion was obtained by a local authority or joint body, the elected council or joint body may, without prejudice to section 153, by resolution direct that a second such opinion be obtained by the authority in the terms specified in such resolution.

(b) Nothing in this subsection shall prejudice a local authority or joint body in carrying out any function which the authority or body is required by or under statute or by order of a court to duly carry out.

(3) It is the duty of every chief executive to advise and assist the elected council of a local authority or a joint body for which he or she is chief executive and to assist the corporate policy group, each strategic policy committee and local community development committee within the administrative area of which he or she is chief executive—

(a) generally as regards the exercise or performance by—

(i) the council of the local authority or joint body, of its reserved functions, and

(ii) by the strategic policy committee or local community development committee, of its functions in relation to the reserved function of the local authority or joint body,

and

(b) as regards any particular matter or thing in relation to such exercise or performance on or in respect of which the council of a local authority, joint body, corporate policy group, strategic policy committee or local community development committee requests the advice or assistance of the chief executive,

and each shall have regard to that advice or assistance.

(4) In subsections (1) to (3) a reference to the elected council of a local authority includes a reference to the municipal district members when duly exercising a reserved function.

(5) For the purposes of superintendence and oversight by the elected council in the discharge of functions conferred on the elected council by law, the chief executive shall, when requested by the elected council, report on the actions already taken and planned to be taken to carry out the directions of the elected council of a local authority or a joint body for which he or she is chief executive in relation to the exercise and performance of the reserved functions of the local authority or joint body.

(6) Following consideration of a report referred to in subsection (5) or a management report as provided for in section 136(2), the elected council may, by resolution, adopt a statement indicating that it is the opinion of the elected council that the actions already taken or planned to be taken by the chief executive to carry out the directions of the elected council in relation to the exercise and performance of the reserved functions of the local authority or joint body are not sufficient for such purpose, or are not sufficient to ensure the efficient discharge of such function, and such resolution shall state the reasons for such opinion.

(7) Within 14 days of the adoption of a statement pursuant to subsection (6), the chief executive shall provide to the elected council a response indicating the changes, if any, to the actions or intended actions he or she will put in place, and where the chief executive considers it so warranted, may indicate where in his or her opinion the policy of the council requires review and amendment.

(8) The chief executive shall, when requested by the elected council, whether consequent on the council's consideration of the chief executive's response for the purposes of subsection (7) or otherwise, advise on the review of any policy, or a review of the implementation of any policy, of the local authority (being a policy approved as a reserved function) by the local authority or joint body.".

Amendment of section 133 (corporate policy group) of Principal Act

48. Section 133 of the Principal Act is amended—

(a) by substituting the following for subsection (1):

"(1) The elected council of each local authority shall form a committee, to be known as the corporate policy group and in this section referred to as the 'policy group', consisting of—

(a) the Cathaoirleach of the local authority who shall chair the policy group,

(b) the chairpersons of the strategic policy committees of the local authority, and

(c) where for any period of time, a policy group does not contain a member from a municipal district to whom paragraph (a) or (b) relates, a municipal district member for each municipal district concerned—

(i) selected by the municipal district members for such district, or

(ii) failing such selection, the Cathaoirleach of the municipal district concerned or such other member as the Cathaoirleach may select.",

(b) by inserting the following paragraph after paragraph (b) of subsection (2):

"(ba) Without prejudice to paragraph (a) and with respect to the policies of and functions performed by the local authority, the policy group may promote co-ordination, consistency, effectiveness and avoidance of duplication in the performance of functions of the local authority by municipal district members.",

and

(c) by inserting the following after subsection (9):

"(10)(a) The Minister may issue policy guidelines to local authorities for the purposes of any provision of this section and such guidelines may include—

(i) procedures to be followed in respect of the manner and nature of the involvement of municipal district members with the policy group;

(ii) the format, content and layout of any particular class or classes of policy papers and other documents (including the preparation of preliminary documents) prepared by or presented to the policy group;

(iii) procedures to ensure that sufficient time for input by the policy group into policy papers is provided prior to completion and subsequent presentation to the local authority concerned.

(b) Guidelines issued under this section may relate generally to all local authorities or to a particular class or classes of local authorities and shall, in so far as the guidelines relate to them, be complied with by every local authority, chief executive, policy group and the municipal district members.".

Amendment of section 134 (corporate plan) of Principal Act

49. Section 134 of the Principal Act is amended—

(a) in subsection (1) by deleting the definition of "local authority",

(b) in subsection (6) by inserting ", including activities relating to functions of municipal district members for each municipal district," after "local authority concerned",

(c) by inserting the following after paragraph (e) of subsection (6):

"(ea) the policy of the local authority in relation to its functions, services and priorities for expenditure, in so far as is not otherwise set out in any other plan, statement, strategy or other document referred to in subsection (7),",

and

(d) by deleting subsection (10) (b).

Local authority service delivery plans

50. The Principal Act is amended by inserting the following section after section 134:

"134A.(1) In respect of the local financial year which follows the commencement of this section and in respect of every financial year thereafter, each local authority shall prepare in accordance with subsection (5) a plan (in this section and Part 3 of Schedule 14A referred to as a 'service delivery plan') identifying the services intended to be provided by it to the public.

(2) The service delivery plan of a local authority shall be consistent with the provisions in the local authority budget of the expenditure estimated to be necessary for the local authority to carry out its functions during the local financial year to which that plan relates.

(3) The service delivery plan of a local authority shall take account of best practice in service delivery (including, where appropriate in relation to the delivery of services, best practice having regard to performance of functions identified pursuant to section 126C(1) (c)) and that plan shall include—

(a) a statement of the principal services that will either continue to be provided or will otherwise be provided by the local authority in respect of the local financial year to which the plan relates,

(b) the objectives and priorities for the delivery of each of the services to which paragraph (a) relates, and the strategies for achieving those objectives and priorities,

(c) the performance standards intended to be met in the delivery of services, including reference to each appropriate performance standard prescribed by the Minister,

(d) the manner in which the local authority proposes to assess its performance in respect of the delivery of services, including identification of the relevant indicators for the purposes of section 126C(1) (a) and the performance indicators and performance standards prescribed by the Minister under subsection (7) as are appropriate to each service in the service delivery plan, and

(e) such other matters as may be provided for by the Minister under subsection (7) or (8).

(4) In preparing its service delivery plan a local authority shall—

(a) take account of such policies and objectives in relation to any of its functional programmes that are set out in—

(i) any other plan, statement or strategy under the Local Government Acts 1925 to 2014,

(ii) any service level agreements, or

(iii) any other document prepared by it under this Act or any other enactment,

and in so preparing its plan the local authority shall comply with sections 69 and 71, and

(b) having regard to the outcome of any assessment carried out pursuant to subsection (6), indicate the actions proposed to be taken to meet any performance standard prescribed by the Minister under subsection (7) or as a result of a comparison with any relevant indicator identified by the National Oversight and Audit Commission or prescribed by the Minister under section 126C(1).

(5)(a) As soon as may be following the adoption of the local authority budget, the service delivery plan shall be—

(i) prepared, in consultation with the elected members, under the direction of the chief executive in such manner, and in accordance with the timescale and format as may be prescribed by regulations made by the Minister, and

(ii) considered by the elected members and be adopted by resolution, with or without amendment, within such time limit and in accordance with such conditions and requirements, as may be so prescribed.

(b) In making an amendment under paragraph (a) (ii), the elected members shall have regard to the local authority budget adopted in accordance with section 103(9).

(c) The adoption of the service delivery plan, with or without amendments, is a reserved function.

(6) A local authority shall include in its annual report an assessment of its delivery of services during the year concerned when compared with its service delivery plan for that year, including reference to those performance standards and performance indicators specified in regulations made under this section and such relevant indicators identified by the National Oversight and Audit Commission or prescribed by the Minister under section 126C(1) as are appropriate.

(7) (a) The Minister may make regulations for one or more of the following matters:

(i) performance standards against which the effectiveness and efficiency of the delivery of services may be measured, and performance indicators to facilitate the evaluation of the performance of the local authority;

(ii) the comparison of one local authority, or class of local authorities, to another local authority or class of local authorities, as the case may be, in the delivery of services, and as appropriate, against any performance standard specified;

(iii) such other matters as the Minister may consider appropriate in relation to the preparation of service delivery plans.

(b) Before making regulations under this subsection, the Minister shall consult with the National Oversight and Audit Commission, and with any other Minister of the Government in respect of services provided by a local authority for which that other Minister is responsible.

(c) Regulations made by the Minister under this subsection shall be without prejudice to relevant indicators specified by the National Oversight and Audit Commission or prescribed by the Minister under section 126C(1).

(8)(a) The Minister may issue guidelines in respect of—

(i) the content and preparation of service delivery plans,

(ii) publication of service delivery plans,

(iii) such other matters as the Minister may consider appropriate,

and each local authority shall have regard to such guidelines.

(b) Guidelines under this subsection may provide for a service delivery plan of a local authority to take account of and to reflect the principal activities of municipal district members within its administrative area and for necessary consultation for that purpose.".

Furnishing of information to elected council

51. The Principal Act is amended by substituting the following for section 136:

"136. (1) Without prejudice to section 105, 135, 137 or 138, where relevant, a chief executive shall, whenever requested—

(a) by an elected council of a local authority for which he or she is the chief executive or by its Cathaoirleach,

(b) by municipal district members of a local authority for which he or she is the chief executive or by the Cathaoirleach of a municipal district,

(c) by a strategic policy committee of a local authority for which he or she is the chief executive or by its chairperson,

(d) by a local community development committee of a local authority for which he or she is the chief executive or by its chairperson, or

(e) by a joint body for which he or she is the chief executive, or by its chairperson,

afford to the council, municipal district members, Cathaoirleach, committee, chairperson or joint body concerned (as the case may be) all information that may be in the possession or procurement of such chief executive in regard to any act, matter or thing relating to or concerning any business or transaction of such local authority, municipal district members, committee or joint body (as the case may be) which is mentioned in the request.

(2) Subject to subsections (3) and (4), on or before the seventh day of each month, or such other date in each month set by resolution of the council, the chief executive shall prepare a report, to be known as the management report, in relation to the performance

of his or her executive functions during the preceding calendar month, including implementation of policy or other matters required by the council in the exercise of its reserved functions, and the provision of services by the council, and shall on the set day furnish a copy of the management report to each member of the local authority.

(3) The Minister may prescribe by regulations—

(a) the form and content of the management report,

(b) the co-ordination of the management report with such other reporting requirements in this or in any other enactment as may be so prescribed,

(c) the provision for certain elements of the management report, including information provided pursuant to subsection (5), being reported on a quarterly basis or such other basis as may be specified.

(4) The Minister may issue general policy guidelines for the purposes of subsections (2), (3) and (5) and local authorities shall comply with any such guidelines.

(5) Without prejudice to the generality of subsections (3) and (4) and the requirements of section 126D in respect of any report which the local authority is the subject of, the management report shall include information on the steps taken in relation to any relevant report of the National Oversight and Audit Commission.

(6) In respect of management reports not considered at a meeting of the local authority, such reports shall be on the agenda of the next appropriate meeting of the local authority for consideration.

(7) In this section 'quarterly basis' means a period of 3 consecutive months ending on 31 March, 30 June, 30 September or 31 December in any year.".

Amendment of section 140 (requirement that a particular thing be done) of Principal Act

52. Section 140 of the Principal Act is amended—

(a) in subsection (3) (a) by substituting "at least 2 members" for "at least 3 members",

(b) in subsection (3) (c) by substituting "not less than 5 days" for "not less than 7 days",

(c) in subsection (4) by substituting "less than 5 days" for "less than 7 days", and

(d) in subsection (10) by deleting "or" in paragraph (c) where it last occurs and by substituting the following for paragraph (d):

"(d) so as to prevent the performance of any function of a local authority which the authority or the chief executive is required by law or by order of a court to perform,

(e) to any act, matter or thing to be done or effected in the performance of the executive functions of a local authority in respect of its functions as a planning authority under the Planning and Development Act 2000, or

(f) to a decision to provide, to any named person or group, any service, finance or other form of assistance or benefit, financial or otherwise.".

Members' expenses, remuneration, etc. including training and attendance at conferences, etc.

53. (1) Section 141 of the Principal Act is amended by inserting the following after subsection (1):

"(1A) A member of a local authority who is elected, appointed or nominated by that authority to another body in accordance with subsection (1), shall, within 15 working days of the end of each 3 monthly period to 31 March, 30 June, 30 September and 31 December in each year notify the local authority concerned of all attendances by the member at meetings of the body concerned and any payments made by or on behalf of that body (including details of distances travelled where payments are in respect of the use of a private vehicle) to the member during the period.

(1B) Subsection (1A) shall also apply to a former member of a local authority or to a period after the holding of local elections in respect of any payments while a member of the authority but received after he or she ceases to be a member of the authority or after the holding of local elections.".

(2) Section 142 of the Principal Act is amended—

(a) in subsection (1) by substituting the following for paragraphs (a) and (b):

"(a) attendance at meetings of—

(i) the local authority,

(ii) municipal district members of that authority,

(iii) a committee of that authority, or

(iv) a joint committee or joint body involving that authority;

(b) attendance at conferences, seminars, training or other events to which subsection (5) or (5A) applies;",

(b) in subsection (4) by inserting the following after paragraph (g):

"(ga) a public register of all attendances and payments to which section 141 relates;",

(c) in subsection (5) by deleting ", training" in paragraph (a) and substituting the following for paragraphs (f) and (g):

"(f) Where a member of an elected council attends a conference, seminar or other meeting or event held by virtue of an authorisation under this section, he or she shall, within 15 working days of such attendance, submit to the Cathaoirleach a written report, which shall indicate the nature of the meeting and contain a summary of the proceedings, and the Cathaoirleach shall submit the report to the next ordinary meeting of the local authority.

(fa) A report prepared for the purposes of paragraph (f) shall be made available free of charge by the local authority to any member of the public who so requests and for that purpose may be made available by that authority on its internet website.

(g) Without prejudice to paragraphs (a) to (fa), the Minister may issue general guidelines for the purposes of this subsection, including guidelines as to expenditure in relation to attendance at conferences, seminars or other meetings or events.",

(d) by inserting the following after subsection (5):

"(5A) (a) This subsection applies to training regarding or connected with any matter that is of concern to the local authority in relation to the performance of its functions and is relevant to its administrative area and to the local community.

(b) An elected council may authorise one or more of its members to avail of training or attend training events to which this subsection applies and such authorisation may, subject to regulations under this section, be given in an individual case or as regards such attendances generally during a particular year.

(c) A local authority may provide in its budget an amount to meet expenditure for the purposes of this subsection.

(d) An elected council shall not authorise under this subsection unless, having had regard to the following matters, it is satisfied that the authorisation is justified having particular regard to any training referred to in guidelines issued in accordance with paragraph (f)and having regard to—

(i) the benefits likely to accrue,

(ii) the general interests of its administrative area and the local community, and

(iii) the total cost involved.

(e) An authorisation under this subsection is a reserved function and such authorisations shall not exceed the amount provided for in accordance with paragraph (c).

(f) Without prejudice to paragraphs (a) to (e), the Minister may issue general guidelines for the purposes of this subsection, including guidelines as to the syllabus of a training programme, the development of a training programme, the nomination of training by specified bodies, either generally or in respect of specified courses, as suitable for inclusion in a training programme and expenditure in relation to attendance at specified training events.

(g) The Minister may make regulations—

(i) requiring attendance within a specified period by members of local authorities, or any class of such members, at training or development courses (otherwise than at his or her own expense) of a type necessary or appropriate for the members to attend so as to enable each such member to discharge his or her duties as a member of the local authority, joint board, committee of a local authority or member of another body to which section 141(1) relates, as the case may be,

(ii) providing for a reduction in remuneration or any allowances for expenses (including the amount of such reduction expressed as a percentage of specified remuneration or allowances for expenses, as the case may be) which would otherwise be payable to a member of a local authority by virtue of regulations under this section where such member fails to attend training

or development courses which he or she is required to attend under regulations to which subparagraph (i) relates, and

(iii) providing for exceptional or compassionate grounds (either generally or by reference to specified types of circumstances) where a reduction to which subparagraph (ii) relates would not apply.",

and

(e) by substituting the following for subsection (6):

"(6) A local authority shall comply with any guidelines issued under subsections (5) (g) and (5A)(f).".

Chief executive

54. (1) The Principal Act is amended by substituting the following for Chapter 2 of Part 14:

"Chapter 2

Position of Chief Executive

Position of chief executive

144. (1) For every county, city and city and county there shall be a chief executive to be known as 'the Chief Executive of.....' (followed by the name of the city council, county council or city and county council, as the case may be) who shall hold employment under the council concerned.

(2) Subject to *section 16* of the *Local Government Reform Act 2014*, a person who was, immediately before the 2014 establishment day, a county manager or city manager shall, unless he or she was retiring or resigning with effect from the end of that day, continue in office and shall be referred to in accordance with subsection (1).

(3) (a) A reference in any enactment, however expressed, to a county manager or city manager shall, with effect to the 2014 establishment day, be read (other than in respect of a provision that was spent before that day or is in the nature of a transitional matter provided for by the *Local Government Reform Act 2014*) as a corresponding reference to a chief executive and, where the context permits or requires, includes a reference to the chief executive of a city and county council.

(b) Paragraph (a) does not apply to—

(i) the title of any Act,

(ii) the citation of an instrument made under any Act, or

(iii) the name of any organisation or body referred to in any enactment.

(4) Any function which immediately before the date of the commencement of *section 54* of the *Local Government Reform Act 2014* was, by virtue of any enactment a function of a city manager or a county manager shall, on and from that date, continue to vest in and be a function of the chief executive of the local authority concerned.

(5) The chief executive of a local authority shall by virtue of his or her position be the chief executive for every joint body whose functional area is wholly situated within such county.

(6) Where the functional area of a joint body extends into—

(a) two or more counties, or

(b) a city or a city and county and one or more counties,

then the chief executive of such county, city or city and county as the Minister shall by order appoint shall also be the chief executive for such joint body.

(7) The Minister may prescribe by regulations any body to be a joint body and any body so prescribed shall be a joint body for the purposes of this section.

(8) The position of chief executive is, subject to section 145, an office to which the Local Authorities (Officers and Employees) Act 1926, applies.

Appointment of chief executive

145. (1) The following are reserved functions—

(a) the appointment by a county council, city council or a city and county council of a chief executive under section 6 of the Local Authorities (Officers and Employees) Act 1926 (in this section referred to as the 'Act of 1926') by virtue of a recommendation of the Chief Executive of the Public Appointments Service, and

(b) the suspension or removal from employment of a chief executive in accordance with section 146.

(2) For the purposes of section 6 of the Act of 1926 a request shall be deemed to have been submitted in respect of the employment of a chief executive—

(a) in the case of a chief executive to whom section 147 applies—

(i) 6 months in advance of the expiration of the tenure period referred to in section 147(1), or

(ii) on the date that chief executive ceases to hold employment,

whichever is the earlier, and

(b) in any other case—

(i) 6 months in advance of the date that chief executive would attain the age-limit for his or her employment, or

(ii) on the date that chief executive ceases to hold employment,

whichever is the earlier.

(3) Where, as respects a county council, city council or city and county council, including a county council or city council in a group of authorities, a recommendation is made under section 6 of the Act of 1926 of a person for appointment as the chief executive, such council shall—

(a) within 3 months of the date of the recommendation meet and decide to appoint or not appoint as chief executive the person so recommended, and

(b) in the event of deciding not to approve the appointment, furnish to the recommended person the reasons for such decision.

(4) (a) The Minister may make regulations relating to the procedures to be followed by every local authority (including a county council or city council in a group of authorities)—

(i) when considering a recommendation made to it to which subsection (1)(a) relates, and

(ii) for the purposes of subsection (3),

and each such local authority shall comply with those regulations.

(b) Without prejudice to the generality of paragraph (a), regulations under this subsection may provide for arrangements to be put in place and used in respect of the consideration of a recommendation made under section 6 of the Act of 1926, and for that purpose such arrangements may include—

(i) provisions for the purpose of a local authority seeking information from the recommended person in respect of his or her proposed appointment, the time periods within which—

(I) such information may be so sought, and

(II) further information may be so sought,

and the manner of the provision of such information to the local authority,

(ii) the manner of dealing with information, whether from the recommended person or otherwise, associated with such a recommendation,

(iii) the criteria to apply in respect of the consideration of such a recommendation,

(iv) the records to be maintained by a local authority in relation to the consideration of such a recommendation,

(v) the conducting otherwise than in public of any meeting, or part of a meeting, that considers or otherwise relates to such a recommendation, and

(vi) the keeping in a confidential manner of information obtained, whether from the recommended person or otherwise, and records maintained that relate to such a recommendation.

(c) In making regulations under paragraph (a), the Minister may have regard to and take account of any code of practice issued by the Commission for Public Service Appointments under section 23 of the Public Service Management (Recruitment and Appointments) Act 2004 in existence at the time of the making of the regulations that would relate (in whole or in part) to the selection process that precedes a recommendation to which subsection (1)(a) applies.

(5) Where, as respects a county council, city council or city and county council, including a county council or city council in a group of authorities, such council has decided to not appoint as chief executive the person recommended to which subsection (1)(a) relates, then, for the purposes of section 6 (other than subsection (4)) of the Act of 1926, and notwithstanding the said subsection (4) or any other provision of this Act or any other enactment, a further request shall be deemed to have been submitted in respect of the employment of a chief executive.

(6) Where a position of chief executive becomes vacant the Minister shall appoint a person to be the chief executive temporarily until a permanent appointment to the position is made but such temporary appointment may be terminated by the Minister at any time.

(7) Section 5 of the Act of 1926 does not apply to the position of chief executive.

Suspension and removal of chief executive

146. (1) (a) Subject to this section, the elected council of a local authority may by resolution suspend or remove from employment the chief executive for such local authority for stated misbehaviour or if his or her suspension or removal appears to them to be necessary for the effective performance by the local authority of its functions.

(b) A copy of any resolution passed under this section shall be sent without delay to the Minister.

(2) Notice of the intention to propose a resolution under this section shall—

(a) be signed by at least one-third of the total number of members of the local authority concerned,

(b) contain a statement of the reasons for the proposed suspension or removal,

(c) in the case of a suspension, specify a period not exceeding 2 months for the proposed suspension,

(d) specify a day for the holding of a special meeting to consider the proposed suspension or removal being a day which is not less than 21 days after the day on which the notice is delivered under paragraph (e),

(e) be delivered to the meetings administrator, and

(f) be delivered or sent to the chief executive concerned.

(3) The meetings administrator shall on receipt of a notice and without delay send a copy of it to every member of the local authority and convene a special meeting for the date so specified to consider the proposed suspension or removal.

(4) The chief executive may prepare a statement of response in relation to the proposed suspension or removal and such statement shall be sent to each member of the local authority concerned.

(5) It is necessary for the passing of a resolution under this section that—

(a) at least three-quarters of the total number of members of the local authority concerned vote in favour of the resolution, and

(b) the members of the council concerned shall have considered any statement prepared by the chief executive under subsection (4).

(6) A person who is suspended under this section may subsequently be removed from office in accordance with this section.

(7) (a) A chief executive shall not be removed under this section without the sanction of the Minister given under this subsection.

(b) The Minister may appoint a panel of 3 persons—

(i) to consider the removal of a chief executive the subject of a resolution under this section and the chief executive's statement of response,

(ii) to recommend whether the Minister should give sanction to such removal, and

(iii) to make such other recommendations (if any) as the panel may consider appropriate in all the circumstances.

(c) A panel shall be independent in the performance of its functions.

(d) A panel shall include a chairperson and 2 other persons having knowledge of or experience in local government, human resources or management.

(e) A sanction shall not be given under this subsection except by virtue of a recommendation under paragraph (b).

(8) The Minister may by regulations prescribe any matter of procedure for the purposes of this section.

Tenure of chief executive

147. (1) Notwithstanding any other enactment, a person appointed to a position of chief executive holds the employment unless he or she earlier dies, resigns or is removed, during whichever of the following tenure periods is the shorter—

(a) a period of such length as the Minister specifies by order,

(b) the period from the date of the appointment to the date on which he or she attains such age as the Minister specifies by order,

and on the expiration of that period he or she ceases to hold the employment.

(2) Notwithstanding any enactment (including subsection (1)) or instrument made under such enactment, the tenure period of a chief executive referred to in subsection (1)(a) shall, subject to and in accordance with this section and with regulations made by the Minister for the purposes of this subsection, be extended where notification (in this section referred to as the 'prescribed notification')—

(a) is given by the chief executive to the Cathaoirleach of the local authority concerned, and

(b) is in the form prescribed by regulations made under this section, but in no case shall the tenure period as so extended exceed 10 years.

(3) On receipt of a prescribed notification the Cathaoirleach of the local authority concerned shall—

(a) inform the members of the local authority of it at the next meeting of that local authority, and

(b) transmit a copy of it to the Minister and to the chief executive of the Public Appointments Service.

(4) The Minister may make regulations for the purposes of subsection (2)and such regulations may provide for:

(a) the form of the prescribed notification;

(b) the period (in this section referred to as the 'notification period') within which a prescribed notification shall be given;

(c) subject to subsection (2), the period by which the tenure period shall be extended;

(d) the position of chief executive to which subsection (5) does not apply;

(e) the application of different periods for the purposes of paragraphs (b) and (c) to specified classes of chief executive.

(5) Subject to regulations made under subsection (4)(d) —

(a) a chief executive whose tenure period is extended under subsection (2) shall not apply for appointment to any position of chief executive during the period commencing on the date the chief executive gives a prescribed notification and ending on a date which is 6 months prior to the expiration of the extended tenure period (in this subsection referred to as the 'exclusion period'), and

(b) notwithstanding section 6 of the Local Authorities (Officers Employees) Act 1926, a chief executive who has given a prescribed notification shall not be considered by the Public Appointments Service for selection for any position of chief executive during the exclusion period.

(6) (a) A notification period referred to in subsection (4) (b) shall be wholly within the tenure period.

(b) A prescribed notification for the purposes of this section which is given outside of the notification period is invalid.

(7) Where the tenure period of a chief executive stands extended in accordance with this section, such extended tenure period shall be the tenure period for the purposes of subsection (2) of section 145 and that section shall apply accordingly.

(8) The Local Government (Tenure of Office) Order 2000 (S.I. No. 221 of 2000) and the Local Government (Tenure of Office of Managers) Regulations 2000 (S.I. No. 219 of 2000) shall be deemed to have been made under subsections (1) and (4), respectively, and shall continue to have effect and may be amended or revoked accordingly.

(9) Nothing in this section operates to interfere with or alter the tenure of a chief executive—

(a) whose tenure is governed by an order under section 47 of the Local Government Act 1991 (in this subsection referred to as the 'Act of 1991'), or

(b) whose tenure is governed by such an order and section 47A (inserted by section 1 of the Local Government Act 2000) of the Act of 1991,

notwithstanding the repeal by this Act of the Act of 1991 and of the Local Government Act 2000.

Deputy chief executive

148. (1) (a) A chief executive, following consultation with the Cathaoirleach of the local authority concerned may by order appoint an employee of that authority to be a deputy chief executive for the purposes of subsection (2) and may at any time terminate such appointment.

(b) An order under paragraph (a) may provide that where an appointee specified in the order is not available such other employee as may be so specified shall stand appointed as deputy chief executive for so long as the first-mentioned appointee is unavailable.

(c) An appointment under this subsection may be made by reference to a particular individual or to the holder for the time being of a particular employment.

(2) A deputy chief executive shall by virtue of this section act as and be the chief executive for the duration of any period which may arise from time to time (whether by way of vacation, illness or other reason) during which the chief executive is temporarily unable to act.

(3) (a) Where a chief executive has for any reason become temporarily unable to act and—

(i) has not made an appointment under subsection (1),

(ii) there is no subsisting appointment, or

(iii) the appointee is incapacitated or otherwise unable to act,

the Cathaoirleach of the local authority concerned may appoint an employee of the local authority to be deputy chief executive for the remainder of the duration of the inability of the chief executive to act and may at any time terminate such appointment.

(b) Notification of an appointment under subsection (1) or (3) shall be sent to the Minister and every member of every local authority concerned as soon as may be after the appointment is made.

(4) (a) The Minister may appoint an employee of a local authority to be deputy chief executive if a chief executive is for any reason temporarily unable to act and an appointment under subsection (1)or (3) is not for the time being in force.

(b) The Minister may at any time terminate an appointment to which paragraph (a) applies.

(5) A deputy chief executive shall act as and be the chief executive during the continuance of the inability of the chief executive to act or until—

(a) the appointment is sooner terminated under subsection (1), (3) or (4), or

(b) on account of the death, retirement, resignation or inability otherwise to act, of the deputy chief executive.

(6) A reference in any enactment including this Act to a chief executive shall be read as including a deputy chief executive acting as chief executive in accordance with this section.

Executive functions

149. (1) In this section—

'elected council' includes the members of a joint body;

'local authority' includes a joint body.

(2) In respect of each local authority for which he or she is chief executive, a chief executive is responsible for—

(a) the efficient and effective operation of each such local authority, and

(b) for ensuring under section 132 the implementation without undue delay of the decisions of the elected council.

(3) For the purposes of discharging the responsibilities set out under subsection (2), the chief executive shall—

(a) exercise and perform in respect of each local authority for which he or she is the chief executive, the executive functions of such local authority (including all functions in relation to the employees of each such local authority), and

(b) for that purpose carry on and manage and control generally the administration and business of the authority.

(4) Every function of a local authority which is not a reserved function is, for the purposes of this Act, an executive function of such local authority.

(5) All such matters and things, including the making of contracts and the affixing of the official seal, as are necessary for or incidental to the exercise or performance of the executive functions of a local authority shall, subject to this Act or any regulations made under it, be done by the chief executive for such local authority.

(6) Subject to law, the functions of a chief executive shall be performed in accordance with the policy of the local authority as determined by the elected council in accordance with Chapter 1 of this Part.

(7) The chief executive, in performing his or her functions in accordance with subsection (6), shall have regard to the views of the elected members of the council, expressed in any of the following ways:

(a) at a meeting of the council;

(b) at a meeting of the municipal district members;

(c) at a meeting of any committee of the council;

(d) in responses in writing to any request for input to the development by the local authority of a new policy or an amendment of an existing policy.

(8) The chief executive shall, when requested by the elected council—

(a) report on the actions already taken and planned to be taken in exercise of his or her executive functions,

(b) review the implementation of, and any actions planned to implement, any executive function and report to the council in the matter.

Executive functions and shared services

149A. (1) In respect of executive functions of a local authority, where 2 or more local authorities agree, or had agreed before the commencement of this section, that, in the interests of efficiency and effectiveness, a specified executive function should be performed by one of them (in this subsection referred to as the 'nominated local authority') on behalf of the other local authority or local authorities (as the case may be), then the nominated local authority may perform, and be deemed always to have had the power to perform, the function on behalf of the other local authority or local authorities (as the case may be).

(2) Nothing in this section shall be read as affecting section 34(1)(aa) (inserted by the Waste Management (Amendment) Act 2001) of the Waste Management Act 1996.".

(2) The amendments in *Schedules 1* and *2*, in so far as they relate to the chief executive, have effect for the purpose of supplementing *subsection (1)*.

Amendment of section 151 (chief executive acting by signed order, etc.) of Principal Act

55. Section 151 of the Principal Act is amended by substituting the following for subsection (7):

"(7) Every document claiming to be certified in writing—

(a) by a chief executive to be a true copy of an order made by a chief executive in accordance with this section, or

(b) by a delegated employee in accordance with section 154 to be a true copy of an order made by a delegated employee in accordance with that section,

shall—

(i) be received in evidence without proof of the signature of the person claiming so to certify or that such person was such chief executive or such delegated employee, as the case may be, and

(ii) until the contrary is proved, be deemed to be evidence of the contents of the order of which it claims to be a copy and of the fact that such order was duly made and signed by such chief executive

in accordance with this section or by such delegated employee in accordance with section 154, as the case may be, on the date stated in the certified copy.".

Local authority associations

56. Section 225 of the Principal Act is amended—

(a) in subsection (3) by substituting the following for paragraphs (c) and (d):

"(c) the provision of policy support and other assistance to its constituent authorities as regards any matter relating to or that may relate to local government,

(d) the assessment of public policy as regards any matter relating to or that may relate to local government, and

(e) the provision of advice and the making of submissions to the Minister or other public authorities as regards such matters.",

and

(b) by inserting the following after subsection (3):

"(3A) (a) Where an association of local authorities or, in the event that there is a single association, such association requests a meeting with the Minister in relation to activities under subsection (3), the Minister shall meet a delegation from the association, or hold a meeting to which paragraph (b) applies, at least once in every year.

(b) Where there is more than one association of local authorities in being at the time of a request or requests for a meeting with the Minister under this subsection is or are received, the Minister may require the meeting for the purposes of paragraph (a) to be a meeting with a joint delegation from those associations.".

Amendment of Schedule 10 (meetings and proceedings of local authorities) to Principal Act

57. Schedule 10 to the Principal Act is amended—

(a) in paragraph 3 by substituting the following for subparagraphs (1) and (2):

"(1) In every year in which a local election is held, the annual meeting of a local authority shall be held on the fourteenth day after the polling day or, where the poll is for any reason countermanded, interrupted or adjourned, after the day on which the poll is completed or the fresh poll is held.

(2) Where the fourteenth day referred to in subparagraph (1) is an excluded day, the meeting shall be held on the next following day which is not an excluded day.",

(b) in paragraph 4 by substituting the following for subparagraph (4):

"(4) In the case of the annual meeting of a local authority in an election year the business to be transacted shall, subject to this paragraph, include—

(a) the consideration of the election, appointment or nomination of members of joint bodies or other bodies elected, appointed or nominated by such local authority, and

(b) fixing the day or days for the first meetings of the municipal district members for each of the municipal districts within the functional area of the local authority, so long as the day or days so fixed shall not be later than 10 days after that annual meeting of the local authority and not be an excluded day.",

(c) by substituting the following for paragraph 5:

"5. A local authority shall hold its budget meeting in accordance with section 103 within the period directed by the Minister for the purposes of that section.",

(d) in paragraph 13 by inserting the following after subparagraph (3):

"(4) Where at a meeting—

(a) it has been resolved in accordance with subparagraph (1) that a member leave a meeting and the chair adjourns the meeting under subparagraph (3) because the member refuses to leave, and

(b) it has been resolved by further resolution that the member was the cause of the meeting being so adjourned,

then any remuneration to, and any allowances for expenses incurred, by that member concerned, as provided for by regulations under section 142, shall be reduced for the period of 12 months (irrespective of whether or not a local election is to be held during that period) from the date of the meeting concerned as follows:

(i) on the first occasion of it being resolved that the member refused to so leave, 10 per cent;

(ii) on the next or subsequent occasions of it being so resolved and where paragraph (iii), (iv), (v) or (vi) does not apply, 10 per cent;

(iii) on the next occasion of it being so resolved within 3 months of it being resolved in circumstances to which paragraph (i)or (ii) relates, 30 per cent;

(iv) on the next occasion of it being so resolved within 3 months of it being resolved in circumstances to which paragraph (iii)relates, 50 per cent;

(v) on the next occasion of it being so resolved within 3 months of it being resolved in circumstances to which paragraph (iv)relates, 70 per cent;

(vi) on the next occasion of it being so resolved within 3 months of it being resolved in circumstances to which paragraph (v)relates, 90 per cent.

(5) (a) Where at a meeting—

(i) the resolutions referred to in clauses (a) and (b) of subparagraph (4) have been resolved, and

(ii) where, following the chair expressing the further opinion that the member has continued to be disorderly by disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively, or by otherwise obstructing the business of the meeting and the chair has

conveyed such further opinion to the members present by naming the member concerned, it has been resolved further by at least two-thirds of those present and voting, on a motion moved by the chair or any member (which motion, if seconded, shall have been put and determined without discussion) that for a specified period 'the member stand suspended with immediate effect from all meetings of the local authority and any committee of the local authority, and all meetings of municipal district members' and the period so specified is, subject to clause (c), for at least one month but does not exceed 3 months,

then the consequences provided for by subparagraph (4) shall not apply to the member concerned in relation to that suspension except and to the extent provided for by clause (g)in respect of any other suspension.

(b) Having regard to clause (f), the members of the local authority may, at any subsequent meeting during the period specified in the resolution under clause (a) (ii), pass a further resolution lifting the suspension, and the suspension shall be lifted with immediate effect.

(c) If, within a period of 3 months following the ending of a suspension in accordance with clause (a) or (b), further resolutions to which clause (a) relates are proposed to be adopted in respect of that member, then the period provided for in a resolution under clause (a) (ii) shall be at least 3 months but shall not exceed 6 months.

(d) Having regard to clause (f), a suspension under this subparagraph shall cease to have effect on the ordinary day of retirement.

(e) Where a resolution under clause (a) suspending a member has been passed, the member concerned shall not be entitled to attend, speak at or take any part in any meetings of the local authority and any committee of the local authority, and any meetings of municipal district members, and notwithstanding the provisions of paragraphs 6 and 7, shall not be entitled to present a request to the Cathaoirleach to require a special meeting of the local authority to be convened and shall not be entitled to receive any services in respect of meetings of the local authority or any committee of the local authority, or meetings of municipal district members, including the agenda and papers circulated to members, for the period specified in the resolution while it remains in force.

(f) No remuneration to, or allowances for expenses incurred, by the member concerned, as provided by regulations under section 142, shall be paid (irrespective of whether a local election is to be held during the period concerned) for the duration of the suspension to which clause (a) or (c) relates. Notwithstanding any lifting of a suspension in accordance with clause (b), or cessation of a suspension in accordance with clause (d), such lifting or cessation shall not have the effect of reducing the period in respect of which remuneration or allowances for expenses incurred are not to be paid as a consequence of the suspension.

(g) The suspension of remuneration or allowances for expenses incurred by virtue of clause (f) shall, during the suspension period specified in the resolution under this paragraph,

supersede any reduction in remuneration or allowances for expenses that would, but for this clause, be incurred under subparagraph (4) but shall not affect any such reduction after the suspension period so specified.

(6) The chief executive, following consultation with the Cathaoirleach, may make such provision for the exclusion or, where necessary, the removal from any meeting of the local authority or any committee of the local authority, or meeting of municipal district members, of the member suspended in accordance with subparagraph (1) or (5) as appear necessary to the chief executive.",

(e) in paragraph 15 by substituting "chief executive" for "manager",

(f) in paragraph 17(1), by substituting "or, subject to any regulations made under section 44(3), a joint committee" for "or a joint committee", and

(g) in paragraph 17, by inserting the following after subparagraph (1):

"(1A) In the application under subparagraph (1) of paragraph 13, nothing shall be read as enabling a committee of a local authority or a joint committee passing a resolution to suspend a person other than from the committee or joint committee itself.".

PART 8

Financial Procedures, Audit and Oversight

Chapter 1

Financial Procedures and Audit

Amendment to Chapter 1 (financial procedures) of Part 12 of Principal Act

58. Chapter 1 of Part 12 of the Principal Act is amended—

(a) in section 97 by deleting subsection (2) (a),

(b) in section 97 by inserting in subsection (3) "(including by or on behalf of a successor authority in respect of a dissolved body to which the successor authority relates)" after "all money received by or on behalf of a local authority",

(c) by deleting sections 100 and 101,

(d) in section 102 by substituting the following for subsection (3):

"(3) The draft local authority budget shall be prepared under the direction of the chief executive in the manner and in the format that may be prescribed by regulations made by the Minister showing the amounts necessary for the functional programmes of the authority.",

(e) in section 102 by inserting the following after subsection (4):

"(4A) (a) In the case of a county council or a city and county council, the chief executive shall consult the municipal district members for each municipal district in the council's functional area in the preparation of a draft local authority budget and, for that purpose, a draft budgetary plan for the municipal district shall be prepared

under the direction of the chief executive and submitted for consideration by the municipal district members for each municipal district in the manner and in the format that may be prescribed by regulations made by the Minister.

(b) In determining the resources to be made available to each municipal district in the draft budgetary plan, the chief executive shall have regard to—

(i) the needs of, and the resources available or likely to be available to, the local authority, and

(ii) resource needs of each municipal district including, where appropriate, the population of each municipal district.

(c) Following consideration of a draft budgetary plan under paragraph (a), the municipal district members shall by resolution adopt the draft budgetary plan with or without amendment.

(d) The making of amendments under paragraph (b) by the municipal district members is a reserved function.

(e) The chief executive shall take account of any budgetary plan adopted by the municipal district members in preparing the draft local authority budget (in accordance with subsection (2)).",

(f) in section 103 by substituting the following for subsection (2) (b):

"(b) which is held during the period directed by the Minister, and",

(g) in section 103 by substituting the following for subsection (7) (b):

"(b) shall by resolution adopt the draft local authority budget with or without amendment, and—

(i) shall—

(I) subject to section 10 of the Local Government (Financial Provisions) Act 1978, by resolution determine in accordance with the local authority budget as so adopted, the annual rate on valuation to be levied, and

(II) where appropriate, have regard to the base year adjustment determined in accordance with *section 29* of the *Local Government Reform Act 2014*,

or

(ii) where it is a joint body, shall prepare and by resolution adopt, in accordance with the local authority budget as so adopted, the demand by the joint body whereby the money to meet the expenses of the joint body, in the forthcoming local financial year is to be obtained.",

(h) in section 103 by substituting the following for subsection (9):

"(9) Notwithstanding the other provisions of this section and section 102, a local authority budget may be adopted and the annual rate on valuation determined (including, where appropriate, having regard to the base year adjustment determined in accordance with *section 29* of the *Local Government Reform Act 2014*) in the local financial year to which that budget or that rate applies, where this is in accordance with the period directed by the Minister for holding the local authority budget meeting.",

(i) by inserting the following new section after section 103:

"Schedule of municipal district works

103A. (1) As soon as may be following the adoption of the local authority budget, a schedule of proposed works of maintenance and repair to be carried out during the financial year in each municipal district shall be prepared under the direction of the chief executive, having regard to the availability of resources, in the manner, format and within the timescale that may be prescribed by regulations made by the Minister.

(2) A schedule prepared for the purposes of subsection (1) shall be considered by the municipal district members concerned and be adopted by resolution, with or without amendment by it, within such time limit and in accordance with such conditions and requirements as may be prescribed by the regulations made by the Minister.

(3) In making an amendment under subsection (2) the municipal district members shall have due regard to the local authority budget adopted in accordance with section 103(9).

(4) If the schedule prepared for the purpose of subsection (1) is not adopted by the municipal district members in accordance with subsection (2) and any regulations made under that subsection, then the local authority concerned shall consider that schedule and by resolution adopt it with or without amendment (having due regard to the local authority budget adopted in accordance with section 103(9)) within such time limit as may be prescribed by the regulations made by the Minister.",

(j) in section 105 by substituting in subsection (2) "local authority" for "county council or city council" in both places where it occurs,

(k) in section 106 by deleting paragraph (6) (b),

(l) in section 110 by substituting in subsection (11) "the entire administrative area of a local authority" for "an entire county or city",

(m) in section 111 by deleting paragraphs (c), (d) and (e) of subsection (1),

(n) in section 111 by substituting "local authority" for "county council or city council" in subsection (1) (f),

(o) in section 112 by inserting the following after subsection (1):

"(1A) In stating his or her opinion and preparing the report or special report, as the case may be, in accordance with section 120, the local government auditor shall take account of any objection and decision recorded in accordance with subsection (1).",

and

(p) in section 112 by deleting subsection (2).

Audit committee

59. The Principal Act is amended by substituting the following for section 122:

"122. (1) A local authority shall establish a committee, to be known as an audit committee, within 3 months of—

(a) the polling day for the election of the incoming members of the local authority or,

(b) where the poll is for any reason countermanded, interrupted or adjourned, the day on which the poll is completed or the fresh poll is held, and from that establishment any audit committee previously established shall cease to exist.

(2) The functions of an audit committee are—

(a) to review financial and budgetary reporting practices and procedures within the local authority that has established it,

(b) to foster the development of best practice in the performance by the local authority of its internal audit function,

(c) to review any audited financial statement, auditor's report or auditor's special report in relation to the local authority and assess any actions taken within that authority by its chief executive in response to such a statement or report and to report to that authority on its findings,

(d) to assess and promote efficiency and value for money with respect to the local authority's performance of its functions, and

(e) to review systems that are operated by the local authority for the management of risks.

(3) The Minister may prescribe by regulations for all or any of the following matters regarding an audit committee:

(a) its membership;

(b) the holding by it of meetings, including the frequency of those meetings and the conduct of them;

(c) the preparation of reports by it and the furnishing of them to other persons;

(d) the performance by it of its functions, whether generally or in particular cases, and the procedures to be followed in relation to that performance;

(e) the provision for privilege to attach to statements made to it or made by members of the committee in their capacity as such members;

(f) such other matters that are incidental to, or consequential on, any of the matters set out in paragraphs (a) to (e).".

Annotations

Editorial Notes:

E18 Power pursuant to section exercised (6.06.2014) by *Local Government (Audit Committee) Regulations 2014* (S.I. No. 244 of 2014, in effect as per reg. 2. In so far as this section contains no subs. (3), it does not appear to enable the making of regulations. These regulations are also made under s. 4 of this Act.

Consideration of annual financial statement and auditor's report

60. The Principal Act is amended by substituting the following for section 121:

"121. (1) Following receipt by the local authority or joint body (in this section referred to as a 'relevant authority') of the audited financial statement, auditor's report or auditor's special report, the chief executive of the relevant authority shall provide that statement or report to the audit committee for consideration at the next practicable meeting of the committee.

(2) The local government auditor who conducted the audit, or who has been appointed in accordance with section 124, shall attend a meeting of the audit committee to present his or her report and clarify such issues as may be necessary in relation to the content of the auditor's report or special report.

(3) The audit committee shall report to the relevant authority on its consideration of the audited financial statement, auditor's report or auditor's special report at the next practicable meeting of the relevant authority following the audit committee's consideration.

(4) At any time within 3 months of the audited financial statement, auditor's report or auditor's special report having been submitted to the relevant authority in accordance with section 120, the local government auditor who carried out the audit may notify the local authority or joint body that he or she wishes to discuss it with that authority.

(5) Following notification under subsection (4), a local government auditor is entitled to attend the next meeting of the relevant authority following the notification to discuss the audited financial statement, auditor's report or auditor's special report, as the case may be, or to attend such other meeting of the relevant authority as the local government auditor may specify.

(6) Subject to any guidelines the Minister may issue from time to time, the matters to be discussed by an audit committee or the relevant authority at a meeting during any period when the local government auditor concerned attends shall be limited to matters directly related to the audited financial statement, the auditor's report or the auditor's special report, as the case may be.

(7) A local government auditor is entitled to qualified privilege in relation to any statements made by him or her at any meeting that he or she attends under this section in his or her capacity as such an auditor.".

Chapter 2

National Oversight and Audit Commission

National Oversight and Audit Commission

61. (1) The Principal Act is amended by inserting the following Part after Part 12:

"PART 12A

National Oversight and Audit Commission

Interpretation (Part 12A)

126A. In this Part—

'appropriate Minister' means any Minister of the Government (other than the Minister)—

(a) on whom functions stand conferred, or

(b) who has general responsibility,

in respect of or in connection with the matter in question;

'Commission' means the National Oversight and Audit Commission established under this Part;

'local authority' includes a joint body and a joint committee;

'local government body' means—

(a) a local authority,

(b) a regional assembly,

(c) any trust or other body (whether corporate or unincorporated) over which one or more local authorities or regional assemblies, or both, exercise actual or effective control whether directly or indirectly through nominees (however described) or otherwise,

and includes any trust or other body, or a class of trust or other body, to which a determination under section 126L(3) relates;

'report', in relation to a report of the Commission other than its annual report, means a report or information under section 126C(1)(i) or a report under section 126D.

Establishment of Commission

126B. (1) The Minister shall by order establish a body to be known as the National Oversight and Audit Commission (in this Part referred to as the 'Commission') to perform the functions assigned to it by this Part.

(2) The Commission and its members are independent in the performance of their functions.

Functions of Commission

126C. (1) The functions of the Commission are as follows:

(a) to scrutinise the performance of any local government body against or in comparison with any indicative matter (in this Part referred to as 'relevant indicators') that—

(i) the Commission considers it appropriate to refer to (which shall include indicative matters relating to customer service), or

(ii) the Minister may prescribe by regulations for the purpose of this paragraph;

(b) to scrutinise the financial performance, including in relation to value for money, of any local government body, in respect of the financial resources available to it;

(c) to support the development and enhancement of best practice in the performance by local government bodies of their respective functions;

(d) to monitor and evaluate adherence to any agreement in the nature of a service level agreement entered into by one or more

local government bodies, whether or not all parties to such an agreement are local government bodies;

(e) to oversee how national policy in relation to local government is implemented by local government bodies;

(f) to monitor and evaluate the implementation of public service reform (including enhanced efficiencies) by local government bodies either generally or in respect of any local government body or class of such bodies;

(g) to monitor the adequacy of the corporate plan prepared—

(i) by a regional assembly pursuant to section 43 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 1991, and

(ii) by a council pursuant to section 134,

and to evaluate implementation of such plans either generally or in respect of any local government body or class of such bodies;

(h) to take such steps as are appropriate under its other functions for the purposes of any request under section 126D and to furnish reports or other information in relation to that request to the Minister or the appropriate Minister, as the case may be;

(i) in addition to reports or other information furnished under section 126D and to its annual reports under section 126K, to prepare on its own initiative such other reports or information on matters relating to its functions as the Commission considers appropriate.

(2) The Commission has power to do anything that appears to it to be requisite, advantageous or incidental to, or to facilitate, the performance of its functions, including the making of arrangements by agreement with any person or body to assist the Commission in the proper discharge of any of its functions.

(3) (a) The Minister may, with the consent of the Minister for Public Expenditure and Reform, by order confer on the Commission such additional functions connected with the functions for the time being of the Commission as the Minister determines, subject to such conditions (if any) as may be specified in the order.

(b) An order under paragraph (a) may contain such incidental, supplementary and additional provisions as may, in the opinion of the Minister, be necessary to give full effect to the order.

Reports to Minister or appropriate Minister

126D. (1) The Minister or an appropriate Minister may in writing request the Commission to prepare a report on any matter to which the functions of the Commission relate in respect of any aspect of local government specified by the Minister or the appropriate Minister, as the case may be, in respect of which he or she performs functions or has general responsibilities.

(2) A request under subsection (1) shall relate to one or more local government bodies specified in the request or to a class of such bodies so specified.

(3) Where a request has been made under subsection (1) the Commission shall, to the extent that its functions permit, comply with the request and have regard to such considerations or matters in preparing its report as are specified in the request.

(4) (a) Where the Commission considers it appropriate in the circumstances, the Commission may, following consultation with the regional assembly or regional assemblies concerned, require it or them to prepare and submit for the Commission's consideration a draft of any such report.

(b) A draft report prepared and submitted to the Commission under paragraph (a) may be amended by it as it sees fit and any such report, whether amended or not, that has been adopted by the Commission and is subsequently submitted by the Commission to the Minister or the appropriate Minister, as the case may be, shall for the purposes of subsection (1) be deemed to be a report prepared by the Commission.

(c) Without prejudice to the Commission's duty to prepare a report when requested under subsection (1), a draft report prepared and submitted to the Commission under paragraph (a) —

(i) may be submitted by the Commission to the Minister or the appropriate Minister, as the case may be, without being adopted by the Commission under paragraph (b), and

(ii) any such report so submitted by the Commission shall be accompanied by a note stating that it has not been adopted and giving the reasons why it has not been adopted.

(5) A report of the Commission to the Minister or the appropriate Minister under this section shall—

(a) be in writing,

(b) where appropriate, include the responses by the local government body to which the report relates to queries from the Commission,

(c) include the recommendations of the Commission in relation to the matters which are the subject of the report, and

(d) include recommendations in relation to such ancillary or related matters (including financial matters) as the Commission may consider appropriate or as the Minister or the appropriate Minister may specify in a request under subsection (1).

(6) (a) The Minister or the appropriate Minister shall furnish a copy of a report provided to him or her by the Commission under this section to—

(i) each local government body that is the subject matter of the report,

(ii) in the case of a local government body other than a local authority or a regional assembly, to each local authority or regional assembly that exercises actual or effective control within the meaning of 'local government body' in section 126A,

(iii) the Joint Committee of the Houses of the Oireachtas to which has been assigned the role of examining matters relating to local government, and

(iv) any other Joint Committee of the Houses of the Oireachtas which has general responsibility in respect of or connected with the matters to which the report relates.

(b) Where a report has been furnished under paragraph (a), the Minister or the appropriate Minister shall advise the Commission accordingly and the Commission shall, as soon as practicable thereafter, cause the report to be published.

(7) Within 28 days of receipt of a report pursuant to subsection (6) in respect of a local authority for which he or she is chief executive, or in respect of any local government body over which the local authority exercises actual or effective control, the chief executive shall present to the council an implementation plan setting out the steps to be taken in relation to that report.

(8) The adoption of an implementation plan referred to in subsection (7), other than any part of such plan that exercises or would seek to exercise functions in relation to the employees of the local authority or employees of any local government body over which the local authority exercises actual or effective control, shall be a reserved function.

(9) A local authority or regional assembly which is the subject of a report, or is an authority or assembly that exercises actual or effective control over a local government body which is the subject of a report, published under this section shall, in its annual report, include reference to the steps taken in relation to that report during the period to which the annual report relates.

Requests for information, etc., made to local government body, etc.

126E. (1) It is the duty of every local government body—

(a) to have due regard to a request made to it by the Commission for any information, document or thing, which in the opinion of the Commission is relevant to assist the Commission in the performance of its functions, and

(b) subject to subsections (2) and (3), to comply with all such requests so made.

(2) Where proceedings are instituted by the Commission—

(a) against a local government body for breach of duty under this section, and

(b) for the purposes of seeking compliance with the request concerned or a specified part of that request,

it shall be a valid defence for the local government body to show that the request made by the Commission, or so much of the request in respect of which the proceedings relate, was materially disproportionate to what was required to achieve the intended result of the request or that part of the request to which the proceedings relate.

(3) Nothing in this section shall be read as requiring the disclosure of confidential information, the disclosure of which would be in breach of non-disclosure obligations provided for by law or the disclosure of commercially sensitive information.

Requests for information, etc., made to certain public authorities

126F. A public authority to which section 126E does not apply shall have due regard to a request made to it by the Commission for any information, document or thing, which in the opinion of the Commission is relevant to assist the Commission in the performance of its functions, and to use its best endeavours to facilitate such a request.

Submissions to Commission

126G. (1) The Commission may give public notice of its intention to prepare a report (in this section referred to as a 'proposed report') to which section 126C(1) (i) or 126D relates.

(2) The public notice referred to in subsection (1), which shall be published in a newspaper circulating in the area to which the subject matter of the proposed report relates, shall indicate that—

(a) any person may make a submission to the Commission in relation to the subject matter of the proposed report in a manner and within the period as is specified in that notice, and

(b) submissions received by the Commission within the period specified in that notice may be made available for public inspection.

(3) The Commission shall consider any submissions made to it in accordance with the public notice or made by a local government body under this section or otherwise.

(4) Submissions received by the Commission under this section may be made available by them for public inspection—

(a) at such time and place and under such conditions as may be specified by the Commission and for that purpose may be made available by the Commission on its internet website, and

(b) where not published by the Commission on its internet website, the Commission shall permit a copy of such submissions or of extracts from them to be taken on payment of a fee which shall not exceed the reasonable cost of copying the submissions.

Members of Commission

126H. (1) Subject to subsection (4) and section 126I(7), the Commission consists of not more than 9 but not less than 6 members, one of whom shall be the chairperson of the Commission.

(2) The chairperson of the Commission shall be appointed by the Minister.

(3) Each member of the Commission shall hold office for a period which the Minister shall determine, not exceeding 5 years from the date of appointment to the office and shall include—

(a) one or more persons having knowledge or experience of local government affairs,

(b) one or more persons having knowledge or experience in finance, audit, evaluation or project assessment,

(c) one or more persons having knowledge or experience in business, commerce, administration, corporate governance or community development,

(d) one or more persons having knowledge or experience in the statutory or voluntary bodies dealing with consumer issues, and

(e) one or more than one person who is an officer of the Minister.

(4) The members of the Commission may include—

(a) one but no more than one person who is an employee of a local authority, and

(b) one but no more than one person who is a member of a local authority,

but shall not include a person who is a member of a regional assembly.

(5) Any member of the Commission who, subsequent to appointment to the Commission, becomes an employee of a local authority, member of a local authority or member of a regional assembly shall, for the purposes of subsection (4) and section 126I(5) (d), in writing inform the Minister and the chairperson of the Commission accordingly.

(6) A member of the Commission shall not take part in the preparation or a decision to adopt or not adopt a report under section 126C(1) (i) or section 126D in respect of a local authority or regional assembly if he or she is, or was at the material time, an employee or elected member of that authority or assembly, as the case may be.

(7) The Minister, to the extent practicable, shall endeavour to ensure that there is an equitable balance between men and women in the membership of the Commission.

Eligibility and tenure of office of members, etc.

126I. (1) A person appointed to be a member of the Commission holds office as such member for such period, terms and conditions as may be specified by the Minister at the time of his or her appointment.

(2) The chairperson and any other member of the Commission may be paid, out of moneys at the disposal of the Minister, such remuneration (if any) and allowances for expenses incurred by the member as the Minister, with the consent of the Minister for Public Expenditure and Reform, may determine.

(3) (a) A person is disqualified from becoming a member of the Commission if he or she is—

(i) a member of either House of the Oireachtas, or

(ii) a member of the European Parliament.

(b) A person ceases to be a member of the Commission if he or she—

(i) is nominated as a member of Seanad Éireann,

(ii) is elected as a member of either House of the Oireachtas or as a member of the European Parliament,

(iii) is regarded under Part XIII of the Second Schedule to the European Parliament Elections Act 1997, as having been elected to the European Parliament to fill a vacancy,

(iv) becomes a member of a regional assembly, or

(v) fails to attend at 6 consecutive meetings of the Commission where—

(I) in the case of a member other than the chairperson, the chairperson is of the opinion that the absence is not due to an acceptable reason such as illness or force majeure,

(II) in the case of the chairperson, a majority of the Commission is of the opinion that the absence is not due to an acceptable reason such as illness or force majeure.

(4) A member of the Commission, including the chairperson, may at any time resign from office by letter addressed to the Minister and the resignation takes effect from the date of receipt of the letter by the Minister.

(5) The Minister may remove from office any member of the Commission (including the chairperson) if, in the opinion of the Minister—

(a) that person has become incapable through ill-health of effectively performing the duties of the office,

(b) the member has committed stated misbehaviour,

(c) the member has a conflict of interest of such significance that, in the opinion of the Minister, the member should cease to hold office, or

(d) the removal of the member appears to the Minister to be necessary or desirable—

(i) for the effective performance by the Commission of its functions, or

(ii) to comply with the requirements of section 126H(4).

(6) A person may not be the chairperson of the Commission or, except in the case of an appointment to which section 126H(3)(e) relates, a member of the Commission for more than 2 consecutive terms of office but is otherwise eligible for re-appointment to be a member of the Commission.

(7) (a) Notwithstanding section 126H(1), the Minister, as required, may by order under this subsection increase the number of members of the Commission to not more than 12 members where, in the opinion of the Minister, it is necessary taking account of the volume of business coming before the Commission and the need to ensure the effective and efficient discharge by the Commission of its functions, but any such increase is for such temporary period as shall be specified in the order and shall not exceed 2 years from the date of the commencement of the order.

(b) Upon expiry of an order under paragraph (a), the Minister may make a further order in accordance with the provisions of that paragraph.

(8) A person shall be disqualified from holding and shall cease to hold office as a member of the Commission if he or she—

(a) is an undischarged bankrupt,

(b) is convicted on indictment of an offence, or is convicted outside the State of an offence consisting of acts or omissions which would constitute an offence triable on indictment if done or made in the State,

(c) is convicted of an offence involving fraud or dishonesty, or

(d) has a declaration under section 150 of the Companies Act 1990 made against him or her or is subject or is deemed to be subject to a disqualification order by virtue of Part VII of that Act.

Meetings and procedures of Commission

126J. (1) The Commission shall hold such and so many meetings as may be necessary for the performance of its functions.

(2) The chairperson of a meeting of the Commission shall be—

(a) the chairperson of the Commission if present, or

(b) if and so long as the chairperson of the Commission is not present or if the office of chairperson is vacant, the members of the Commission who are present shall choose one of their number to be chairperson of the meeting.

(3) At a meeting of the Commission—

(a) subject to paragraph (c), each member of the Commission present has one vote,

(b) every question at a meeting of the Commission shall be determined by consensus, but where in the opinion of the chairperson or other person presiding consensus is not possible, the question shall be determined by a majority of the votes of the members present and voting on the question, and

(c) in the case of an equal division of votes in circumstances to which paragraph (b) relates, the chairperson of the meeting has a second or casting vote.

(4) Subject to such standing orders as the Commission may make under subsection (5) regarding a quorum, the Commission may act notwithstanding one or more vacancies in its membership.

(5) The Commission shall regulate, by standing orders or otherwise, the procedure and business of the Commission, including the keeping of a record of its meetings and of decisions taken.

(6) (a) The Commission has an absolute discretion to hold an oral hearing in relation to any matter in respect of which functions are conferred on it by this Part and the hearing may be conducted by—

(i) one or more members of the Commission,

(ii) one or more members of the Commission, together with one or more other persons appointed by the Commission for that purpose, or

(iii) one or more other persons appointed by the Commission for that purpose.

(b) The persons (including any members of the Commission) conducting an oral hearing under paragraph (a) shall make a report in writing on the hearing to the Commission and shall include in the report such recommendations as are considered appropriate with respect to the subject of the report.

(c) The Commission shall consider a report made to it under paragraph (b) before deciding on the recommendations that it will make in its report.

(7) Where the number of members of the Commission has been increased by order under section 126I(7)(a), any function of the Commission may be exercised by a division of the Commission comprising of at least 4 of its members and meetings and decisions of any such division are, for all purposes, meetings and decisions of the Commission.

Governance of Commission

126K. (1) Not later than the 30th day of April in each year, the Commission shall prepare and submit to the Minister a report (in this section referred to as the 'annual report of the Commission') in relation to the performance of its functions during the preceding year and shall, as soon as may be, furnish a copy of that report to such other persons as it may consider appropriate.

(2) An annual report of the Commission shall include the following in respect of the year to which it relates:

(a) particulars of the policies, programmes, services and other activities undertaken by the Commission;

(b) such particulars as may be required by a provision of any other enactment;

(c) such other particulars (including financial statements) as the Commission may determine to be appropriate to include in the report or as may be directed by the Minister;

(d) the total number of meetings of the Commission held during that year and, in respect of each member of the Commission—

(i) number of meetings of the Commission attended by the member during that year, and

(ii) the number of such meetings so held while a member of the Commission.

Regulations and determinations (Part 12A)

126L. (1) The Minister may by regulations prescribe any matter of procedure as regards the appointment and operation of the Commission or the carrying out of its functions.

(2) Without prejudice to the generality of subsection (1), regulations under this section may provide for any of the following:

(a) the conduct of any oral hearing held by the Commission under section 126J(6), the procedures at such a hearing, the representation of a local authority or regional assembly at such a hearing or the attendance of persons at such a hearing;

(b) for the purposes of section 126C(1)(f), identifying or clarifying matters relating to public sector reform by local government bodies;

(c) prescribing relevant indicators for the purposes of section 126C(1)(a).

(3) (a) Where—

(i) any doubt, dispute or question arises or, in the opinion of the Minister, is likely to arise as to whether a trust or other body or a class of such trust or other body is or is not a trust or other body or a class thereof to which paragraph (c) of the definition of 'local government body' applies, and

(ii) the Minister is of the opinion that such trust, other body or class is one to which the said paragraph (c) applies,

then the Minister shall determine the matter accordingly and shall communicate his or her determination in writing to the Commission and to the local authorities and regional assemblies concerned.

(b) The Minister shall not make a determination under paragraph (a) in respect of a trust or other body, or of a class of trusts or other bodies, for which another Minister of the Government is directly or indirectly responsible unless that other Minister consents to that determination being made and every communication for the purposes of that paragraph shall disclose any such consent.".

(2) Section 221(2) (b) of the Principal Act is amended in the manner set out in *Part 1* of *Schedule 1*.

(3) Paragraph 1(2) of the First Schedule to the Freedom of Information Act 1997 is amended by inserting "the National Oversight and Audit Commission".

PART 9

Regional Assemblies

Regional assemblies

62. (1) The Local Government Act 1991 is amended by substituting the following for section 43:

"43. (1) For the purpose of co-ordinating, promoting or supporting strategic planning and sustainable development, and promoting effectiveness in local government and public services, in different areas of the State, the Minister may, by order, made with the consent of the Minister for Public Expenditure and Reform (in this section referred to as an 'establishment order')—

(a) declare that an area consisting of specified cities, counties or cities and counties shall constitute a region, and

(b) establish in respect of the region, a body (to be known as a 'regional assembly') the membership of which shall consist of persons who are members of every council of a city, council of a county and council of a city and county the functional area

of each of which is included in that region, to perform, in respect of the region and for the purposes set out in this subsection, the functions conferred on it by or under this section or to perform functions conferred on it otherwise by law.

(2)(a) A regional assembly shall be called and known by such title as may be specified in the establishment order concerned.

(b) A regional assembly shall be a body corporate with perpetual succession and an official seal and with power to sue and be sued in its corporate name and to acquire, hold and dispose of land or an interest in land.

(c) Judicial notice shall be taken of the seal of a regional assembly and every document purporting to be an order or other instrument made by that assembly and to be sealed with its seal (purporting to be authenticated in the manner provided by the establishment order) shall be received in evidence and be deemed to be such order or instrument without further proof unless the contrary is shown.

(3) An establishment order shall require a regional assembly thereby established to provide itself with an official seal and shall contain such provisions as the Minister considers appropriate in relation to the membership of the assembly (including provisions in relation to the number of members of the assembly, the method, terms and conditions of their appointment and their tenure of office).

(4)(a) An establishment order or an order amending or revoking an establishment order may contain such other provisions as the Minister considers necessary arising from, by reason of, for the purposes of, or to give full effect to, a declaration under subsection (1) or to the establishment or dissolution of a regional assembly and such an order may contain provisions relating to any matter whatsoever arising in relation to such declaration, establishment or dissolution or in relation to the functions of the regional assembly concerned.

(b) Without prejudice to the generality of paragraph (a), an order referred to in that paragraph may provide in respect of a regional assembly established by the establishment order, for all or any of the following matters:

(i) the conferral of functions on the assembly in relation to the purposes set out in subsection (1), including—

(I) regional spatial and economic strategy under the Planning and Development Acts 2000 to 2014,

(II) functions in connection with assistance from the European Union, with national investment programmes, or with the role of the National Oversight and Audit Commission,

(ii) the administration generally (including the preparation and publication of a corporate plan and an annual report) and the finances generally of the assembly,

(iii) the meetings of the assembly, and the procedure at such meetings,

(iv) the use and authentication of the seal of the assembly,

(v) the payment of grants by the Minister of such amounts as may be sanctioned by the Minister for Public Expenditure

and Reform, out of moneys provided by the Oireachtas, towards the expenses of the assembly,

(vi) the payment to the assembly by the local authorities who, as respects the assembly are local authorities referred to in subsection (1)(b) or by other specified public authorities, in such manner as may be specified, of all or part of the expenses and expenditure of the assembly,

(vii) the furnishing from time to time by the assembly to the Minister or to specified local authorities or other specified public authorities of information in relation to the performance of its functions and the furnishing of such information to the Minister whenever he or she so requests,

(viii) the making by the assembly of arrangements with other public authorities for the use by it of premises or equipment of those authorities or for the use by the assembly of the services of employees of those authorities,

(ix) matters to which the assembly shall have regard in the performance of its functions,

(x) the giving of directions by the Minister to the assembly in relation to the performance of its functions,

(xi) the dissolution of the assembly,

(xii) the designation of the assembly to be the successor of one or more than one regional authority, including in respect of part of the administrative area of a regional authority, established by the Local Government Act 1991 (Regional Authorities) (Establishment) Order 1993 (S.I. No. 394 of 1993), on the dissolution of such authority or authorities and the transfer to such assembly—

(I) of the assets and liabilities of such authority or authorities, or

(II) in so far as the designation relates to part of the administrative area of a regional authority, of specified assets or liabilities of such authority or of a specified portion of any of those assets and liabilities,

and any land to which the order relates shall, on the date specified in the order in relation to that land, vest in such assembly without any further conveyance, transfer or assignment,

(xiii) any other matter in relation to which the Minister considers that provision should be made in order to enable the assembly to perform its functions effectively or, as respects its dissolution.

(c) An establishment order or an order amending an establishment order may contain such provisions as the Minister considers necessary or expedient consequential on the dissolution of a regional authority established by the Local Government Act 1991 (Regional Authorities) (Establishment) Order 1993 (S.I. No. 394 of 1993) and, in particular, may make provision for—

(i) the application of any of the provisions of *Schedule 4* (other than paragraphs 3(2), 7, 8, 12, 13, 14(3), 14(4) and 15) of

the *Local Government Reform Act 2014* to such regional authority as if—

(I) references in that Schedule to 'relevant day or date' were a reference to the date provided for in the order for the dissolution of the regional authority concerned,

(II) references to a dissolved authority were references to a dissolved regional authority,

(III) in relation to a regional authority, references to a successor authority were references to a regional assembly designated in the order as the successor body in accordance with subsection 4(b) (xii),

together with such other modifications as the Minister considers necessary or expedient, and

(ii) any other transitional, supplementary or incidental matters that appear to the Minister to be necessary or expedient to facilitate the dissolution either generally of all regional authorities or of one or more than one named regional authority.

(5) Subject to the other provisions of this section (including the establishment order concerned) and without prejudice to any other enactment, a regional assembly shall have all such powers as are necessary or expedient for the performance of its functions.

(6) An establishment order or an order referred to in subsection (4)(a) may apply to a regional assembly established by the establishment order, with any necessary modifications or adaptations, all or any of the provisions of or made under any enactment relating to local authorities.

(7)(a) An establishment order shall provide for the appointment of a chief officer, to be known by the title director of the assembly, and for the powers and functions and other provisions relating to the office of director of the assembly.

(b) Without prejudice to the generality of paragraph (a), the functions of the director of the assembly include—

(i) representing the assembly,

(ii) the carrying out of, managing and controlling generally the administration and business of the assembly,

(iii) performing such functions as may be specified in the establishment order or in an order amending that order,

(iv) performing such functions of the assembly as may be delegated to the director under subsection (11),

(v) performing such functions, other than those to which subparagraph (iii) or (iv) could relate, as the assembly may determine or assign from time to time other than such functions or a class of functions as may be specified in the establishment order or in an order amending an establishment order, and

(vi) performing any other function assigned to the director under any other enactment.

(c) Without prejudice to any other enactment, the functions of a director shall be performed in accordance with the policy of the assembly as duly determined by the members of the assembly.

(8) A regional assembly may, in relation to the performance of any of its functions, consult with such local authorities, other public authorities and regional assemblies as it considers appropriate.

(9) A regional assembly may establish committees consisting, in whole or in part of persons who are members of the assembly—

(a) to consider such matters connected with the functions of the assembly as the assembly may determine and assist and advise the assembly in relation to those matters, or

(b) to perform functions of the assembly delegated to such committee under subsection (11) but may not delegate generally all of its functions, or all of its functions other than specified functions, to any such committee.

(10) A regional assembly may dissolve a committee established by it but the dissolution is without prejudice to anything previously done by the committee.

(11) A regional assembly may delegate with or without restrictions to a committee established under subsection (9), or to the director, any of its functions other than such functions or a class of functions as may be specified in the establishment order or in an order amending an establishment order, and different functions may be so specified in respect of such a committee or the director.

(12) A regional assembly may revoke or amend a delegation to a committee or to a director under subsection (11) but any revocation or amendment of a delegation is without prejudice to anything previously done by the director or the committee, as the case may be.

(13) An establishment order or an order amending an establishment order may contain such provisions relating to committees as the Minister considers appropriate.".

(2) The bodies established by the Local Government Act 1991 (Regional Authorities) (Establishment) Order 1999 (S.I. No. 226 of 1999) which are subsisting at the commencement of this section shall upon such commencement continue in being until dissolved or replaced under a provision of an establishment order and be known or continue to be known, as the case may be, as regional assemblies and accordingly—

(a) subject to paragraph (b) that order shall continue to apply to each of them as it applied before such commencement and that order may be amended or revoked under this section,

(b) references in any enactment to regional authorities within the meaning of section 43 (as amended by this Act) of the Local Government Act 1991 shall, where the context admits, be read as references to regional assemblies,

(c) a reference in paragraph (a), and subparagraphs (xi) and (xii) of paragraph (b), of section 43(4) (as amended by this Act) of the Local Government Act 1991 to the dissolution of a regional assembly or the dissolution of an assembly shall be read as including a reference to a regional authority established by the Local Government Act 1991 (Regional Authorities) (Establishment) Order 1993 (S.I. No. 394 of 1993).

(3) References in the Local Government Act 1991 (Regional Authorities) (Establishment) Order 1999 to those local government areas in respect of which provision is made under *Part 2* of this Act for their amalgamation shall, upon the 2014 establishment day (within the meaning of that Act) or, if later, upon the commencement of this section, be read in each case as a reference to the administrative area of the appropriate successor body within the meaning of *paragraph (a)* of the definition of "successor authority" in *section 3*.

(4) In so far as it relates to regional assemblies, *Part 4* of *Schedule 2* has effect for the purpose of supplementing the amendment provided for by *subsection (1)*.

Annotations

Editorial Notes:

E19 Power pursuant to section exercised (18.02.2015) by *Local Government Act 1991 (Regional Assemblies) (Establishment) (Amendment) Order 2015* (S.I. No. 62 of 2015).

E20 Power pursuant to section exercised (1.01.2015) by *Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014* (S.I. No. 573 of 2014), in effect as per art. 3.

E21 Previous affecting provision: power pursuant to section exercised (1.06.2014) by *Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014* (S.I. No. 228 of 2014), in effect as per reg. 3; revoked (1.01.2015) by *Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014* (S.I. No. 573 of 2014), art. 64(d), in effect as per art. 3.

PART 10

Regional Assemblies and Regional Spatial and Economic Strategy

Regional assemblies and regional spatial and economic strategy

63. (1) The Planning and Development Act 2000 is amended by substituting the following for Chapter III of Part II:

"Chapter III
Regional Spatial and Economic Strategy
Power to make regional spatial and economic strategy

21. (1) A regional assembly—

(a) may make a regional spatial and economic strategy—

(i) after consultation with the planning authorities within its region, or

(ii) in the case of the regional assemblies in respect of the GDA, after consultation with the planning authorities within their regions and the NTA,

or

(b) shall make a regional spatial and economic strategy, at the direction of the Minister.

(2) A regional spatial and economic strategy may be made for a whole region or for one or more parts of a region, but where there are regional assemblies in respect of the GDA shall, in the case of the GDA, be made jointly by such regional assemblies.

(3) (a) The Minister may direct one or more regional assemblies to make a regional spatial and economic strategy in respect of the combined area of the regional assemblies involved or in respect of any particular part or parts of the area which lie within the area of those regional assemblies.

(b) Where it is proposed to make a regional spatial and economic strategy pursuant to a direction under paragraph (a), the regional assemblies concerned shall make whatever arrangements they see fit to prepare such strategy, including the carrying out of their functions under this Chapter as a joint function of the assemblies concerned, and this Chapter shall be construed accordingly.

(4) Notwithstanding any other provision of this Act, the regional planning guidelines prepared by a dissolved regional authority and published in respect of the period 2010 to 2022, shall continue to have effect as if made under this Part until a regional spatial and economic strategy is prepared and adopted by the regional assembly concerned.

(5) The Minister may make regulations concerning the making of regional spatial and economic strategies and related matters.

Co-operation of planning authorities with regional assembly

22 (1) Where a regional assembly intends to make a regional spatial and economic strategy in accordance with section 24, or to review an existing strategy under section 26, it shall, as soon as may be, consult with all the planning authorities within the region (or part thereof, as the case may be) in order to make the necessary arrangements for making the strategy.

(2) (a) A planning authority shall assist and co-operate with a regional assembly in making arrangements for the preparation of a regional spatial and economic strategy and in carrying out the preparation of the strategy.

(b) The provision of assistance under paragraph (a) shall include the provision of financial assistance, the services of staff and the provision of accommodation, where necessary, and the regional assembly and planning authorities concerned shall agree on the provision of such assistance based on the proportion of the population of the area for which the regional spatial and economic strategies are prepared who are resident in the functional areas of the planning authorities concerned.

(c) In the absence of agreement under paragraph (b), a regional assembly may request the relevant planning authorities to provide assistance under this section, and the request shall be based on the proportion of the population of the area for which the regional spatial and economic strategies is prepared resident in the functional areas of the planning authorities concerned, and a planning authority shall not refuse a reasonable request for assistance.

Co-operation of public bodies with regional assemblies

22A. (1) Where a regional assembly intends to make a regional spatial and economic strategy in accordance with section 24, or to review an existing strategy under section 26, it shall, as soon as may be, consult with—

(a) each public body, and

(b) any body or bodies under the aegis of a public body in respect of which, in the opinion of the regional assembly, consultation with is of relevance for the purpose of making the regional spatial and economic strategy or reviewing an existing strategy.

(2) The public body shall assist and co-operate as far as practicable with the regional assembly in the preparation of the strategy and thereafter supporting its implementation.

(3) Each public body shall consult with the regional assemblies, as appropriate, when preparing its own strategies, plans and programmes and so as to ensure that they are consistent, as far as practicable, with national and regional objectives set out in the National Spatial Strategy and regional spatial and economic strategies.

(4) Where the Minister is of the opinion that consultation between a regional assembly and a body under the aegis of a public body would be of relevance—

(a) for the purpose of making, by the regional assembly, of the regional spatial and economic strategy or reviewing an existing strategy, or

(b) for the purpose of subsection (3), were the body a public body,

then the Minister may so declare such body to be a public body for the purposes of consultation under this section and regulations may be made either generally or in respect of one or more than one regional assembly.

(5) In this section 'public body' means—

(a) the Minister,

(b) the Minister for Finance,

(c) the Minister for Public Expenditure and Reform,

(d) the Minister for Jobs, Enterprise and Innovation,

(e) the Minister for Communications, Energy and Natural Resources,

(f) the Minister for Agriculture, Food and the Marine,

(g) the Minister for Transport, Tourism and Sport,

(h) the Minister for Health,

(i) the Minister for Education and Skills,

(j) the Minister for Foreign Affairs and Trade,

(k) a body under the aegis of a public body (including a public body pursuant to this paragraph) to which subsection (4) relates.

Content and objectives of regional spatial and economic strategy

23 (1) (a) The objective of regional spatial and economic strategies shall be to support the implementation of the National Spatial Strategy and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the region for which the strategies are prepared which shall be consistent

with the National Spatial Strategy and the economic policies or objectives of the Government.

(b) The planning and economic framework referred to in paragraph (a)shall consider the future development of the region for which the strategy is prepared for a period of not less than 12 years and not more than 20 years.

(2) The regional spatial and economic strategy shall, for the whole of the region to which the strategy relates and in accordance with the principles of proper planning and sustainable development and the economic policies and objectives of the Government, address the following matters:

(a) any policies or objectives for the time being of the Government or any Minister of the Government, or any policies contained in the National Spatial Strategy in relation to national and regional population targets;

(b) in respect of regional economic strategy—

(i) enabling the conditions for creating and sustaining jobs,

(ii) enhancing overall regional economic performance by identifying regional strengths and opportunities having regard to economic and employment trends and the means of maintaining and augmenting regional economic performance,

(iii) proposals for augmenting the economic performance of the region across all relevant economic sectors including, in particular, the foreign direct investment, indigenous industry, small and medium enterprise, tourism, agriculture, forestry, marine and other natural resource sectors,

(iv) enhancing regional innovation capacity, including investment in research and development capacity, technology transfer between third level education and enterprise, and up-skilling and re-skilling,

(v) identifying the regional attributes that are essential to enhancing regional economic performance, including—

(I) the quality of the environment,

(II) the qualities of cities, towns and rural areas,

(III) the physical infrastructure, and

(IV) the social, community and cultural facilities,

and

(vi) proposals to maintain or augment, or both, the attributes referred to in subparagraph (v) in such manner as will be implemented under the strategy through the activities of relevant public bodies, private sector investment and the community;

(c) in respect of regional spatial strategy and taking account of the economic dimension of the strategy—

(i) the location of employment, industrial and commercial development,

(ii) the location of retail development,

(iii) the location of housing,

(iv) the provision of transportation, including public transportation, water services, energy and communications networks and waste management facilities,

(v) the provision of educational, healthcare, sports and community facilities,

(vi) the preservation and protection of the environment and its amenities, including the archaeological, architectural and natural heritage,

(vii) landscape, in accordance with relevant policies or objectives for the time being of the Government or any Minister of the Government relating to providing a framework for identification, assessment, protection, management and planning of landscapes and developed having regard to the European Landscape Convention done at Florence on 20 October 2000, and

(viii) the promotion of sustainable settlement and transportation strategies in urban and rural areas, including the promotion of measures to reduce anthropogenic greenhouse gas emissions and address the necessity of adaptation to climate change;

(d) in respect of the evaluation and reporting of the regional spatial and economic strategy, the monitoring and reporting arrangements required to measure progress in addressing the matters referred to in this subsection.

(3) In preparing its regional spatial and economic strategy a regional assembly shall—

(a) ensure that the strategy is, in particular, consistent with—

(i) this Chapter and any regulations made under it,

(ii) national economic policy as set out in relevant government strategies,

(iii) national planning policy as set out in the National Spatial Strategy or any successor strategy,

(iv) any relevant directives, policies or guidelines issued by the Minister under the Planning and Development Acts 2000 to 2014,

(v) any direction by the Minister in respect of such programmes, policies and guidelines of any Minister of the Government (including the Minister) requiring a regional assembly to have regard to, and

(vi) the relevant plans and strategies of public bodies to which section 22A relates and of any other body prescribed by the Minister for the purposes of this section,

(b) consult with the public bodies to which section 22A relates in such manner and to such extent as the Minister may direct in writing, and

(c) co-ordinate the development of its regional spatial and economic strategy in a manner that is, to the greatest extent possible, consistent with the policies of the public bodies to which section 22A relates.

(4) Where the Minister is of the opinion that the adoption of any provision of a draft regional spatial and economic strategy would be inconsistent with Government policy, then the Minister may, after consultation with such other Minister of the Government (if any) as the Minister considers necessary in the circumstances, direct a regional assembly not to adopt the draft strategy with those provisions in it or incorporate appropriate amendments to ensure consistency with the policies and objective of the Government, and the regional assembly concerned shall act accordingly.

(5) The Minister may, for the purposes of giving effect to Directive 2001/42/EC of the European Parliament and Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment [1], by regulations make provision in relation to consideration of the likely significant effects on the environment of implementing regional spatial and economic strategies.

(6) An appropriate assessment of a draft regional spatial and economic strategy shall be carried out in accordance with Part XAB.

(7) (a) When making a regional spatial and economic strategy the regional assembly shall take account of the proper planning and sustainable development of the whole of the region to which the strategy relates, the statutory obligations of any local authority in the region and any relevant policies or objectives for the time being of the Government or of any Minister of the Government, including any national plans, policies or strategies specified by the Minister to be of relevance to the determination of strategic economic and planning policies.

(b) When making a regional spatial and economic strategy which affects the Gaeltacht, the regional assembly shall have regard to the need to protect the linguistic and cultural heritage of the Gaeltacht.

(c) When making a regional spatial and economic strategy the regional assemblies in respect of the GDA shall ensure that the strategy is consistent with the transport strategy of the NTA.

(8) Without prejudice to the generality of subsections (2) and (3), the Minister may issue guidelines on the content of regional spatial and economic strategies and regional assemblies shall have regard to those guidelines.

Consultation regarding regional spatial and economic strategy

24. (1) As soon as may be after agreeing any necessary arrangements under section 21, a regional assembly shall give notice of its intention to make the regional spatial and economic strategy.

(2) A notice under subsection (1) shall be given to the Minister, the Board, the prescribed authorities in the area and shall be published in one or more newspapers circulating in the region for which the regional spatial and economic strategy is prepared and shall—

[1] OJ No. L197, 21.7.2001 p.30-37

(a) state that the regional assembly intends to make a regional spatial and economic strategy,

(b) indicate the matters to be considered in the regional spatial and economic strategy, having regard to section 23,

(c) indicate that submissions regarding the making of the regional spatial and economic strategy may be made in writing to the regional assembly within a specified period (which shall not be less than 8 weeks).

(3) A regional assembly shall consider any submissions received under subsection (2) before preparing the draft regional spatial and economic strategy.

(4) When a regional assembly prepares the draft of the regional spatial and economic strategy it shall, as soon as may be—

(a) send notice and copies of the draft strategy to the Minister, the Board, the prescribed authorities in its area, and

(b) publish notice of the preparation of the draft in one or more newspapers circulating in its area.

(5) A notice under subsection (4) shall state—

(a) that a copy of the draft strategy may be inspected at a stated place or places and at stated times during a stated period of not less than 10 weeks (and the copy shall be kept available for inspection accordingly), and

(b) that written submissions or observations with respect to the draft made to the regional assembly within the stated period will be taken into consideration before the regional spatial and economic strategy is adopted.

(6) When the regional assemblies in respect of the GDA prepare the draft of the regional spatial and economic strategy they shall include a statement in that draft on the actions being taken or proposed to ensure effective integration of transport and land use planning, including in particular—

(a) a statement explaining how the regional assemblies propose to address the matters identified in the report of the NTA prepared in accordance with section 31F, and

(b) where the regional assemblies do not propose to address, or propose to only partially address, any matter identified in the report of the NTA prepared in accordance with section 31F, a statement of the reasons for that course of action.

(7) When a regional assembly (other than the regional assemblies in respect of the GDA) prepares the draft of the regional spatial and economic strategy it shall include a statement in that draft on the actions being taken or proposed to ensure effective integration of transport and land use planning, including in particular—

(a) a statement explaining how it proposes to address the matters identified in the report of the NTA prepared in accordance with section 31FF, and

(b) where it does not propose to address, or proposes to only partially address, any matter identified in the report of the NTA

prepared in accordance with section 31FF, a statement of the reasons for that course of action.

(8) (a) Subject to paragraphs (b) and (e), following consideration of submissions or observations under subsection (5), and subject to section 25, the regional assembly shall, subject to any amendments that it considers necessary, make the regional spatial and economic strategy.

(b) The regional assembly shall determine if a strategic environmental assessment or an appropriate assessment or both such assessments, as the case may be, is or are required to be carried out as respects one or more than one proposed material amendment of the draft regional spatial and economic strategy.

(c) The director of the regional assembly, not later than 2 weeks after a determination under paragraph (b) shall specify such period as he or she considers necessary as being required to facilitate an assessment referred to in paragraph (b).

(d) The regional assembly shall publish notice of any proposed material amendment, and where appropriate in the circumstances, the making of a determination that a strategic environmental assessment or an appropriate assessment or both such assessments, as the case may be, is or are required, in at least one newspaper circulating in its area.

(e) The notice referred to in paragraph (d) shall state—

(i) that a copy of any proposed material amendment and of any determination by the regional assembly that an assessment referred to in paragraph (b) is required may be inspected at a stated place or places and at stated times, and on the assembly's website, during a stated period of not less than 4 weeks (and that copies will be kept for inspection accordingly), and

(ii) that written submissions or observations with respect to the proposed material amendment or an assessment referred to in paragraph (b) and made to the regional assembly within a stated period shall be taken into account by the assembly before the regional spatial and economic strategy is adopted.

(f) The regional assembly shall carry out an assessment referred to in paragraph (b) of the proposed material amendment of the draft regional spatial and economic strategy within the period specified by the director of the regional assembly.

(9) Following the consideration of submissions or observations under subsection (8), and subject to section 25, the regional assembly shall make the regional spatial and economic strategy with or without the proposed material amendments, subject to any minor modifications considered necessary.

(10) A minor modification referred to in subsection (9) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site.

(11) (a) Where a regional assembly makes a regional spatial and economic strategy, it shall publish a notice of the making of the strategy in at least one newspaper circulating in the functional

area of each planning authority in the region for which the strategy is prepared.

(b) A notice under this subsection shall state that a copy of the regional spatial and economic strategy is available for inspection at a stated place or places (and the copy shall be kept available for inspection accordingly).

Procedure for making regional spatial and economic strategy

25. (1) As part of the consultation between a regional assembly and the relevant planning authorities under section 22, the regional assembly and the planning authorities concerned shall agree on a procedure for preparing and making the regional spatial and economic strategy under section 24.

(2) Matters to be considered under subsection (1) shall include the establishment of committees to oversee and consider preparation of the strategy.

(3) The authorities and assemblies concerned shall agree on the membership of the committees under subsection (2) and shall also agree on the roles of those committees in preparing the draft regional spatial and economic strategy, considering submissions or observations under section 24, and drawing up reports in respect of the strategy.

(4) When the regional assemblies in respect of the GDA make a regional spatial and economic strategy they shall include in the strategy a statement on the actions being taken or proposed to ensure effective integration of transport and land use planning, including in particular—

(a) a statement explaining how the regional assemblies propose to address the matters identified in the report of the NTA prepared in accordance with section 31G, and

(b) where the regional assemblies do not propose to address, or propose only to partially address, any matter identified in the report of the NTA prepared in accordance with section 31G, a statement of the reasons for that course of action.

(5) When a regional assembly (other than the regional assemblies in respect of the GDA) makes a regional spatial and economic strategy it shall include in the strategy a statement on the actions being taken or proposed to ensure effective integration of transport and land use planning, including in particular—

(a) a statement explaining how it proposes to address the matters identified in the report of the NTA prepared in accordance with section 31GG, and

(b) where it does not propose to address, or proposes only to partially address, any matter identified in the report of the NTA prepared in accordance with section 31GG, a statement of the reasons for that course of action.

(6) The making of a regional spatial and economic strategy under section 24(8) shall be a matter for the members of the regional assembly concerned, following the consideration of any report or reports from the committees referred to in subsection (2).

Reports on regional spatial and economic strategy

25A. (1) In respect of the regional spatial and economic strategy of a regional assembly, the public bodies to which section 22A relate and each local authority within the regional assembly area shall, every 2 years, prepare and submit a report to the assembly setting out progress made in supporting objectives, relevant to that body, of the strategy.

(2) Each regional assembly shall, every 2 years, prepare a report (in this section referred to as a monitoring report) monitoring progress made in implementing the regional spatial and economic strategy.

(3) The monitoring report shall specify the progress made in securing the overall objectives of the regional spatial and economic strategy, including any specific actions and outcomes, including actions specific to the public bodies to which section 22A relates.

(4) The regional assembly concerned shall submit its monitoring report to the National Oversight and Audit Commission.

(5) The National Oversight and Audit Commission shall consider the monitoring report of each regional assembly and may make recommendations to the Minister in relation to relevant measures to further support the implementation of the regional spatial and economic strategy concerned.

Review of regional spatial and economic strategy

26. (1) Where a regional assembly has made a regional spatial and economic strategy, it shall, not later than 6 years after the making of such a strategy and not less than once in every period of 6 years thereafter, review such strategy and when so reviewing, it may revoke the strategy or make a new regional spatial and economic strategy.

(2) Before a regional assembly revokes a strategy referred to in subsection (1) (other than for the purpose of making a new regional spatial and economic strategy), it shall consult with the planning authorities within its region.

(3) Where the regional assembly makes a new regional spatial and economic strategy, it shall follow the procedures laid down in sections 22, 24 and 25.

(4) Where a new strategy is made under subsection (1), it shall supersede any previous regional spatial and economic strategy.

Regional spatial and economic strategy and development plans

27. (1) A planning authority shall ensure, when making a development plan or a local area plan, that the plan is consistent with any regional spatial and economic strategy in force for its area.

(2) The Minister may, by order, determine that planning authorities shall comply with any regional spatial and economic strategy in force for their area, or any part thereof, when preparing and making a development plan, or may require in accordance with section 31 that an existing development plan comply with any regional spatial and economic strategy in force for the area.

(3) An order under subsection (2) may relate—

(a) generally to every regional spatial and economic strategy,

(b) to one or more than one specified strategy, or

(c) to specific elements of each strategy.

(4) Following the making of a regional spatial and economic strategy for its area, each planning authority shall review the existing development plan and consider whether any variation of the development plan is necessary in order to achieve the objectives of the regional spatial and economic strategy.

(5) For the purposes of this section, a planning authority may have, but shall not be obliged to have, regard to any regional spatial and economic strategy after 6 years from the making of such strategy.

(6) The Minister may make regulations concerning matters of procedure and administration to be adopted by a regional assembly in the performance of its functions relating to the preparation of a draft development plan, making of a development plan or variation of a development plan, as the case may be.

Report of regional assembly for preparation of draft development plan

27A. (1) Where a regional assembly receives a notice from a planning authority under section 11(1) it shall prepare submissions or observations for the purposes of section 11(2).

(2) Submissions or observations made by a regional assembly under section 11(2) shall contain a report on matters that, in the opinion of the regional assembly, require consideration by the planning authority concerned in making the development plan.

(3) The submissions or observations and report of the regional assembly shall include, but shall not be limited to, recommendations regarding each of the following matters as respects the area to which the development plan relates:

(a) any policies or objectives for the time being of the Government or any Minister of the Government in relation to national and regional population targets, and the best distribution of residential development and related employment development with a view to—

(i) promoting consistency as far as possible, between housing, settlement and economic objectives in the draft development plan and core strategy and the regional spatial and economic strategy, and

(ii) assisting in drafting the core strategy of the draft development plan;

(b) the objectives of providing physical, economic or social infrastructure in a manner that promotes balanced regional development;

(c) planning for the best use of land having regard to location, scale and density of new development to benefit from investment of public funds in transport infrastructure and public transport services; and

(d) collaboration between the planning authority and the regional assembly in respect of integrated planning for transport and land use, in particular in relation to large scale developments and the promotion of sustainable transportation strategies in urban and rural areas, including the promotion of measures to

reduce anthropogenic greenhouse gas emissions and address the necessity of adaptation to climate change.

(4) One or more regional assemblies, who have been directed by the Minister to make a regional spatial and economic strategy for the purpose of section 21(3) in relation to a combined area of the regional assemblies or in respect of any particular part or parts of the area which lie within the area of those regional assemblies, shall make joint submissions or observations and issue a joint report for the purpose of this section, in respect of the combined area or particular part or parts of the area concerned and shall send a copy of the joint submissions or observations and joint report to the Minister.

Role of regional assembly in making of development plan

27B. (1) Where a regional assembly receives a notice from a planning authority under section 12(1) it shall prepare submissions and observations for the purposes of section 12(2).

(2) Submissions or observations made by the regional assembly under subsection (1) shall contain a report which shall state whether, in the opinion of that assembly, the draft development plan, and, in particular, its core strategy, are consistent with the regional spatial and economic strategy in force for the area of the development plan.

(3) Where the opinion of the regional assembly stated in the submissions or observations made and the report issued is that the draft development plan and its core strategy are not consistent with the regional spatial and economic strategy, the submissions, observations and report shall include recommendations as to what amendments, in the opinion of the regional assembly, are required in order to ensure that the draft development plan and its core strategy are so consistent.

(4) The regional assembly shall send a copy of the submission or observations and the report to the Minister.

(5) One or more regional assemblies, who have been directed by the Minister to make a regional spatial and economic strategy for the purpose of section 21(3) in relation to a combined area of the regional assemblies or in respect of any particular part or parts of the area which lie within the area of those regional assemblies, shall make joint submissions or observations and issue a joint report for the purpose of this section, in respect of the combined area or particular part or parts of the area concerned and shall send a copy of the joint submissions or observations and joint report to the Minister.

Role of regional assembly in variation of development plan

27C. (1) Where a regional assembly receives a notice from a planning authority under section 13(1) it shall prepare submissions and observations for the purposes of section 13(2).

(2) Submissions or observations made by the regional assembly under subsection (1) shall contain a report which shall state whether, in the opinion of that assembly, the draft variation of the development plan, and, in particular, its core strategy, are consistent with the regional spatial and economic strategy in force for the area of the development plan.

(3) Where the opinion of the regional assembly stated in the submissions or observations made and the report issued is that the proposed variation of the development plan and its core strategy are not consistent with the regional spatial and economic strategy, the submissions and observations and report shall include recommendations as to what amendments, in the opinion of the regional assembly, are required in order to ensure that the proposed variation to the development plan and its core strategy are so consistent.

(4) The regional assembly shall send a copy of the report to the Minister.

(5) One or more regional assemblies, who have been directed by the Minister to make a regional spatial and economic strategy for the purpose of section 21(3) in relation to a combined area of the regional assemblies or in respect of any particular part or parts of the area which lie within the area of those regional assemblies, shall make joint submissions or observations and issue a joint report for the purpose of this section, in respect of the combined area or particular part or parts of the area concerned and shall send a copy of the joint submissions or observations and joint report to the Minister.".

(2) The Planning and Development Act 2000 is amended by substituting the following for section 31FF:

"Co-operation and further provisions relating to regional spatial and economic strategy

31FF. (1) Where a regional assembly (other than the regional assemblies in respect of the GDA) intends to make a regional spatial and economic strategy in accordance with section 24, or to review the existing strategy under section 26, it shall, as soon as may be, consult with the NTA in order to make the necessary arrangements for making the strategy.

(2) The NTA shall assist and co-operate with the regional assembly in making arrangements for the preparation of a regional spatial and economic strategy and in carrying out the preparation of the strategy.

(3) In carrying out its functions under subsection (2), the NTA shall prepare and submit to the regional assembly, within 6 weeks of the commencement of consultation under subsection (1), a report on the issues which, in its opinion, should be considered by the regional assembly in making a regional spatial and economic strategy.".

(3) The Planning and Development Act 2000 is amended by substituting the following for section 178:

"**Restrictions on development by certain local authorities**

178. (1) The council of a county shall not effect any development in its functional area which contravenes materially the development plan.

(2) The council of a city shall not effect any development in the city which contravenes materially the development plan.

(3) The council of a city and county shall not effect any development in the city and county which contravenes materially the development plan.".

(4) The Planning and Development Act 2000 is amended by substituting the following for section 243:

"**Charging of expenses of planning authority**

243. Expenses under this Act of a planning authority shall be charged on the local authority concerned.".

(5) The Planning and Development Act 2000 is amended by inserting the following after section 268:

"**Transitional provisions consequent on *Local Government Reform Act 2014***

268A. (1) In this section—

'2014 establishment day' has the same meaning as it has in the *Local Government Reform Act 2014*;

'dissolved authority' means a local authority to which subsection (2)relates or a town council to which subsection (3) relates, as the circumstances require;

'relevant day or date' means the 2014 establishment day or the transfer date, as the circumstances require;

'successor authority' shall be read in accordance with subsection (2) or (3), as the circumstances require;

'transfer date' has the same meaning as it has in the *Local Government Reform Act 2014*.

(2) Consequent on the dissolution of certain local authorities by *section 17* of the *Local Government Reform Act 2014*, the planning authority for each local government area concerned shall, with effect from the 2014 establishment day, be the successor authority as provided for by that section.

(3) Consequent on the dissolution of town councils by *Chapter 2* of *Part 3* of the *Local Government Reform Act 2014*, the planning authority for the area which was, immediately before the transfer date (as provided for by that Chapter), the area of a town council shall, on and from that date, be the planning authority for the local government area within which the first-mentioned area is situated on that date (in this section referred to as the 'successor authority').

(4) All acts duly done and decisions duly made before the relevant day or date by a planning authority to which subsection (2) relates or a town council to which subsection (3) relates, respectively, shall, subject to this Act, continue to have all such force and effect as they would have had if the transfer order had not been made.

(5) For the purpose of completing any matter outstanding by or with a dissolved authority as the planning authority for a local government area concerned before the relevant day or date, as the case may be, the successor authority shall, on that day or date—

(a) become the planning authority for that area, and

(b) exercise the functions, as the planning authority for that area, of the dissolved body.

(6) So much of *Schedule 4* to the *Local Government Reform Act 2014* that relates to a dissolved body for the purposes of that Schedule and is relevant to a dissolved body for the purposes of this section shall, subject to any necessary modifications, apply in relation to the Planning and Development Acts 2000 to 2014.".

(6) Amendments to the Planning and Development Act 2000 (including amendments consequential on *subsection (1)*) are provided for by *section 5(5)* and are set out in *Part 3* of *Schedule 2*.

PART 11

Plebiscite on Directly Elected Mayor for Dublin Metropolitan Area

Definitions (*Part 11*)

64. In this Part—

"Dublin local authority" means Dublin City Council, Dun Laoghaire-Rathdown County Council, Fingal County Council or South Dublin County Council;

"Dublin metropolitan area" means the combined administrative areas of the Dublin local authorities;

"directly elected mayor" means a mayor in respect of an authority or other body for the Dublin metropolitan area elected at an election for the purposes of which there shall be one electoral area which shall consist of the local electoral areas in force at that time in respect of the Dublin metropolitan area;

"plebiscite" has the meaning given by *section 67(2)(b)*.

Convening of forum and report to Minister

65. (1) There shall be convened by the Lord Mayor of the City of Dublin, in such manner as the Minister requests, a forum representative of the members of the local authorities within the Dublin metropolitan area to consider the possible options for the future local governance arrangements for that area including the establishment of an office of a directly elected mayor for that area and shall, in particular, consider the following matters—

(a) the establishment of such an office,

(b) the rationale for, and implications of, such an office,

(c) details relating to such office and its relationship with each Dublin local authority or with those authorities and any other public authority which the forum considers would be representative of, or having functions relevant to, the Dublin metropolitan area, and

(d) such changes as would be needed in local governance arrangements for the Dublin metropolitan area consequential on the establishment of such an office, including matters to which *paragraph (c)* of *section 66(1)* would relate if a resolution under that paragraph were proposed,

and the Lord Mayor of the City of Dublin shall report to the Minister in writing on the forum's deliberations and conclusions within such time limit as the Minister directs, which report shall include a draft resolution for the purposes of *section 66(1)*.

(2) Consequent on receipt of the report referred to in *subsection (1)*, the Minister may consult with each Dublin local authority on that report either jointly, separately or both and with any other person that the Minister considers it appropriate to consult.

Resolutions of local authorities

66. (1) Where the Minister is of the opinion that, having regard to the report and the draft resolution under *subsection (1)* of *section 65* and any consultations under *subsection (2)* of that section, a resolution in the terms to which *paragraph (a)* relates should be put before the council for each local authority within the Dublin Metropolitan Area and the Minister has advised those local authorities of that opinion, then each such local authority may act accordingly, and where it does so, each such resolution shall—

(a) propose the holding of a plebiscite on whether an office of directly elected mayor of an authority for the Dublin metropolitan area should be established,

(b) be in a form approved by the Minister, and

(c) in the case of each local authority, be accompanied by a statement, the wording of which has been approved by the Minister, setting out the main features of the proposed future governance arrangements for the Dublin metropolitan area including—

(i) the functions and structures of the proposed office of directly elected mayor of the Dublin metropolitan area,

(ii) the proposed changes in the functions and structures of the Dublin local authorities and the relationship between the office of directly elected mayor and the Dublin local authorities and with any other authority or other body (whether then in existence or not) of which such mayor would have a role to play and the nature of that role,

(iii) details of the estimated cost and other resource implications of the proposed arrangements and any increased cost likely to arise as a result of their implementation,

(iv) the changes (if any) proposed to the functions and structures of any other body,

(v) details of the advantages and disadvantages that would arise as a result of the implementation of the proposed arrangements,

(vi) measures to maximise efficiency, effectiveness and accountability in local government in the Dublin metropolitan area and avoidance of duplication or undue cost, and

(vii) such further information or details approved by the Minister for inclusion in the statement.

(2) For the purposes of this Part, a resolution to which *subsection (1)* relates—

(a) shall not be adopted by a local authority concerned after 31 March 2014, and

(b) shall be adopted by the local authority concerned only if not less than half of the persons who are members of that local authority vote in favour of the resolution.

Holding of plebiscite

67. (1) Where a resolution has been adopted by each Dublin local authority inaccordance with *section 66(2)*, a plebiscite shall be held to decide whether legislation should be brought forward—

(a) to provide for the establishment of an office of directly elected mayor to be chairperson and leader of an authority or other body for the Dublin metropolitan area, and

(b) for such other matters relating to local government in the Dublin area as the Minister considers to be appropriate.

(2) A plebiscite referred to in *subsection (1)* shall—

(a) be held in conjunction with and at the times duly fixed by the Minister for the 2014 local elections,

(b) put a proposal for a decision of those persons entitled to vote at the 2014 local elections for the Dublin local authorities (in this Part referred to as a "plebiscite") as to whether an office of directly elected mayor of an authority for the Dublin metropolitan area should be established in accordance with the resolution referred to in *section 66(1)*, and

(c) be held in accordance with regulations to be made by the Minister providing for the holding of the plebiscite and for other requirements and arrangements that will apply in relation to the plebiscite.

(3) (a) Dublin City Council shall, on its own behalf and on behalf of the other Dublin local authorities, publish and distribute or cause to be published and distributed, not later than 30 days before the polling day in a manner which Dublin City Council considers most likely to bring the proposal to the attention of voters, information for voters in relation to the proposal which is to be put for a decision through the plebiscite, including the details referred to in *section 66(1)(c)*.

(b) Dublin City Council shall be facilitated by the other Dublin local authorities for the purpose of giving effect to *paragraph (a)*.

(4) Without prejudice to the generality of *paragraph (c)* of *subsection (2)*, any regulations under that paragraph may, in particular—

(a) specify the form of the ballot paper for the plebiscite, including the wording to be used on the ballot paper for the proposal on whether an office of directly elected mayor of an authority for the Dublin metropolitan area should be established, which wording shall be consistent with the resolution referred to in *section 66(1)*,

(b) provide for arrangements and requirements in relation to the information to be published and distributed to voters in accordance with *subsection (3)*,

(c) provide for the appointment, duties, and staff of the returning officer for the plebiscite,

(d) provide for the taking of the poll at the plebiscite and the counting of votes,

(e) provide for the use, free of charge, of schools and public rooms,

(f) provide for arrangements for postal and special voting,

(g) provide for voting by persons in the employment of returning officers,

(h) provide for voting by persons to whom *section 68* relates who are physically ill or physically disabled,

(i) provide for the issue of polling information cards,

(j) provide for the maintenance of secrecy of voting,

(k) provide for the removal of persons misconducting themselves in polling stations,

(l) provide for procedures in the event of disorder or obstruction,

(m) provide for procedures in the event of interference with ballot boxes or ballot papers,

(n) provide for provisions corresponding to articles 67, 95 to 101, 105 to 111, 113 to 118, 119 and 122 of the Local Elections Regulations 1995 (S.I. No. 297 of 1995), with such modifications as appear to the Minister to be appropriate, and

(o) contain such other provisions relating to the holding of polls and the holding of the plebiscite as the Minister considers appropriate.

(5) Where a provision of regulations made under this section corresponds to a provision of the Local Elections Regulations 1995, which declares a matter to be an electoral offence, the regulations so made may provide for a corresponding offence in relation to the plebiscite and lay down a penalty for it which does not exceed the relevant penalty specified in article 117 of the Local Elections Regulations 1995.

(6) Where regulations under this section are proposed to be made, a draft of them shall be laid before each House of the Oireachtas and the regulations shall not be made until a resolution approving of the draft has been passed by each House.

Persons entitled to vote

68. For the purposes of this Part and regulations made under it, every person whose name is duly entered on the register of local government electors prepared under Part II of the Electoral Act 1992 that is in force for the City of Dublin and the counties of Dun Laoghaire-Rathdown, Fingal and South Dublin is entitled to vote at the plebiscite.

Report to Houses of the Oireachtas

69. If a majority of the votes cast at the plebiscite is in favour of the proposal, the Minister shall, within 2 years of the date of the plebiscite, submit to both Houses of the Oireachtas a report—

(a) containing proposals for legislation to provide for the establishment of an office of directly elected mayor of an authority for the Dublin metropolitan area and other provisions for local governance in the Dublin area, having regard to the proposal which was the subject of the plebiscite and such other matters relating to local government as he or she considers appropriate, or

(b) containing a statement of his or her reasons for not making proposals for legislation to which *paragraph (a)* would relate.

Costs of holding plebiscite

70. The Dublin local authorities shall meet the costs incurred in holding the plebiscite (including the costs incurred by Dublin City Council under *section 67(3)*), as shall be determined by such person as the Minister nominates in the event of a dispute as to the amount, each in proportion to that which the population within its local authority area has to the population within the Dublin metropolitan area, as ascertained at the most recent census of population.

Steps taken prior to passing of Act

71. (1) Where, prior to the passing of this Act either or both—

(a) Dublin City Council, Dun Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council, and

(b) the Lord Mayor of the City of Dublin,

convened, at the request of the Minister and in such manner as the Minister requested, a forum to consider the possible options and matters referred to in *section 65(1)*, then, the convening of a forum under that subsection shall be deemed to have been complied with and, in respect of any subsequent steps taken before the passing of this Act that in the Minister's opinion would, if taken after such passing, comply in whole or in part with the requirements of *section 65(1)*, the Minister may deem that subsection to have been duly complied with to the extent that those steps were taken and that subsection shall have effect accordingly.

(2) Where the whole of *section 65(1)* is deemed to have been duly complied with by virtue of *subsection (1)*, then, in respect of any subsequent steps taken before the passing of this Act that in the Minister's opinion would, if taken after such passing, comply—

(a) in whole or in part with the requirements of *section 65(2)*, or

(b) in whole with the requirements of *section 65(2)*, and in whole or in part with the requirements of *section 66(1)*,

the Minister may deem that subsection or those subsections (as the case may be) to have been duly complied with to the extent that the requirements have been so complied with and that subsection or those subsections shall have effect accordingly.

(3) Where the Minister deems a specified provision of this section to have been complied with in whole in a case to which *subsection (1)* relates or in whole or in part in a case to which *subsection (2)* relates, then he or she shall—

(a) notify in writing each of the local authorities concerned of that fact, and

(b) cause a notice to that effect to be published in Iris Oifigiúil.

PART 12

Non-Principal Private Residence Charge and Household Charge

Interpretation (*Part 12*)

72. In this Part—

"Act of 2009" means the Local Government (Charges) Act 2009;

"household charge" has the meaning assigned to it by section 3(1) of the Act of 2011;

"non-principal private residence charge" means the charge provided for in section 3 of the Act of 2009.

Repeals relevant to *Part 12*

73. (1) The provisions of the Local Government (Charges) Act 2009 are repealed as follows:

(a) upon the passing of this Act in respect of sections 3, 4, 5, 9 and 14;

(b) on 2 March 2014 in respect of section 6;

(c) subject to *subsection (2)*, on 1 January 2015 in respect of section 15;

(d) subject to *subsection (2)*, on 31 March 2025 in respect of the whole Act in so far as it is not already repealed.

(2) In respect of any provision to which *paragraph (c)* or *(d)* of *subsection (1)* relates that does not stand repealed by virtue of the paragraph concerned or by order under this subsection, the Minister may by order or subsequent order, as the case may be—

(a) where there is no subsisting order under this subsection in respect of that provision providing for its repeal, provide for the repeal of that provision on a date other than the date provided for by the paragraph concerned, or

(b) where there is a subsisting order under this subsection in respect of the provision concerned, revoke or amend that order and provide for a different date upon which that provision shall stand repealed.

(3) The provisions of the Local Government (Household Charge) Act 2011 are repealed as follows:

(a) upon the passing of this Act in respect of section 10(4) ;

(b) other than in respect of section 10(4), on such day or days as the Minister may, by order or orders, appoint either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes and different provisions.

Annotations

Amendments:

Arrears of non-principal private residence charge and late payment fees

74. (1) All non-principal private residence charge and late payment fee liabilities relating to any such charge or any part thereof that remain undischarged on 1 March 2014 shall not be subject to additional late payment fees if collected on or before 31 August 2014.

(2) Notwithstanding *subsection (1)*, where a non-principal private residence charge and late payment fee liability in respect of such charge or any part thereof remain undischarged on 1 September 2014, an additional late payment fee of €120 shall apply in respect of each liability date.

(3) All non-principal private residence charge and late payment fee liabilities, in respect thereof, including that provided for by *subsection (2)*, which remain undischarged on 1 September 2014 shall be increased by 50 per cent on that date.

(4) Where in any case the period of 3 months referred to in subsection (6) of section 6 of the Act of 2009 applies but had not expired on or before 1 March 2014, then *subsection (1)* shall apply to such a case.

Deceased sole owner and payment of non-principal private residence charge and late payment fees

75. (1) Where a person who is the sole owner of a residential property (within the meaning of section 2 of the Act of 2009) dies and, at the date of his or her death, a non-principal private residence charge, a late payment fee in respect of such a charge or any part of such charge or fee remains unpaid in relation to that property, then no further late payment fee shall be payable in relation to that property until a grant of representation to the estate of the deceased person issues to the personal representative of such deceased person.

(2) The personal representative of such deceased person shall, as soon as a grant of representation to the estate of the deceased person issues to him or her, be liable to pay to the relevant local authority the full amount due and owing by the deceased, at the date of his or her death, in respect of a non-principal private residence charge and each related late payment fee in respect of such a charge, which said full amount is, in this section, referred to as the "full amount".

(3) If the said full amount is paid by the said personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased person, he or she shall have no further liability in respect of the non-principal private residence charge concerned and each related late payment fee in respect of such a charge due and owing by the deceased at the date of his or her death.

(4) If the said full amount is not paid by the said personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased person, he or she shall be liable to pay to the relevant local authority the said full amount.

(5) If the grant of representation is issued on or after 1 June 2014 and if the said full amount is not paid by the said personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased person, notwithstanding *subsection (1)*, any late payment fees which would have applied under *subsections (2)* and *(3)* of *section 74* had the person who is the sole owner of a residential property (within the meaning of section 2 of the Act of 2009) not died shall apply.

(6) (a) In this section a reference to "grant of representation" is, where 2 or more such grants are issued to the estate of a deceased person, a reference to the first of such grants to issue.

(b) In this section a reference to "late payment fee" includes reference to the 50 per cent increase provided for under *section 74(3)*.

(7) This section shall apply on and from 2 March 2014.

Collection of undischarged liabilities relating to non-principal private residence liabilities

76. Subject to *section 77*, a local authority may act as it sees fit to most efficiently collect undischarged non-principal private residence charge and late payment fee liabilities in respect of any such charge including, in the case of an individual being liable, reducing such late fee liabilities in circumstances in which the local authority considers that to do so would be most efficient for the collection of the undischarged charge and liabilities.

Guidance by Minister

77. For the purposes of *sections 74* to *76*, the Minister may issue written guidance to local authorities concerning any matter to which those sections relate and each local authority shall have regard to any such guidance.

Validity of non-principal private residence charge and household charge collection activity

78. Any activity undertaken by the Local Government Management Agency to collect—

(a) the non-principal private residence charge, under the Act of 2009 or the household charge under the Local Government (Household Charge) Act 2011, or

(b) any late payment fees and late payment interest under either of those Acts,

shall not be impugned on the basis the Agency may have lacked the function to perform that activity.

PART 13

Local Government Fund and Irish Water

Amendment of section 6 of Local Government Act 1998

79. Section 6 of the Local Government Act 1998 is amended—

(a) in subsection (2C) (inserted by section 7 of the Motor Vehicle (Duties and Licences) Act 2013) by substituting the following for paragraph (a):

"(a) Subject to paragraphs (b) and (c) the Minister may, on or before 31 December 2014, pursuant to a request from the Minister for Finance, make one, or more than one, payment from the Fund in the amount requested by the Minister for Finance.",

(b) in subsection (2C) (as so inserted) by substituting the following for paragraph (c):

"(c) The total amount of all payments made under paragraph (a) shall not exceed €600 million.",

(c) by inserting the following after subsection (2C):

"(2CA) The Minister may make payments out of the Fund to Irish Water in respect of water services functions transferred from local authorities to Irish Water.",

and

(d) by substituting the following for subsection (3):

"(3) The Minister shall cause to be laid before each House of the Oireachtas a copy of the determination under subsection (2) as soon as may be after the determination is made.".

PART 14

Dublin Docklands Development Authority

Amendment of Dublin Docklands Development Authority Act 1997

80. (1) In this section "Act of 1997" means the Dublin Docklands Development Authority Act 1997.

(2) Section 20(1)(a)(i) of the Act of 1997 is amended with effect from 27 November 2013 by substituting "within such period of time as the Minister may determine by order having regard to all the relevant circumstances" for "at least once in every five years".

(3) The master plan adopted on 27 November 2008 by the Council established under section 16 of the Act of 1997 shall, subject to section 20(1)(a)(iii), continue to be the master plan under that Act for the Dublin Docklands Area until a new plan is adopted in accordance with section 20(1)(a)(i) of that Act as amended by *subsection (2)*.

(4) Every act done (by commission or omission) by or on behalf of the Dublin Docklands Development Authority before the passing of this Act in respect of a matter to which this section relates that was done in anticipation of the passing of an Act containing a provision to the like effect as this section shall be deemed to be, and always to have been, a valid exercise by that Authority of its functions.

Annotations

Modifications (not altering text):

C3 Functions transferred and references to Authority construed (24.12.2015) by *Dublin Docklands Development Authority (Dissolution) Act 2015* (55/2015), s. 7, commenced on enactment.

Transfer of functions

7. (1) All functions that, immediately before the dissolution day, were vested in the Authority under subsections (1) (with the exception of functions vested under subparagraphs (i), (ii) and (iii) of paragraph (b)), (2), (3), (5) and (6) of section 18 of the Act of 1997 shall on that day stand transferred to the Council.

(2) References in any enactment (other than this Act) or instrument under an enactment to the Authority shall, to the extent that such references relate to a function transferred to the Council under this section, on and after the dissolution day, be construed as references to the Council.

Section 5(1)

SCHEDULE 1

Miscellaneous and Consequential Amendments to Local Government Acts 1925 to 2013

PART 1

Miscellaneous and Consequential Amendments to the Local Government Act 2001

Reference No. (1)	Provision (2)	Amendment (3)
1	Section 2(1)	
	Before definition of "Act of 2000"	Insert: " '2014 establishment day' means the day appointed by order under *section 8* of the *Local Government Reform Act 2014* to be the establishment day for the purposes of that Act;".
2	Definition of "administrative area"	Substitute: " 'administrative area' means an area standing established under section 10 for the purposes of local government and which is— (a) a county in the case of a county council, (b) a city in the case of a city council, (c) a city and county in the case of a city and county council;".
3	After definition of "Cathaoirleach"	Insert: " 'chief executive' means a chief executive for the purposes of section 144;".
4	Definition of "city council"	Substitute: " 'city council' means a local authority to which section 11(2) (b) relates;".
5	After definition of "city council"	Insert: " 'city and county council' means a local authority to which section 11(2) (c) relates;".
6	Definition of "city development board"	Delete.
7	Definition of "county council"	Substitute: " 'county council' means a local authority to which section 11(2) (a) relates;".

Reference No. (1)	Provision (2)		Amendment (3)
	8	Definition of "county development board"	Delete.
	9	Definition of "joint body"	Delete: "(a) a joint library committee,". Delete: "(d) a joint burial board,".
	10	Definition of "Local Government Commission"	Delete.
	11	Definition of "local authority"	Substitute: " 'local authority' means— (a) in relation to a municipal district, the county council or the city and county council in which the municipal district is situated, and (b) in every other case— (i) a county council, (ii) a city council, (iii) a city and county council;".
	12	After definition of "local consultative committee"	Insert: " 'local economic and community plan' means a plan to which sections 66A to 66H relate;".
	13	Definition of "manager"	Delete.
	14	After definition of "Minister"	Insert: " 'municipal district' shall be read in accordance with section 22A; 'municipal district members' shall be read in accordance with section 22B;".
	15	Definition of "rating authority"	Substitute: " 'rating authority' means— (a) a county council, (b) a city council, or (c) a city and county council;".

Reference No. (1)	Provision (2)	Amendment (3)
16	Definition of "reserved function"	Substitute: " 'reserved function' shall be read in accordance with sections 131 and 131A;".
17	After definition of "structure"	Insert: " 'transfer date' has the meaning given in *section 23* of the *Local Government Reform Act 2014*. ".
18	Interpretation given to "town council"	Delete.
19	Section 11 Subsection (8)	Substitute "chief executive" for "manager".
20	Subsection (14)	Substitute "chief executive's order" for "manager's order".
21	Section 14	Substitute: "14. A person shall not hold membership simultaneously of more than one local authority.".
22	Section 15	Insert after subsection (1): "(1A) Subsection (1) applies to a member of a local authority in performing functions as a municipal district member in the same manner as it applies to a member of a local authority in performing functions as a member of a local authority or a member of the council of a local authority.".
23	Section 18(5)	Substitute: "(5) In relation to a local authority, attendance as a member at a meeting of— (a) any committee or joint committee or joint body of the authority, or (b) the municipal district members, shall be deemed for the purposes of subsection (4) to be attendance at a meeting of the authority.".
24	Section 20(1)	Substitute:

Reference No. (1)	Provision (2)	Amendment (3)
		"(1) The acts, decisions and proceedings of a local authority or of the municipal district members shall not be invalidated only because of a vacancy or vacancies in its membership or of the disqualification or want of qualification of any of its members.".
25	Section 22	
	Subsection (1)	Substitute for paragraph (a): "(a) A county council, a city council or a city and county council may by resolution adopt a proposal (in this section referred to as a 'proposal') for the alteration of the number of members of that council.".
26	Subsection (2)	Delete "county council or city council" and substitute "county council, city council or city and county council".
27	Subsection (3)	Substitute: "(3) Before deciding whether to make an order under subsection (2), the Minister shall request a committee in accordance with section 32 of the Local Government Act 1991 to prepare a report with respect to the application and Part V of that Act applies to such a request and report.".
28	Subsection (5)	Delete.
29	Subsection (6)	Substitute: "(6) An application under this section shall not be made to the Minister within 5 years of— (a) the commencement of *section 15* of the *Local Government Reform Act 2014* (which inserts a new Schedule 7 to this Act), or (b) the decision by the Minister on any previous application by the local authority concerned, whichever is the later.".
30	Section 25	
	Subsection (1)	Substitute for paragraph (c): "(c) at an election of the members of more than one local authority held at the same local elections, or".

Reference No. (1)	Provision (2)	Amendment (3)
31	Subsection (1)	Delete paragraph (e).
32	Subsection (2)	Delete.
33	Section 27(2)	Substitute for paragraph (r): "(r) election of the same person in more than one local electoral area or to more than one local authority;".
34	Section 28	
	Subsection (1)	Substitute: "(1) In this section the 'chief executive' means— (a) in relation to any part of a polling district situated in a city, the chief executive for the city, (b) in relation to any part of a polling district situated in a county, the chief executive for the county, (c) in relation to any part of a polling district situated in a city and county, the chief executive for the city and county.".
35	Subsection (2)	Substitute for paragraph (a): "(a) the alteration of the boundary of a local authority, or".
36	Subsection (2)	Substitute for paragraph (b) (i): "(i) dividing a county, city or city and county into local electoral areas, or".
37	Subsection (3)	Substitute "chief executive" for "manager".
38	Subsection (5)	Substitute "chief executive" for "manager".
39	Subsection (6)	Substitute "chief executive" for "manager".
40	Subsection (4)	Substitute "county, city or city and county" for "county or city".
41	Section 30	Delete.
42	Section 31	Insert "and the municipal district members" after "each local authority".
	Subsection (1)	
43	Subsection (2)	Substitute for subsection (2):

Reference No. (1)	Provision (2)	Amendment (3)
		"(2) The holders of the offices of Cathaoirleach and Leas-Chathaoirleach shall as appropriate be styled— (a) in the case of a county council, in the Irish language 'Cathaoirleach Chontae.....' and 'Leas-Chathaoirleach Chontae.....' followed by the name of the county in Irish, and in the English language 'Cathaoirleach of the County of.....' and 'Leas-Chathaoirleach of the County of.....' followed by the name of the county in English, (b) in the case of a city council, in the Irish language 'Cathaoirleach Chathair.....' and 'Leas-Chathaoirleach Chathair.....' followed by the name of the city in Irish, and in the English language 'Cathaoirleach of the City of.....' and 'Leas-Chathaoirleach of the City of.....' followed by the name of the city in English, (c) in the case of a city and county council, in the Irish language 'Cathaoirleach Chathair agus Chontae.....' and 'Leas-Chathaoirleach Chathair agus Chontae.....' followed by the name of the city and county in Irish, and in the English language 'Cathaoirleach of the City and County of.....' and 'Leas-Chathaoirleach of the City and County of.....' followed by the name of the city and county in English, (d) in the case of a municipal district whose area contains the area of a city council dissolved by the *Local Government Reform Act 2014*, in the Irish language 'Cathaoirleach Cheantar Cathrach.....' and 'Leas-Chathaoirleach Cheantar Cathrach.....' followed by the name of the municipal district in Irish, and in the English language 'Cathaoirleach of the Metropolitan District of.....' and 'Leas-Chathaoirleach of the Metropolitan District of.....' followed by the name of the municipal district in English,

Reference No. (1)	Provision (2)	Amendment (3)
		(e) in the case of a municipal district whose area contains the area of a borough council in being (other than in respect of the borough of Kilkenny) immediately before the transfer date as provided for by the *Local Government Reform Act 2014*, in the Irish language 'Cathaoirleach Cheantar Buirge.....' and 'Leas-Chathaoirleach Cheantar Buirge.....' followed by the name of the municipal district in Irish, and in the English language 'Cathaoirleach of the Borough District of.....' and 'Leas-Chathaoirleach of the Borough District of.....' followed by the name of the municipal district in English, (f) in the case of a municipal district whose area contains the area of the borough of Kilkenny in being immediately before the transfer date as provided for by the *Local Government Reform Act 2014*, in the Irish language 'Cathaoirleach Cheantar Bardasach Chathair Chill Chainnigh' and 'Leas-Chathaoirleach Cheantar Bardasach Chathair Chill Chainnigh' and in the English language 'Cathaoirleach of the Municipal District of Kilkenny City' and 'Leas-Chathaoirleach of the Municipal District of Kilkenny City', (g) in the case of a municipal district to which paragraph (d), (e) or (f) does not apply, in the Irish language 'Cathaoirleach Cheantar Bardasach.....' and 'Leas-Chathaoirleach Cheantar Bardasach.....' followed by the name of the municipal district in Irish, and in the English language 'Cathaoirleach of the Municipal District of.....' and 'Leas-Chathaoirleach of the Municipal District of.....' followed by the name of the municipal district in English.
44	Subsections (4) to (7)	Substitute: "(4) (a) The Cathaoirleach of a local authority shall take precedence at all meetings of the local authority. (b) The Cathaoirleach of a municipal district shall take precedence at all meetings and proceedings of the municipal district members.

Reference No. (1)	Provision (2)	Amendment (3)
		(5) Anything authorised or required by this Act or otherwise by law to be done by, to or with the Cathaoirleach may where necessary be done by, to or with the Leas-Chathaoirleach of the local authority or the Leas-Chathaoirleach of the municipal district, as the case may be.
		(6) The Cathaoirleach may, where the Leas-Chathaoirleach is unavailable, nominate from among the other members of the local authority or the municipal district members, as the case may be, a member for the purpose of representing the Cathaoirleach at any ceremony or event in that capacity and that member shall be entitled to act in that capacity for such purpose.
		(7) Where a casual vacancy occurs in the office of Cathaoirleach of a local authority or of a municipal district, as the case may be, the Leas-Chathaoirleach shall assume the responsibilities of the office pending the election in accordance with this Part of a Cathaoirleach.".
45	Section 33(1)	Substitute:
		"(1) The Cathaoirleach or Leas-Chathaoirleach may resign from that office by notice in writing signed by him or her and delivered to the principal offices of the local authority which, in the case of a municipal district, is the principal offices of the local authority concerned.".
46	Section 46	Substitute "chief executive" for "manager".
47	Section 48	Delete "being a county council or city council".
	Subsection (1)	
48	Section 49	Delete.
49	Section 52	Substitute in paragraph (d) "chief executive" for "manager".
	Subsection (5)	
50	Subsection (9)	Substitute "chief executive" for "manager".
51	Part 8 (sections 55 to 62)	Delete.

Reference No. (1)	Provision (2)	Amendment (3)
52	Section 66	Insert after subsection (10): "(11) A decision of a local authority to make a charge under subsection (10) is a reserved function. (12) The performance by a local authority of functions under this section is subject to the performance by a Local Community Development Committee of so much of those functions as are deemed to have been delegated to the Committee by virtue of section 128B(2).".
53	Section 68(4)	Substitute in paragraph (b) (ii) "chief executive" for "manager".
54	Section 70	Delete.
55	Section 71	Substitute: " Objective of unified service to the public 71. Without prejudice to section 69, the elected members of a local authority, in the performance of functions in respect of the authority as a whole and in respect of municipal districts situated in the county or city and county concerned, shall take such steps as may be practicable to maximise effectiveness and efficiency in all aspects of the operations and services of the local authority, including customer service to the public generally.".
56	Section 73	Substitute: " Saver (functional area) 73. Subject to section 72 and Chapter 5 of this Part and to *Parts 2* and *3* of the *Local Government Reform Act 2014*, nothing in this Act affects the definition in any other enactment (however expressed or implied) of the functional area of a local authority for the purposes of a function conferred by that enactment.".
57	Section 77	Substitute: " Library authorities 77. Each of the following is a library authority: (a) a county council; (b) a city council; (c) a city and county council;

Reference No. (1)	Provision (2)	Amendment (3)
		and references to 'library authority' shall be read accordingly.".
58	Section 81(1)	Substitute:
	Definition of "functional area"	" 'functional area' means— (a) a county, or (b) so much of the area of the city and county that does not comprise of the area of a dissolved local authority area of a city council;".
59	Section 84	Delete.
60	Part 11 (sections 89 to 95)	Delete.
61	Section 99 Subsection (2)	Substitute "chief executive" for "manager" in both places where it occurs.
62	Subsection (3)	Substitute "chief executive" for "manager" in both places where it occurs.
63	Section 102 Subsection (4)	Substitute "chief executive" for "manager".
64	Section 103 Subsection (2)	Substitute in paragraph (a) "chief executive" for "manager".
65	Subsection (3)	Substitute "chief executive" for "manager" in each place where it occurs.
66	Subsection (4)	Substitute "chief executive" for "manager".
67	Subsection (6)	Substitute "14 days" for "21 days".
68	Section 104 Subsection (3)	Substitute "chief executive" for "manager".
69	Subsection (4)	Substitute in paragraph (a) "chief executive" for "manager".
70	Subsection (6)	Substitute "chief executive" for "manager".

Reference No. (1)	Provision (2)	Amendment (3)
71	Subsection (7)	Substitute "chief executive" for "manager".
72	Section 108(3)	Substitute "chief executive" for "manager".
73	Section 112(1)	Substitute in paragraph (b) "chief executive" for "manager" in both places where it occurs.
74	Section 120(4)	Substitute "chief executive" for "manager" in both places where it occurs.
75	Section 121(1)	Substitute "chief executive" for "manager".
76	Section 122(7)	Substitute "chief executive" for "manager".
77	Section 129	Delete.
78	Section 129I	Substitute in paragraph (a) "chief executive" for "manager".
	Subsection (5)	
79	Subsection (5)	Substitute in paragraph (b) "chief executive" for "manager".
80	Section 133	Substitute "chief executive" for "manager".
	Subsection (3)	
81	Subsection (4)	Substitute in paragraph (a) "chief executive" for "manager".
82	Subsection (5)	Substitute in paragraph (a) "chief executive" for "manager" in both places where it occurs.
83	Subsection (5)	Substitute in paragraph (b) "chief executive" for "manager".
84	Subsection (6)	Substitute in paragraph (a) "chief executive" for "manager" in each place where it occurs.
85	Subsection (6)	Substitute in paragraph (e) "chief executive" for
		"manager".
86	Subsection (7)	Substitute "chief executive" for "manager".
87	Subsection (9)	Substitute "chief executive" for "manager".
88	Section 134	Substitute "chief executive" for "manager".

Reference No. (1)	Provision (2)	Amendment (3)
	Subsection (3)	
89	Subsection (4)	Substitute in paragraph (a) "chief executive" for "manager".
90	Subsection (4)	Substitute in paragraph (b) (ii) "chief executive" for "manager".
91	Subsection (5)	Substitute in paragraph (b) (ii) "chief executive" for "manager".
92	Subsection (11)	Substitute in paragraph (a) "chief executive" for "manager".
93	Section 135(1)	Substitute "chief executive" for "manager".
94	Section 136	Substitute "chief executive" for "manager" in each place where it occurs.
95	Section 137	Substitute "chief executive" for "manager".
	Subsection (1)	
96	Subsection (2)	Substitute "chief executive" for "manager".
97	Section 138	Substitute "chief executive" for "manager".
	Subsection (1)	
98	Subsection (2)	Substitute "chief executive" for "manager" in both places where it occurs.
99	Subsection (3)	Substitute "chief executive" for "manager".
100	Subsection (4)	Substitute "chief executive" for "manager".
101	Subsection (5)	Substitute "chief executive" for "manager".
102	Section 139(2)	Substitute "chief executive" for "manager".
103	Section 140	Substitute "chief executive" for "manager".
	Subsection (2)	
104	Subsection (3)	Substitute "chief executive" for "manager" in both places where it occurs.
105	Subsection (4)	Substitute "chief executive" for "manager".
106	Subsection (5)	Substitute "chief executive" for "manager".

Reference No. (1)	Provision (2)	Amendment (3)
107	Subsection (6)	Substitute "chief executive" for "manager".
108	Subsection (9)	Substitute "chief executive" for "manager".
109	Section 151 Subsection (1)	Substitute "chief executive" for "manager" in both places where it occurs.
110	Subsection (2)	Substitute in paragraph (a) "chief executive" for "manager".
111	Subsection (2)	Substitute in paragraph (d) "chief executive" for "manager".
112	Subsection (3)	Substitute "chief executive" for "manager" in both places where it occurs.
113	Subsection (4)	Substitute "chief executive" for "manager".
114	Subsection (5)	Substitute "chief executive" for "manager" in both places where it occurs.
115	Subsection (6)	Substitute "chief executive" for "manager" in each place where it occurs.
116	Subsection (7)	Substitute "chief executive" for "manager" in each place where it occurs.
117	Subsection (8)	Substitute "chief executive" for "manager".
118	Subsection (10)	Substitute "chief executive" for "manager".
119	Section 152 Subsection (1)	Substitute "chief executive" for "manager" in both places where it occurs.
120	Subsection (2)	Substitute "chief executive" for "manager" in each place where it occurs.
121	Subsection (3)	Substitute "chief executive" for "manager" in both places where it occurs.
122	After subsection (3)	Insert: "(3A) This section applies to the chief executive of a local authority in respect of meetings of a municipal district of the local authority in the same manner as it applies to meetings of that authority.".

Reference No. (1)	Provision (2)	Amendment (3)
123	Subsection (4)	Substitute "chief executive" for "manager" in both places where it occurs.
124	Section 153	Substitute "chief executive" for "manager".
	Subsection (1)	
125	Subsection (2)	Substitute "chief executive" for "manager".
126	Section 154	Substitute "chief executive" for "manager".
	Subsection (1)	
127	Subsection (2)	Substitute "chief executive" for "manager" in each place where it occurs.
128	Subsection (3)	Substitute in paragraph (a) "chief executive" for "manager".
129	Subsection (3)	Substitute in paragraph (c) "chief executive" for "manager" in both places where it occurs.
130	Subsection (4)	Substitute "chief executive" for "manager" in both places where it occurs.
131	Subsection (5)	Substitute "chief executive" for "manager".
132	Subsection (6)	Substitute "chief executive" for "manager".
133	Section 159	Substitute "chief executive" for "manager".
	Subsection (1)	
134	Subsection (2)	Substitute "chief executive" for "manager".
135	Subsection (3)	Substitute in paragraph (a) "chief executive" for "manager".
136	Section 166	Substitute "chief executive" for "manager".
	Subsection (1)	
	Definition of "employee"	
137	Subsection (2)	Substitute in paragraph (a) "chief executive" for "manager" in both places where it occurs.

Reference No. (1)	Provision (2)	Amendment (3)
138	Section 167 Subsection (1)	Substitute in paragraph (c) "chief executive" for "manager".
139	Section 174 Subsection (7)	Substitute "chief executive" for "manager" in each place where it occurs.
140	Subsection (8)	Substitute in paragraph (b) (ii) "chief executive" for "manager".
141	Section 176 Subsection (1)	Substitute "the performance by the local authority concerned, or any municipal district members for that authority, of any functions" for "the performance by the local authority of any of its functions".
142	Subsection (2)	Substitute "the performance by the local authority, or by municipal district members, of any functions" for "the performance by the authority of any of its functions".
143	Section 179 Subsection (1)	Substitute in paragraph (a) "chief executive" for "manager".
144	Subsection (2)	Substitute in paragraph (b) "chief executive" for "manager" in both places where it occurs.
145	Subsection (2)	Substitute in paragraph (c) "chief executive" for "manager" in both places where it occurs.
146	Subsection (3)	Substitute "chief executive" for "manager".
147	Section 180 Subsection (3)	Substitute for paragraph (a) (i): "(i) a chief executive, it shall be furnished to the Cathaoirleach of the local authority concerned,".
148	Subsection (3)	Substitute in paragraph (a) (ii) "chief executive" for "manager".
149	Subsection (3)	Substitute in paragraph (a) (iii) "chief executive" for "manager".
150	Subsection (3)	Substitute in paragraph (a) (iv) "chief executive" for "manager" in both places where it occurs.
151	Subsection (3)	Substitute in paragraph (a) (v) "chief executive" for "manager".

Reference No. (1)	Provision (2)	Amendment (3)
152	Subsection (4)	Substitute in paragraph (b) "chief executive" for "manager" in both places where it occurs.
153	Subsection (4)	Substitute in paragraph (c) "chief executive" for "manager".
154	Part 17 (sections 185 to 187)	Delete.
155	Part 18 (sections 188 to 194, inserted by section 48 of the Environment (Miscellaneous Provisions) Act 2011)	
	Section 188 (as so inserted)	Substitute:
	Definition of "functional area"	" 'functional area' means as respects—
		(a) a city council, the city,
		(b) a county council, the county,
		(c) a city and county council, the city and county;".
156	Definition of "locality" (as so inserted)	Substitute:
		" 'locality' means a part (other than a town, townland or street) of a county, city, city and county, or town in respect of which a name (other than the name of the county, city, city and county, or town concerned) is in common use;".
157	Definition of "non-municipal town" (as so inserted)	Delete.
158	Interpretation given to "placename" (as so inserted)	Substitute:
		" 'placename' includes the name of a county, city, city and county, town, village, barony, parish, townland, street or locality, district, region or place, as described in a map produced by Ordnance Survey Ireland;".
159	Section 198	Substitute:

Reference No. (1)	Provision (2)	Amendment (3)
	Subsection (1) Definition of "functional area"	" 'functional area' means as respects— (a) a city council, the city, (b) a county council, the county, (c) a city and county council, the city and county;".
160	Section 214(5)	Substitute "chief executive" for "manager" in both places where it occurs.
161	Section 216(1)	Substitute in paragraph (c) "14 days" for "21 days".
162	Section 221 Subsection (1)	In paragraph (a) substitute "every local authority" for ", every county council and city council".
163	Subsection (1)	In paragraph (a) substitute "the local authority concerned" for "the county council or city council, as the case may be,".
164	Subsection (1)	In paragraph (b) substitute "the local authority concerned" for "the county council or city council concerned".
165	Subsection (2)	Substitute "local authority" for "county council or city council" in each place where it occurs.
166	Subsection (2)	In paragraph (b) substitute: "(b) such particulars as are required by sections 48, 66, 66G, 49A(7), 75, 76, 126D(9), 134, 134A(6) and 228;".
167	Subsection (3)	Substitute: "(3) (a) The adoption by a county council or city council of its annual report is a reserved function. (b) The approval of information to be included in an annual report in relation to the performance of functions by municipal district members is a reserved function.".
168	Subsection (4)	Substitute "local authority" for "county council or city council" in each place where it occurs.
169	Subsection (5)	Substitute: "(5) An annual report prepared by a county council or a city and county council shall include information in relation to the performance of functions by the municipal

Reference No. (1)	Provision (2)	Amendment (3)
		district members in respect of each municipal district situated within its county or city and county, as the case may be.".
170	Section 223 Subsection (1)	Substitute "local authority" for "county, city or town".
171	Section 227 Subsection (1A)	Insert new subsection: "(1A) In subsection (1) the reference to the maritime boundary of a county or city includes, where the context admits, the maritime boundary of a city and county which is the successor authority (within the meaning of the *Local Government Reform Act 2014*) to a county and to a city, and references in this section to a county or city shall be read accordingly.".
172	Subsection (2)	Delete in paragraph (b) "any town or".
173	Section 228 Subsection (1)	Delete.
174	Section 229(3)	Substitute "chief executive" for "manager" in both places where it occurs.
175	Section 230	Delete.
176	Section 231 Subsection (2)	Substitute the following for paragraph (a): "(a) In this subsection 'the relevant local authorities' means the local authorities which are liable to provide funds to the joint drainage committee concerned.".
177	Subsection (3)	Substitute in paragraph (a) "chief executive" for "manager".
178	Section 234(1)	Substitute "chief executive" for "manager".
179	Schedule 2	In column 2, opposite the reference to "administrative county" to substitute the following: "County, and where the other enactment concerned so requires, also includes a reference to a city or to a city and county.".
180	Schedule 6	Delete.

PART 2

Miscellaneous and Consequential Amendments to Local Government Acts 1925 to 2013 (other than to the Local Government Act 2001) and to Certain Pre-1922 Local Government Acts

Section 5(2)

Regnal Year and Chapter or Number and Year (1)	Short Title (2)	Provision (3)	Amendment or Repeal (4)
34 & 35 Vict., c. 109	Local Government (Ireland) Act 1871	Section 12	Section deleted.
61 & 62 Vict., c. 37	Local Government (Ireland) Act 1898	Section 63	Subsection (2) deleted.
2 Edw. 7, c. 38	Local Government (Ireland) Act 1902	Sections 19 and 20	Sections deleted.
No. 35 of 1934	Limerick City Management Act 1934	The whole Act	Repealed in so far as it is not repealed.
No. 25 of 1939	Waterford City Management Act 1939	The whole Act	Repealed in so far as it is not repealed.
No. 23 of 1941	Local Government Act 1941	Sections 70 and 71	Sections deleted.
No. 24 of 1946	Local Government Act 1946	Sections 23, 68 and 94	Sections deleted.
No. 12 of 1955	City and County Management (Amendment) Act 1955	Section 10A	In subsection (2) substitute "14 days" for "twenty-one days".
No. 2 of 1970	Local Government (Rates) Act 1970	Section 2	In subsection (5) substitute "city council" for "county borough" and delete subsection (7).
No. 42 of 2006	Local Government (Business Improvement Districts) Act 2006	Sections 4 and 5	Sections deleted.

Section 5(3)

SCHEDULE 2

Consequential Amendments to Other Acts

PART 1

Consequential Amendments to Housing Acts 1966 to 2013

Number and Year	Short title	Provision	Amendment
	(1)	(2)	(3)	(4)
No. 21 of 1966	Housing Act 1966	Section 2(1)	Delete.
		Definition of "chief medical officer"	
		Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Definition of "non-municipal town"	Delete.
		Definition of "reserved function"	Substitute: " 'reserved function' means a reserved function for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Definition of "rural area"	Delete.
No. 18 of 1992	Housing (Miscellaneous Provisions) Act 1992	Section 1	Substitute:
		Definition of "local authority"	" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Section 6(1)	Delete in paragraph (a) ", including the corporation of a borough, the council of an urban district and the commissioners of a town".
		Section 23	Substitute for subsections (1) and (2): "(1) A reference in the Housing Acts 1966 to 2014 to a housing authority is a reference to a local authority and references to the functional area of a housing authority shall be construed accordingly;".

		Section 23(3)	Delete in paragraph (a) "or (2)".
		Section 23(5)	Delete.
No. 33 of 1998	Housing (Traveller Accommodation) Act 1998	Section 2(1)	
		After interpretation given to "body"	Insert: " 'chief executive' means, as respects a local authority, a chief executive as provided for by Chapter 2 of Part 14 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001.
		Definition of "housing authority"	Delete.
		Definition of "manager"	Delete.
		Definition of "relevant housing authority"	Delete.
		Section 5	Delete.
		Section 6(1)	Substitute "housing authority" for "relevant housing authority".
		Section 6(3)	Substitute "housing authority" for "relevant housing authority".
		Section 6(4)	Substitute "housing authority" for "relevant housing authority".
		Section 6(5)	Substitute "housing authority" for "relevant housing authority".
		Section 6(6)	Delete.
		Section 7	Substitute "housing authority" for "relevant housing authority" in each place where it occurs.
		Section 8	Substitute "a housing authority shall" for "a relevant housing authority shall". Substitute in paragraph (a) "housing authority" for "relevant housing authority" in each place where it occurs.

	Delete paragraph (b).
	Substitute in paragraph (e) "housing authority" for "relevant housing authority".
	Substitute in paragraph (f) "housing authority" for "relevant housing authority".
Section 9	Substitute "housing authority" for "relevant housing authority" in each place where it occurs.
Section 10	Substitute "housing authority" for "relevant housing authority" in each place where it occurs.
Section 11	Substitute "chief executive" for "manager" and substitute "housing authority" for "relevant housing authority".
Section 12	Substitute "chief executive" for "manager" where it occurs and substitute "housing authority" for "relevant housing authority" in each place where it occurs.
Section 13	Substitute "housing authority" for "relevant housing authority" in each place where it occurs.
Section 14	Substitute "chief executive" for "manager" in both places where it occurs and substitute "housing authority" for "relevant housing authority".
Section 15	Substitute "housing authority" for "relevant housing authority" in each place where it occurs.
Section 16(1)	Substitute "housing authority" for "relevant housing authority".
Section 16	Delete subsections (2) and (3).
Section 17	Substitute "housing authority" for "relevant housing authority" in each place where it occurs.
Section 18(1)	Substitute "housing authorities" for "relevant housing authorities" in each place where it occurs.

		Section 18(2)	Substitute "housing authority" for "relevant housing authority" in each place where it occurs.
		Section 21(1)	Substitute "housing authority" for "local authority".
		Section 21(2)	Substitute in paragraph (a) "concerned, and" for "concerned,".
		Section 21(2)	Substitute in paragraph (b) "housing authority" for "local authority" in both places where it occurs and substitute "authority." for "authority, and".
		Section 21(2)	Delete paragraph (c).
		Section 21(7)	Delete.
		Section 22(1)	Substitute in paragraph (b) "concerned, and" for "concerned".
		Section 22(1)	Delete in paragraph (c) "and" after "bodies,".
		Section 22(1)	Delete paragraph (d).
		Section 22(1)	Substitute "paragraph (a) " for "paragraphs (a) and (d) ".
		Section 23	Substitute "the housing authority concerned has not adopted an accommodation programme" for "an accommodation programme which includes the functional area of that housing authority has not been adopted".
		Section 24	Substitute "chief executive" for "manager" in both places where it occurs.
No. 22 of 2009	Housing (Miscellaneous Provisions) Act 2009	Section 2(1)	
		After meaning given to "Chapter 4 tenancy agreement"	Insert: " 'chief executive' means, as respects a local authority, a chief executive as provided for by Chapter 2 of Part 14 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001;".

Definition of "housing authority"	Delete.
Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
Definition of "manager"	Delete.
Definition of "reserved function"	Substitute: " 'reserved function' means a reserved function for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
Section 2(2)	Delete.
Section 16(1)	Delete in paragraph (b) ", or is contained in,".
Section 16(4)	Substitute "chief executive" for "manager".
Section 16(5)	Substitute "chief executive's report" for "manager's report" in both places where it occurs.
Section 17(1)	Substitute "chief executive" for "manager" in each place where it occurs.
Section 18(1)	Substitute "chief executive" for "manager".
Section 18(3)	Substitute "chief executive" for "manager" and substitute "and the members of the housing authority" for ", the members of the housing authority and the members of any borough council or town council situated in the administrative area of the housing authority".
Section 19(6)	Delete.
Section 22(12)	Substitute "chief executive" for "manager".
Section 24(1)	Substitute "chief executive" for "manager".

Section 31	Delete in subsection (2) (bb) "for the functional area concerned".
Section 40(1)	Substitute "chief executive" for "manager".
Section 40(2)	Substitute for paragraph (a): "(a) shall consult the other members of the homelessness consultative forum or joint homelessness consultative forum, as the case may be, and".
Section 40(8)	Substitute "chief executive" for "manager".
Section 53	Substitute "chief executive" for "manager" in each place where it occurs.
Section 56(5)	Substitute "chief executive" for "manager" in both places where it occurs.
Section 64(3)	Substitute "chief executive" for "manager".

PART 2

Consequential Amendments to Local Elections Acts 1974 to 2012, to Electoral Acts 1992 to 2013 and to Local Elections Regulations 1995

Section 5(4)

Number and Year	Short title	Provision	Amendment
(1)	(2)	(3)	(4)
No. 8 of 1974	Local Elections (Petitions and Disqualifications) Act 1974	Section 1	Delete.
		Subsection (1)	
		Definition of "clerk"	
		Definition of "local authority"	Substitute: " 'local authority' means a county, city or city and county council within the meaning of section 2 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001;".
		Subsection (1)	After definition of "local electoral area" insert:

		" 'meetings administrator' has the meaning given to it by section 46 of the Local Government Act 2001;".
	Definition of "member"	Substitute: " 'member', in relation to a local authority, includes a Cathaoirleach and a Leas-Chathaoirleach;".
	Definition of "returning officer"	Substitute: " 'returning officer' means a returning officer at a local election;".
	Definition of "secretary"	Delete.
	Subsection (3)	Delete.
	Section 4(4)	Substitute for paragraph (c): "(c) to the returning officer for the relevant local election, (ca) to the relevant local authority, and".
	Section 8(1)	Substitute in paragraph (b) "local electoral area" for "electoral area".
	Section 14(3)	Substitute "the returning officer for the relevant local election, the relevant local authority" for "the secretary or clerk of the relevant local authority".
	Section 15	Delete "the secretary or clerk of".
	Subsection (1)	
	Subsection (2)	Delete "the secretary or clerk of".
	Subsection (4)	Substitute "meetings administrator" for "secretary or clerk".
	Subsection (5)	Delete "the secretary or clerk of".
	Section 16	Delete in paragraph (b) "secretary or clerk of the".
	Section 17	Substitute "a local electoral area" for "an electoral area" where it first occurs.
No. 23 of 1992	Electoral Act 1992	Section 29 — Substitute: Subsection (1)

			"(1) Where, following a revision of constituencies a polling district existing immediately prior to such revision is not wholly situate within a new Dáil constituency, the chief executive of the local authority (within the meaning of Chapter 2 (inserted by the *Local Government Reform Act 2014*) of Part 14 of the Local Government Act 2001), after consultation with the returning officer for such Dáil constituency shall— (a) with respect to the part of the polling district situate in the constituency— (i) join it or parts of it with any adjoining polling district or districts, or (ii) constitute it as a polling district and appoint a polling place for it, and (b) notify an arrangement made pursuant to this subsection to the Minister.".
		Subsection (2A)	Delete.
		Subsection (3)	Delete.
		Section 165(1)	Substitute for paragraph (f): "(f) the poll at a local election; (g) the poll at a plebiscite within the meaning of *Part 11* of the *Local Government Reform Act 2014*.".
S.I. No. 297 of 1995	Local Elections Regulations 1995	Article 2(1)	Delete.
		Definition of "clerk"	
		Definition of "local authority"	Substitute: " 'local authority' means a county, city or city and county council within the meaning of section 2 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001 ;".
		Definition of "local election"	Insert: " 'meetings administrator' has the meaning given to it by section 46 of the Local Government Act 2001;".

		Definition of "member"	Substitute: " 'member', in relation to a local authority, includes a Cathaoirleach and a Leas-Chathaoirleach;".
		Definition of "secretary"	Delete.
		Article 2(2)	Delete paragraph (a).
		Article 4	Substitute: " Returning officer (4) The chief executive of a local authority shall assign to an employee of the local authority the duties of returning officer for the election of members of the local authority.".
		Article 6(3)	Delete.
		Article 15(3)	Substitute: "(3) The amount of the deposit shall be €100.".
		Article 55(6)	Delete.
		Article 124(1)	Substitute "meetings administrator" for "clerk or secretary".
		Article 125(1)	Substitute "meetings administrator" for "clerk or secretary".
No. 25 of 1997	Electoral Act 1997	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a county, city or city and county council within the meaning of section 2 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001;".
No. 7 of 1999	Local Elections (Disclosure of Donations and Expenditure) Act 1999	Section 2(1) Definition of "clerk"	Delete.
		Definition of "electoral area"	Delete.
		Definition of "local authority"	Substitute: " 'local authority' means a county, city or city and county council within the meaning of section 2 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001;".

Definition of "local authority concerned"	Substitute: " 'local authority concerned' means, subject to section 19H, the local authority to which a candidate seeks or sought election or in whose functional area a local political matter arises;".
Definition of "local electoral area"	Substitute: " 'local electoral area' means an area by reference to which a local election is held in accordance with section 23 of the Local Government Act 2001;".
Definition of "secretary"	Delete.
Section 6(4)	Delete in paragraphs (a) and (b) "or an electoral area".
Section 8(1)	Delete in paragraph (a) "or in an electoral area".
Section 12A	Substitute for paragraph (a):
Subsection (1)	"(a) Subject to paragraph (c), the aggregate of election expenses which may be incurred by or on behalf of a candidate in connection with his or her candidature at a local election shall not exceed— (i) in the case of a local electoral area with a population in excess of 35,000, €13,000; (ii) in the case of a local electoral area with a population of between 18,001 and 35,000, €11,500; (iii) in the case of a local electoral area with a population of 18,000 or less, €9,750.".
Subsection (1)	Delete paragraph (b).
Subsection (1)	Substitute for paragraph (c):

	"(c) (i) Where a political party authenticates the candidature of a candidate at a local election, the party shall incur 10 per cent of the amount of the election expenses which that candidate is entitled to incur at that election, or such alternative percentage of the amount as may be agreed in writing between the candidate and national agent of the political party. (ii) The election expenses which a political party may incur under subparagraph (i) may relate to expenditure in the local electoral area concerned, or otherwise. (iii) In the case of a candidate whose candidature is authenticated by a political party at a local election, the national agent of the party may by agreement in writing authorise the designated person of the party to incur such proportion of election expenditure at the election which the candidate is entitled to incur under paragraph (a) as may be agreed in writing between the national agent and the designated person.".
Subsection (3)	Substitute "within a local electoral area" for "within an electoral area of a county council, city council, borough council or town council".
Subsection (3)	Substitute "in that local electoral area" for "in that electoral area".
Section 13(1)	Delete in paragraph (a) (ii) "or electoral area".
Section 14	Delete "the clerk or secretary of".
Subsection (1)	
Subsection (2)	Delete "the clerk or secretary of".
Section 17	Delete "or electoral area".
Section 18	Delete "the clerk or secretary of".
Subsection (1)	
Subsection (3)	Delete "the clerk or secretary of" in both places where it occurs.

Section 19A	Substitute:
Definition of	" 'plebiscite' means—
"plebiscite"	(a) a plebiscite within the meaning of *Part 11* of the *Local Government Reform Act 2014*, or
	(b) in any other case, a poll to ascertain the views or consent of qualified electors within the meaning of section 67(2) of the Local Government Act 1994, in relation to a local political matter;".
Section 19G	After section 19G to insert the following section into Part IVA:
	" Third parties and plebiscite on directly elected mayor for Dublin
	19H. For the purposes of compliance by a third party with sections 19D, 19F and 19G in respect of a plebiscite to which paragraph (a) of the definition of 'plebiscite' in section 19A relates, a reference in sections 19D, 19F and 19G to 'the local authority concerned' means Dublin City Council.".

PART 3

Consequential Amendments toLocal Government (Multi-Storey Buildings) Act 1988 and to Building Control Act 1990

Section 5(5)

Number and Year	Short Title	Provision	Amendment
(1)	(2)	(3)	(4)
No. 29 of 1988	Local Government (Multi-Storey Buildings) Act 1988	Section 1(1)	Substitute:
		Definition of "local authority"	" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) and a reference to the functional area of a local authority shall be construed accordingly;".

No. 3 of 1990	Building Control Act 1990	Section 1(1)	Substitute:
		Definition of "building control authority"	" 'building control authority' has the meaning given to it by section 2(1) ;".
		Definition of "functional area"	Delete.
		After interpretation given to "functions"	Insert: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Section 2(1)	Substitute: "(1) Each local authority shall be a building control authority for the purposes of this Act and references to the functional area of a building control authority shall be construed accordingly.".
		Section 2(2)	Delete.
		Section 2(3)	Delete.
		Section 20	Delete.

PART 4

Consequential Amendments to Planning and Development Act 2000

Section 5(7)

Reference No.	Provision	Amendment
(1)	(2)	(3)
1	Section 2(1)	Substitute:
	Definition of DTA	" 'DTA' means the body formerly known as the Dublin Transport Authority whose name was changed with effect from 1 December 2009 to the National Transport Authority pursuant to section 30 of the Public Transport Regulation Act 2009;".
2	Definition of "functional area"	Substitute: " 'functional area' means, in relation to a planning authority, its administrative area for the purposes of the Local Government Acts 1925 to 2014;".
3	Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act

Reference No. (1)	Provision (2)	Amendment (3)
		2001 (as amended by the *Local Government Reform Act 2014*);".
4	Definition of "manager"	Substitute: " 'manager', in relation to a local authority, means the chief executive as provided for by Chapter 2 of Part 14 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001;".
5	After meaning of "new establishment"	Insert: " 'NTA' means the National Transport Authority, being the name to which the name of the Dublin Transport Authority was changed with effect from 1 December 2009 pursuant to section 30 of the Public Transport Regulation Act 2009;".
6	Definition of "planning authority"	Substitute: " 'planning authority' means a local authority;".
7	Definition of "regional authority"	Substitute: " 'regional assembly' means a body established in accordance with section 43 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 1991;".
8	Definition of "regional authorities within the GDA"	Substitute: " 'regional assemblies in respect of the GDA' means regional assemblies established in accordance with section 43 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 1991, in respect of a region or regions which includes all or part of the Greater Dublin Area for the purposes of section 3 of the Dublin Transport Authority Act 2008;".
9	Definition of "regional planning guidelines"	Substitute: " 'regional spatial and economic strategy' means regional spatial and economic strategy made under Chapter III of Part II;".
10	Definition of "reserved function"	Substitute: " 'reserved function', in relation to a local authority, shall be construed in accordance with section 131 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001;".
11	Section 4 Subsection (1)	 Substitute for paragraphs (b) to (d):

Reference No.	Provision	Amendment
(1)	(2)	(3)
		"(aa) development by a local authority in its functional area;".
12	Subsection (1)	Substitute for paragraphs (e) to (f): "(e) development consisting of the carrying out by a local authority of any works required for the construction of a new road or the maintenance or improvement of a road; (f) development carried out on behalf of, or jointly or in partnership with, a local authority, pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity;".
13	Section 9(3)	Substitute: "(3) (a) A planning authority may, with the agreement of one or more local authorities which are adjoining local authorities, or on the direction of the Minister shall, make a single development plan for its functional area and any environs of that area which form part of any adjoining local authorities.".
14	Section 10 Subsection (1A)	Substitute "the regional spatial and economic strategy" for "regional planning guidelines".
15	Subsection (1B)	Substitute "the making of a regional spatial and economic strategy under Chapter III which affects the area of the development plan" for "the making of regional planning guidelines under Chapter III which affect the area of the development plan".
16	Subsection (1C)	Substitute "a regional spatial and economic strategy under Chapter III which affects the area of the development plan is made," for "regional planning guidelines under Chapter III which affect the area of the development plan are made,".
17	Subsection (2A)	Substitute in paragraph (a) "the regional spatial and economic strategy" for "regional planning guidelines".
18	Subsection (2A)	Substitute for paragraph (g): "(g) in respect of the development plan of a city, provide details of— (i) the city centre concerned, (ii) the areas designated for significant development during the period of the development plan, particularly areas for which it is intended to prepare a local area plan, (iii) the availability of public transport within the catchment of residential or commercial development, and

Reference No. (1)	Provision (2)	Amendment (3)
		(iv) retail centres in that city,
		(h) in respect of the area of the development plan of a city and county council set out a settlement hierarchy and provide details of matters referred to in paragraph (f) and (g).".
19	Subsection (2C)	Substitute in paragraph (b) (i) "regional spatial and economic strategy" for "regional planning guidelines".
20	Section 11 Subsection (2)	Substitute "any relevant regional assembly and any local community development committee within the functional area of the local authority" for "any relevant regional authority and any town commissioners and city and county development boards within the functional area of the authority".
21	Subsection (4)	Substitute in paragraph (bc) "regional assembly" for "regional authority".
22	Section 12	
	Subsection (1)	Substitute for paragraph (a): "(a) send notice and a copy of the draft development plan to the Minister, the Board, the relevant regional assembly, the prescribed authorities and any local community development committee in the area, and".
23	Subsection (4)	Substitute in paragraph (bc) "regional assembly" for "regional authority".
24	Subsection (5)	Substitute in paragraph (aa) "regional assembly" for "regional authority" in both places where it occurs.
25	Subsection (12)	Substitute in paragraph (c) "and any local community development committee" for "any town commissioners and city and county development boards".
26	Section 13	
	Subsection (2)	Substitute for paragraph (a): "(a) send notice and copies of the proposed variation of the development plan to the Minister, the Minister for Arts, Heritage and the Gaeltacht, the Board, the relevant regional assembly, and, where appropriate, to any adjoining planning authority, the prescribed authorities, and any local community development committee within the area of the development plan,".
27	Subsection (4)	Substitute in paragraph (bc) "regional assembly" for "regional authority".

Reference No.	Provision	Amendment
(1)	(2)	(3)
28	Subsection (5)	Substitute in paragraph (aa) "regional assembly" for "regional authority" in both places where it occurs.
29	Subsection (8)	Substitute for paragraph (c): "(c) In addition to the requirements of paragraphs (a) and (b), a planning authority shall send a copy of the variation to the Minister, the Minister for Arts, Heritage and the Gaeltacht, the Board, the relevant regional assembly and, where appropriate, to the prescribed authorities, any adjoining planning authorities and any local community development committee within its area.".
30	Section 19 Subsection (1)	Substitute for paragraph (b): "(b) A local area plan shall be made, except for an area where a development plan of a former town council continues to have effect, in respect of an area which— (i) is designated as a town in the most recent census of population, other than a town designated as a suburb or environs in that census, (ii) has a population in excess of 5,000, and (iii) is situated within the functional area of a planning authority which is a city and county council or a county council.".
31	Subsection (2)	Substitute "regional spatial and economic strategy" for "regional planning guidelines".
32	Section 31 Subsection (5)	Substitute "regional assembly" for "regional planning authority".
33	Subsection (5)	Substitute "is a regional spatial and economic strategy" for "are regional planning guidelines".
34	Subsection (9)	Substitute in paragraph (c) "regional assembly" for "regional authority".
35	Subsection (13)	Substitute in paragraph (c) "regional assembly" for "regional authority".
36	Subsection (14)	Substitute "regional assembly" for "regional authority".
37	Section 31A Subsection (1)	Substitute in paragraph (a) "regional assembly" for "regional authority" and "or assemblies" for "or authorities" in both of the places where they occur.
38	Subsection (1)	Substitute in paragraph (a) "regional spatial and economic strategy" for "regional planning guidelines".
39	Subsection (1)	Substitute for paragraph (b):

Reference No. (1)	Provision (2)	Amendment (3)
		"(b) the regional spatial and economic strategy fails to provide a long-term strategic planning and economic framework for the development of the region or regions, as the case may be, in respect of which it is made, in accordance with the principles of proper planning and sustainable development and the economic policies and objectives of the Government,".
40	Subsection (1)	Substitute in paragraph (c) "regional spatial and economic strategy is" for "regional planning guidelines are".
41	Subsection (1)	Substitute in paragraph (d) "regional assembly or assemblies" for "regional authority or authorities".
42	Subsection (1)	Substitute "direct a regional assembly or assemblies" for "direct a regional authority or authorities".
43	Subsection (2)	Substitute "regional assembly or regional assemblies" for "regional authority or regional authorities".
44	Subsection (3)	Substitute "regional assembly or regional assemblies" for "regional authority or regional authorities".
45	Subsection (3)	Substitute "strategy or strategies" for "guidelines".
46	Subsection (4)	Substitute "regional assembly or regional assemblies" for "regional authority or regional authorities".
47	Subsection (4)	Substitute for paragraph (b):
		"(b) the intention of the Minister to issue a direction (a draft of which shall be contained in the notice) to the regional assembly, or assemblies, as the case may be, to take certain measures specified in the notice in order to ensure that the regional spatial and economic strategy is in compliance with the requirements of this Act and to provide a long-term strategic planning and economic framework for the development of the region, or regions, as the case may be, in accordance with the principles of proper planning and sustainable development and the economic policies and objectives of the Government,".
48	Subsection (4)	Substitute in paragraph (c) "regional spatial and economic strategy" for "regional planning guidelines".
49	Subsection (4)	Substitute in paragraph (d) "regional assembly or assemblies" for "regional authority or authorities".

Reference No. (1)	Provision (2)	Amendment (3)
50	Subsection (5)	Substitute "regional assembly, or assemblies," for "regional authority, or authorities,".
51	Subsection (6)	Substitute in paragraph (a) "a regional spatial and economic strategy" for "regional planning guidelines".
52	Subsection (6)	Substitute in paragraph (a) "the strategy" for "the guidelines".
53	Subsection (6)	Substitute in paragraph (b) "the strategy proposed" for "guidelines proposed".
54	Subsection (6)	Substitute in paragraph (b) "the strategy which is" for "those guidelines which are".
55	Subsection (7)	Substitute "regional assembly, or assemblies," for "regional authority, or authorities," in each place where it occurs.
56	Subsection (8)	Substitute "regional assembly, or assemblies," for "regional authority, or authorities,".
57	Subsection (9)	Substitute "regional assembly, or assemblies," for "regional authority, or authorities," in both places where it occurs.
58	Subsection (10)	Substitute "regional assembly, or assemblies," for "regional authority, or authorities,".
59	Subsection (13)	Substitute in paragraph (b) "regional assembly, or assemblies," for "regional authority, or authorities,".
60	Subsection (14)	Substitute "regional assembly, or assemblies," for "regional authority, or authorities,".
61	Subsection (17)	Substitute: "(17) The direction issued by the Minister under subsection (16) is deemed to have immediate effect and its terms are considered to be incorporated into the regional spatial and economic strategy, or, if appropriate, to constitute the strategy.".
62	Subsection (19)	Substitute "regional assembly or assemblies" for "Regional authority or authorities".
63	Section 31F Subsection (1)	Substitute: "(1) Where the regional assemblies in respect of the GDA intend to make a regional spatial and economic strategy in accordance with section 24, or to review the existing strategy under section 26, they shall, as soon as may be, consult with the NTA in order to make the necessary arrangements for making the strategy.".
64	Subsection (2)	Substitute:

Reference No.	Provision	Amendment
(1)	(2)	(3)
		"(2) The NTA shall assist and co-operate with the regional assemblies in respect of the GDA in making arrangements for the preparation of a regional spatial and economic strategy and in carrying out the preparation of the strategy.".
65	Subsection (3)	Substitute for paragraph (a): " (a) In carrying out its function under subsection (2), the NTA shall prepare and submit to the regional assemblies, within 6 weeks of the commencement of consultation under subsection (1), a report on the issues which, in its opinion, should be considered by the regional assemblies in making a regional spatial and economic strategy.".
66	Subsection (3)	Substitute in paragraph (b) (i) "regional spatial and economic strategy" for "regional planning guidelines".
67	Subsection (3)	Substitute in paragraph (b) (iv) "regional spatial and economic strategy" for "regional planning guidelines".
68	Section 31G	Substitute:
	Subsection (1)	"(1) Where a notice is received by the NTA under section 24(4) it shall, as part of any written submission on the draft regional spatial and economic strategy, state whether, in its view, the draft regional spatial and economic strategy is— (a) consistent with its transport strategy, or (b) not consistent with its transport strategy and in such case what amendments to the draft regional spatial and economic strategy it considers necessary to achieve such consistency.".
69	Section 31GG	Substitute:
	Subsection (1)	"(1) Where a notice is received by the NTA under section 24(4) from a regional assembly (other than the regional assemblies in respect of the GDA) the NTA shall, as part of any written submission on the draft regional spatial and economic strategy, state whether, in its view, the matters raised by it in its report under section 31FF are— (a) satisfactorily addressed in the draft regional spatial and economic strategy, or (b) not satisfactorily addressed in the draft regional spatial and economic strategy.".
70	Subsection (2)	Substitute:

Reference No. (1)	Provision (2)	Amendment (3)
		"(2) Where in the context of subsection (1) (b) the NTA makes a submission, it shall indicate what amendments to the draft regional spatial and economic strategy it considers should be made to ensure effective integration of transport and land use planning.".
71	Section 31J	Substitute for paragraph (a) : " (a) a planning or local authority, a regional assembly, State authority or An Bord Pleanála is carrying out any relevant function under or transferred by Part II, X, XI or XIV, or".
72	Section 34 Subsection (6)	Substitute in paragraph (a) for subparagraphs (iiia) and (iv): "(iiia) not later than 6 weeks from the publication of the notice under subparagraph (i), the chief executive shall prepare a report for the members of the planning authority— (I) stating the main reasons and considerations on which the proposal to grant permission is based, (II) summarising the issues raised in any submissions or observations in accordance with subparagraph (iii), and (III) advising the members of his or her opinion regarding the compliance or otherwise of the proposed development with any relevant Ministerial guidelines under section 28 or any relevant policies or objectives of the Government or Minister of the Government or with any regional spatial and economic strategy, and the report shall be considered by the members before a resolution is passed under subparagraph (iv), and (iv) a resolution shall be passed by the planning authority approving the proposal of the chief executive to grant permission.".
73	Subsection (6)	Delete paragraphs (c) and (d).
74	Subsection (7)	Delete.
75	Section 37 Subsection (2)	Substitute in paragraph (b) (iii) "regional spatial and economic strategy" for "regional planning guidelines".
76	Section 37A Subsection (2)	Substitute in paragraph (b) "regional spatial and economic strategy" for "regional planning guidelines".
77	Section 42 Subsection (1)	Substitute in paragraph (a) (ii) (II) "regional spatial and economic strategy" for "regional planning guidelines".

Reference No.	Provision	Amendment
(1)	(2)	(3)
78	Section 42A Subsection (1)	Substitute in paragraph (a) (ii) (II) "regional spatial and economic strategy" for "regional planning guidelines".
79	Section 84 Subsection (6)	Substitute: "(6) In this section, and sections 85 and 86— 'city' means— (a) the administrative area of a city council, (b) a municipal district that includes the area of a city to which subsection (6) of section 10 (inserted by the *Local Government Reform Act 2014*) of the Local Government Act 2001 relates; 'municipal district' has the meaning given to it by section 22A (inserted by the *Local Government Reform Act 2014*) of the Local Government Act 2001; 'town' means a municipal district with a population in excess of 2,000 that is not a municipal district to which paragraph (b) of the definition of 'city' relates.".
80	Section 143 Subsection (1)	Substitute in paragraph (c) "regional spatial and economic strategy" for "regional planning guidelines".
81	Section 177R Subsection (1) Definition of "land use plan"	Substitute for paragraph (a) of definition: "(a) regional spatial and economic strategy,".
82	Section 166	Substitute "regional assembly" for "regional authority".
83	Section 177S Subsection (2)	Substitute for paragraph (a): "(a) in relation to draft regional spatial and economic strategy, the regional assembly for whose area the strategy is made,".
84	Section 177T Subsection (3)	Substitute for paragraph (a): "(a) as respects a draft regional spatial and economic strategy, the regional assembly for whose area the draft strategy is made,".
85	Section 229 Definition of "local authority"	Delete.

PART 5

Consequential Amendments to Acts Relating to Taxation

Section 5(6)

Number and Year	Short title	Provision	Amendment
(1)	(2)	(3)	(4)
No. 1 of 2003	Capital Acquisitions Tax Consolidation Act 2003	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) and includes a body established under the Local Government Services (Corporate Bodies) Act 1971;".
No. 52 of 2012	Finance (Local Property Tax) Act 2012	Section 2 Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Section 20(1) Definition of "local authority"	Delete.
		Section 20(2)	Insert "(within the meaning of the Local Government Act 2001, as amended by the *Local Government Reform Act 2014*)" after "reserved function".
No. 39 of 1997	Taxes Consolidation Act 1997	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Section 4(1) Definition of "company"	Substitute for paragraph (e): "(e) a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) and includes a body established under the Local Government Services (Corporate Bodies) Act 1971;".
		Section 5(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) and includes a body established

	under the Local Government Services (Corporate Bodies) Act 1971;".
Section 214(1)	Substitute:
	"(1) In this section 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) and includes a body established under the Local Government Services (Corporate Bodies) Act 1971.".
Section 310(1)	Substitute:
Definition of "local authority"	" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
Section 339(1)	Substitute:
Definition of "the relevant local authority"	"the local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)" for "the council of a county or the corporation of a county or other borough or, where appropriate, the urban district council,".
Section 344(1)	Substitute:
Definition of "relevant local authority"	" 'the relevant local authority', in relation to the construction or replacement of a multi-storey car park, means the local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) in whose functional area the multi-storey car park is situated.".
Section 372AK	Substitute for paragraph (a):
Definition of "relevant local authority"	"(a) a qualifying urban area means the local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) in whose functional area the area is situated, and".
Section 372AAB	Substitute:
Definition of "relevant local authority"	" 'relevant local authority' means the local authority, within the meaning of the Local Government Act 2001 (as amended by the

	Local Government Reform Act 2014), in whose functional area the special regeneration area is situated;".
Section 380Q(1)	Substitute:
Definition of "local authority"	" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
Section 652(2)	Substitute for paragraph (a):
	"(a) In this subsection 'the relevant local authority', in relation to a relevant disposal, means the local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) in whose functional area the land being disposed of is situated.".
Section 681(1)	Substitute in paragraph (a) for the definition of "relevant local authority" the following:
	" 'relevant local authority', in relation to a qualifying mine disposal, means the local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) in whose functional area the mine being disposed of is situated;".
Section 888(2)	Substitute in paragraph (e):
	"for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)" for "(within the meaning of section 2(2) of the Local Government Act 1941)".
Section 898(1)	Substitute:
	"(1) In this section 'rating authority' means—
	(a) a county council,
	(b) a city council, or
	(c) a city and county council;".
Schedule 13	Substitute for paragraph 2:
	"2. A local authority within the meaning of the Local Government Act 2001 (as

amended by the *Local Government Reform Act 2014*).".

Schedule 15 — Substitute for paragraph 4:

"4. A local authority or a joint body within the meaning of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*).".

PART 6

Minor Amendments to Other Acts

Section 5(8)

Regnal Year and Chapter Number or Number and Year	Short title	Provision	Amendment
(1)	(2)	(3)	(4)
No. 21 of 1939	Air-Raid PrecautionsAct 1939	Section 3	Substitute: **"Local authority** 3.. In this Act 'local authority' has the meaning given to it by section 2(1) (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001. ".
No. 15 of 2013	Animal Health and Welfare Act 2013	Section 37(2)	Substitute "chief executive" for "manager".
		Section 43(2)	Substitute in paragraph (b) "chief executive" for "manager".
		Section 48(2)	Substitute "chief executive" for "manager".
		Section 49(1)	Substitute "chief executive" for "manager".
No. 19 of 2001	Carer's Leave Act 2001	Section 2(1) Definition of "employee"	Substitute: "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)" for "Local Government Act, 1941,".
No. 19 of 1995	Casual Trading Act 1995	Section 1(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001

			(as amended by the *Local Government Reform Act 2014*);".
		Definition of "reserved function"	Substitute: " 'reserved function', in relation to a local authority, shall be construed in accordance with section 131 (as amended by the *Local Government Reform Act 2014*) of the Local Government Act 2001;".
No. 51 of 2012	Civil Defence Act 2012	Section 16(4)	Substitute for paragraph (a): "(a) the chief executive of the local authority concerned;".
No. 32 of 1986	Control of Dogs Act 1986	Section 1 Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*); and references to the functional area of a local authority shall be construed accordingly and local authority shall, as the context may require, include any other person with whom a local authority has entered into an arrangement pursuant to section 15 of this Act;".
No. 2 of 1994	CriminalJustice (Public Order) Act 1994	Section 19A(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 10 of 1972	Dangerous Substances Act 1972	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Section 2(2) Interpretation	Substitute for paragraph (b): "(b) in any other area, the local authority for the area;".
No. 25 of 1988	DataProtection Act 1988	Section 1 Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".

No. 14 of 2005	Disability Act 2005	Section 24	Substitute: " Definition 24. In this Part 'housing authority' means a local authority.".
No. 29 of 2010	Dog Breeding Establishments Act 2010	Section 2	Delete.
		Definition of "city council"	
		Definition of "county council"	Delete.
		Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 15 of 2008	Dublin Transport Authority Act 2008	Section 12	Substitute for paragraph (b) :
		Subsection (5)	"(b) the regional spatial and economic strategy (within the meaning of the Act of 2000) in force for the GDA, including any regional planning guidelines to which section 21(4) of that Act relates,".
		Subsection (6)	Substitute: "(6) The Authority shall ensure that the transport strategy is consistent with relevant regional spatial and economic strategy (within the meaning of the Act of 2000) for the GDA prepared in accordance with Chapter III, Part II, of that Act, including any relevant regional planning guidelines to which section 21(4) of that Act relates.".
		Subsection (10)	Substitute for paragraphs (a) and (b): "(a) consistent with the regional spatial and economic strategy (within the meaning of the Act of 2000) for the GDA, including any relevant regional planning guidelines to which section 21(4) of that Act relates, or

			(b) not consistent with the regional spatial and economic strategy (within the meaning of the Act of 2000) for the GDA, including any relevant regional planning guidelines to which section 21(4) of that Act relates and where not so consistent what amendments to the draft transport strategy they consider necessary to achieve such consistency.".
		Section 17(4)	Substitute: "(a) 3 local authority chief executives or officers as follows: (i) the Chief Executive of Dublin City Council, (ii) one from the chief executives for the County Councils of Dún Laoghaire-Rathdown, Fingal and South Dublin, as decided by those chief executives, and (iii) one from the chief executives for the County Councils of Kildare, Meath and Wicklow, as decided by those chief executives, or an officer of those Councils as nominated by the relevant chief executive,".
		Section 64(2)	Substitute for paragraph (b): "(b) relevant regional spatial and economic strategy (within the meaning of the Act of 2000) under Chapter III, Part II, of that Act, including any relevant regional planning guidelines to which section 21(4) of that Act relates,".
No. 11 of 2013	Education and Training Boards Act 2013	Schedule 2	In column (2) — substitute: "Limerick City and County and County Clare" for "City of Limerick, County Limerick and County Clare", substitute: "County Tipperary" for "Tipperary North and Tipperary South", and

			substitute: "Waterford City and County" for "City of Waterford, County Waterford".
		Schedule 4	In column (2) — substitute: "Limerick City and County Council" for: "Limerick City Council Limerick County Council", substitute: "Tipperary County Council" for "Tipperary South County Council Tipperary North County Council", and substitute: "Waterford City and County Council" for "Waterford City Council Waterford County Council".
No. 35 of 1995	Energy (Miscellaneous Provisions) Act 1995	Section 10(12) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 40 of 2006	Energy (Miscellaneous Provisions) Act 2006	Section 23 Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 20 of 2011	Environment (Miscellaneous Provisions) Act 2011	Section 48 (substituting Part 18 of the Local Government Act 2001)	In inserted section 189 of the Local Government Act 2001: (a) substitute "local council" for "local authority" in each place where it occurs, and (b) insert after subsection (10):

				"(11) In this section 'local council', in relation to a local authority, means the local authority or the municipal district members in respect of each municipal district within the area of such local authority.".
No. 23 of 1997	Fisheries (Amendment) Act 1997	Section 3		Substitute:
		Definition of "local authority"		" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 17 of 1992	Foreshore (Amendment) Act 1992	Section 1		Substitute:
		Definition of "local authority"		" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*) and any reference to the functional area of a local authority shall be construed accordingly;".
No. 30 of 1976	Gas Act 1976	Section 2		Substitute:
		Definition of "local authority"		" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
		Section 27		Substitute for subsection (6):
				"(6) In this section 'road authority' means a local authority;".
No. 16 of 1982	Gas Regulation Act 1982	Section 1		Substitute:
		Definition of "local authority"		" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 46 of 1960	Health (Fluoridation of Water Supplies) Act 1960	Section 1		Substitute:
		Definition of "sanitary authority"		" 'sanitary authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*).".
No. 6 of 1982	Housing (Private Rented Dwellings) Act 1982	Section 2(1)		Substitute:
		Definition of "housing authority"		" 'housing authority' means a local authority and references to the functional area of a housing authority shall be construed accordingly;".
		After definition of "landlord"		Insert:

			" 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 22 of 1983	Housing (Private Rented Dwellings) (Amendment) Act 1983	Section 3(3)	Delete.
		Section 14(2)(b)	Insert "(being the chief executive of the local authority concerned)" after "manager of the housing authority".
		Section 14(3)	Insert "(being the chief executive of the local authority concerned)" after "manager of the housing authority".
No. 6 of 1999	Irish Sports Council Act 1999	Section 2(1) Definition of "public authority"	Substitute for paragraph (b): "(b) a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*),".
No. 34 of 1993	Merchant Shipping (Salvage and Wreck) Act 1993	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 34 of 2009	National Asset Management Agency Act 2009	Section 12(8)	Substitute "regional spatial and economic strategy (within the meaning of the Planning and Development Act 2000, including any regional planning guidelines to which section 21(4) of that Act relates)" for "regional planning guidelines (within the meaning of the Planning and Development Act 2000)".
No. 14 of 1999	National Disability Authority Act 1999	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 2 of 1930	National Monuments Act 1930	Section 2 Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".

No. 20 of 1997	Organisation of Working Time Act 1997	Section 2(1) Definition of "employee"	Substitute "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)," for "Local Government Act 1941,".
No. 25 of 1991	Payment of Wages Act 1991	Section 1(1) Definition of "employee"	Substitute "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)," for "Local Government Act 1941,".
		Section 5(5) (c)	Substitute "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)," for "Local Government Act 1941,".
1 & 2 Vict., c. 56	Poor Relief (Ireland) Act 1838	Section 71	Delete ", and on his default then by the person subsequently in the occupation of the rateable property from whom such rate shall be demanded".
12 & 13 Vict., c. 104	Poor Relief (Ireland) Act 1849	Section 19	Delete.
No. 29 of 2003	Protection of Employees (Fixed-Term Work) Act 2003	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 45 of 2001	Protection of Employees (Part-Time Work) Act 2001	Section 3(1) Definition of "employee"	Substitute "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)," for "Local Government Act 1941,".
No. 27 of 2007	Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007	Section 5(7)	Substitute for paragraph (d): "(d) is or becomes a member of a local authority within the meaning of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*),".
No. 7 of 1977	Protection of Employment Act 1977	Section 7(2)	Substitute for paragraph (c): "(c) officers of a body which is a local authority within the meaning of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*),".
No. 16 of 1996	Protection of Young Persons (Employment) Act 1996	Section 1(1) Definition of "employee"	Substitute "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)," for "Local Government Act 1941,".

No. 33 of 2004	Public Service Management (Recruitment and Appointments) Act 2004	Section 40(2)	Substitute for paragraph (i) (i): "(i) chief executive of a local authority, the Secretary General of the Department of the Environment, Community and Local Government,".
		Section 44(1)	Substitute for paragraph (c): "(c) the chief executive of a local authority for the purposes of the Local Government Act 2001;".
No. 21 of 1967	Redundancy Payments Act 1967	Section 2(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 14 of 1993	Roads Act 1993	Section 2 Definition of "local authority"	Substitute: " 'local authority', except in section 73, means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 44 of 2004	Road Traffic Act 2004	Section 10	In subsection (1) to substitute "chief executive of a local authority" for "manager of a county council or city council".
		Section 10	In subsections (4) to (8) to substitute "chief executive" for "manager" in each place where it occurs.
No. 18 of 1999	Sea Pollution (Amendment) Act 1999	Section 1(1) Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".
No. 26 of 1925	Shannon Electricity Act 1925	Section 1 Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*).".
No. 4 of 2011	Student Support Act 2011	Section 2 Definition of "local authority"	Substitute: " 'local authority' means a local authority for the purposes of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*);".

No. 5 of 1994	Terms of Employment (Information) Act 1994	Section 1(1) Definition of "employee"	Substitute "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)" for "Local Government Act 1941,".
No. 10 of 1977	Unfair Dismissals Act 1977	Section 1 Definition of "employer"	Substitute "Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*)" for "Local Government Act 1941,".
		Section 2(1)	Substitute for paragraph (i): "(i) a chief executive of a local authority for the purposes of section 144 of the Local Government Act 2001 (as amended by the *Local Government Reform Act 2014*),".
No. 24 of 1997	UniversitiesAct 1997	Section 16(5)(a)	In subparagraph (i) to substitute "by Dublin City Council" for "the Corporation of Dublin county borough".
		Section 16(5)(b)	Substitute for subparagraph (ii): "(ii) the person holding the office of Cathaoirleach of a municipal district which contains the administrative area of the former Waterford City Council,".
			Substitute for subparagraph (iv): "(iv) five persons elected by Cork County Council, Kerry County Council, Limerick City and County Council, Tipperary County Council and Waterford City and County Council,".
		Section 16(5)(d)	In subparagraph (ii) to substitute "Galway City Council" for "Corporation of the County Borough of Galway".
		Section 16(5)(g)	Substitute for subparagraphs (i) and (ii): "(i) the person holding the office of Cathaoirleach of Limerick City and County Council or a person nominated by him or her, (ii) the person holding the office of Cathaoirleach of a municipal district which contains the administrative area of the former Limerick City Council, and".
No. 27 of 1998	Urban Renewal Act 1998	Section 3	Substitute: " 'rating authority' means—

		Definition of "rating authority"	(a) a county council, (b) a city council, or (c) a city and county council;".
No. 13 of 2001	Valuation Act 2001	Section 3	Substitute:
		Definition of "rating authority"	" 'rating authority' means— (a) a county council, (b) a city council, or (c) a city and county council;".
		Section 15	Delete subsections (3) and (5).
		Schedule 3	Delete paragraph 1(o).
		Schedule 4	Insert after paragraph 12: "12A. Property, being a building or part of a building, land or a waterway or a harbour directly occupied by— (a) any Department or Office of State, (b) the Defence Forces, or (c) the Garda Síochána, or used as a prison or place of detention, wherever situate.".

Section 21(4)

SCHEDULE 3

Reserved Functions

"SCHEDULE 14A

Section 131 and 131A

PART 1

Reserved Functions to be Performed, Subject to Section 131A(4), by Municipal District Members

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
1	Adopting or reverting to the title "Cathaoirleach" and "Leas-Chathaoirleach" and giving to the office of Cathaoirleach or Leas-Chathaoirleach alternative titles.	Section 32 and Schedule 8.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
2	Removal from office of the Cathaoirleach or Leas-Chathaoirleach.	Section 34.
3	Deciding to hold special meetings; appointing days and times of meetings; appointing a regular schedule for the holding of ordinary meetings; appointing different days, times and places for different meetings; appointing the day for holding the annual meeting other than in a year in which a local election is held; making additional arrangements for the giving of public notice of meetings; resolving that a member leave a meeting; making, amending or revoking standing orders; making rules for the purpose of ensuring that appointments to bodies are made fairly and equitably.	Section 44 and paragraphs 1, 2, 3, 8, 13, 16 and 19 of Schedule 10.
4	Deciding to meet in committee for whole or part of a meeting where the municipal district members consider that such action is not contrary to the overall public interest.	Section 45.
5	Establishing a committee to consider matters connected with the functions of the local authority and to assist and advise the authority on those matters; appointing the members of a committee; and dissolving a committee.	Subsections (1) (a), (3) and (4) of section 51.
6	Adoption of statements regarding the economic elements of the local economic and community plan for the consideration of the elected council of the local authority.	Section 66C (inserted by *section 44* of the *Local Government Reform Act 2014*).
7	Adoption of statements regarding the community elements of the local economic and community plan for the consideration of the elected council of the local authority.	Section 66C (inserted by *section 44* of the *Local Government Reform Act 2014*).
8	Consideration of and making amendments to a draft budgetary plan.	Section 102(4A).
9	Consideration and adoption of an annual schedule of proposed works to be carried out in the district.	Section 103A.
10	Establishing a community fund for the purposes of supporting community initiatives.	Section 109.
11	Adopting a scheme for the making of an annual contribution by the occupier of each dwelling in the area to which the scheme applies towards particular community initiatives specified in the scheme.	Section 110.
12	Deciding, subject to the approval of the Minister, that a particular function of the municipal district members should be performed only by the local authority.	Section 131A.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
13	A decision to pay an allowance for reasonable expenses of Cathaoirleach and Leas-Chathaoirleach and the determination of the amount of the allowance.	Section 143.
14	The approval of information to be included in an annual report in relation to the performance of functions by the municipal district members.	Section 221.
15	Deciding that a named member leave a meeting or that the member was the cause of the meeting being adjourned.	Paragraph 13 of Schedule 10.
16	Deciding to pay certain expenses to non-members of a local authority for attendance at committees or joint committees.	Article 9 of the Local Government (Expenses of Local Authority Members) Regulations 1993 (S.I. No. 391 of 1993).
17	The delegation to a designated body of a function (including maintenance) in respect of the management and control of any specified dwellings or the revocation of any such delegation.	Section 9 of the Housing (Miscellaneous Provisions) Act 1992.
18	The delegation to a designated body of a function (including maintenance) in respect of the management and control of a dwelling or the revocation of any such delegation.	Section 30 of the Housing (Miscellaneous Provisions) Act 2009.
19	Making representations to the Minister in relation to an order made by the Minister closing particular roads to vehicles.	Section 94 of the Road Traffic Act 1961.
20	The making of arrangements in relation to school wardens.	Section 96 of the Road Traffic Act 1961.
21	Entry into an agreement for the exercise of power under the Local Authorities (Traffic Wardens) Act 1975 by another local authority.	Section 7 of the Local Authorities (Traffic Wardens) Act 1975.
22	The making of an order declaring a road to be a public road and consideration of objections or representations in relation to such declaration.	Section 11 of the Roads Act 1993, as applied by section 180 of the Act of 2000.
23	The making of an order abandoning a public road and the consideration of objections or representations in relation to a proposal to abandon a public road and the report and any recommendations of a person appointed to conduct an oral hearing.	Section 12 of the Roads Act 1993.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
24	The making of an order extinguishing a public right of way and the consideration of objections or representations in relation to a proposal to extinguish a public right of way and the report and any recommendations of a person appointed to conduct an oral hearing.	Section 73 of the Roads Act 1993.
25	The making of a resolution (pursuant to regulations under section 35(2) (l) of the Road Traffic Act 1994) specifying the places in which vehicles may be parked either indefinitely or for any period not exceeding a specified period.	Section 35 of the Road Traffic Act 1994.
26	Making of bye-laws for the control and regulation of the parking of vehicles in specified places on public roads (including provision for the payment of fees for parking) and the consideration of observations or representations in relation to draft bye-laws.	Section 36 of the Road Traffic Act 1994.
27	Making of a resolution to determine the manner in which fees in respect of parking shall be disposed of.	Section 36 of the Road Traffic Act 1994.
28	The making of a decision to provide or remove prescribed traffic calming measures and the consideration of observations or representations in relation to a proposal to provide or remove such measures.	Section 38 of the Road Traffic Act 1994.
29	The making of bye-laws in relation to stands for taxis.	Section 84 (as amended by section 15 of the Road Traffic Act 2002) of the Road Traffic Act 1961.
30	Making, or refusing to make, or revocation or amendment of, a tree preservation order.	Section 205 of the Act of 2000.
31	Making of bye-laws in relation to the control, regulation, supervision and administration of casual trading.	Section 6 of the Casual Trading Act 1995.
32	The extinguishment of a market right.	Section 8 of the Casual Trading Act 1995.
33	The making, review, amendment or replacement of a litter management plan.	Section 13 of the Litter Pollution Act 1997.
34	Making bye-laws for the purposes of preventing the creation of, and controlling, litter.	Section 21 (as amended by section 57 of the Protection of the Environment Act 2003) of the Litter Pollution Act 1997.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
35	The making of submissions to a fire authority regarding a proposed indoor event that requires a licence.	Section 23 of the Licensing of Indoor Events Act 2003.
36	The approval of a draft bye-law, the consideration of submissions in relation to such draft bye-law and the making, amendment or revocation of a bye-law.	Section 199.
37	Adopting, amending or rescinding a resolution concerning the expiry times of a special exemption order.	Section 5 (as amended by section 11 of the Intoxicating Liquor Act 2003) of the Intoxicating Liquor Act 1927.
38	Making of bye-laws in respect of the use of temporary dwellings.	Section 30 of the Local Government (Sanitary Services) Act 1948.
39	Making an order prohibiting the erection or retention of temporary dwellings.	Section 31 of the Local Government (Sanitary Services) Act 1948.
40	Making bye-laws in relation to any national monument of which the local authority is the owner or the guardian.	Section 9 of the National Monuments(Amendment) Act 1987.
41	Adopting a proposal to substitute a new placename in respect of a place.	Section 189 (as amended by section 48 of the Environment (Miscellaneous Provisions) Act 2011).
42	Deciding to hold a ballot in respect of a proposal to change a placename or deciding not to proceed with the proposal.	Section 189 (as amended by section 48 of the Environment (Miscellaneous Provisions) Act 2011).
43	Adopting or rescinding Part III (Licensing for Gaming of Amusement Halls and Funfairs) of Gaming and Lotteries Act 1956.	Section 13 of the Gaming and Lotteries Act 1956.
44	Decision to make a charge in relation to amenities, facilities, services or any other thing provided by a local authority under section 66 of the Local Government Act 2001.	Section 66.
45	Making of rules in relation to arrangements for attendance and raising of issues by interested persons at meetings.	Section 127.

PART 2

Reserved Functions that May be Performed under Section 131A(1) (b) in Respect of a Municipal District by Municipal District Members or the Local Authority

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
1	A decision of a local authority to confer a civic honour on a person.	Section 74.
2	A decision to enter into arrangements for twinning with any other area.	Section 75.
3	A decision to incur reasonable expenditure for or in connection with the provision of receptions and entertainment and the making of presentations.	Section 76.
4	Requiring that specified action be taken in accordance with section 127 for the purpose of consultation with the local community.	Section 127.
5	Determining the policy of the local authority or the municipal district members.	Section 130.
6	Directing that a second legal opinion be obtained by the local authority in relation to the exercise or performance of a reserved function.	Section 132.
7	Deciding that a report on the capital programme may be considered at a meeting other than the local authority budget meeting.	Section 135.
8	Requiring a chief executive to prepare and submit plans, specifications and an estimate of cost of any particular work specified in a resolution.	Section 137.
9	Directing a chief executive to inform the council of the manner in which he or she proposes to perform any specified executive function of the local authority.	Section 138.
10	Requesting a member of a local authority to present a report on the activities and operation of another body to which the member is elected, appointed or nominated by that authority.	Section 141.
11	Approving a proposal of the chief executive to grant permission for the development of land which would contravene materially the development plan or local area plan.	Section 34 (as amended by *Schedule 2* to the *Local Government Reform Act 2014*) of the Act of 2000.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
12	A decision in relation to the making, amendment or revocation of a local area plan within the meaning of the Act of 2000.	Section 20 (as amended by section 9 of the Planning and Development (Amendment) Act 2002 and section 13 of the Planning and Development (Amendment) Act 2010) of the Act of 2000.
13	The making of an addition to, or a deletion from, a record of protected structures to which Part IV of the Act of 2000 relates.	Section 54 of the Act of 2000.
14	Approving, amending or revoking a special planning control scheme.	Section 85 and 86 of the Act of 2000.
15	Deciding to vary or modify a proposed local authority own development, or deciding not to proceed with the development.	Section 179 of the Act of 2000.
16	Making, or refusing to make an order creating a public right of way over any land.	Section 207 of the Act of 2000.
17	Deciding to vary or modify, or not to proceed with, an event proposed to be carried out by a local authority.	Section 238 of the Act of 2000.
18	The preparation, making, adoption or variation of a housing services plan, or draft plan.	Section 14 of the Housing (Miscellaneous Provisions) Act 2009.
19	The making of a decision in relation to the representation of the views of the local community.	Section 64.
20	A decision by a local authority to provide assistance in money or in kind under section 66 for promotion of the interests of the local community.	Section 66.
21	A declaration that a body be a recognised association for the purposes of section 128.	Section 128.
22	Observations in regard to a preliminary flood risk assessments, a flood hazard map, a flood risk map, or both such maps, a flood risk management plan, and a flood risk management scheme, prepared by the Commissioners of Public Works in Ireland; deciding whether to adopt or otherwise a flood risk management plan; and objection to the issue of a certificate of completion of flood risk management works.	Sections 8, 12, 18, 20, 27 and 40 of European Communities (Assessment and Management of Flood Risks) Regulations 2010 (S.I. No. 122 of 2010).

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
23	Consideration of and observations in regard to a drainage scheme prepared by the Commissioners of Public Works in Ireland.	Section 5 of Arterial Drainage Act 1945.
24	Objection to the issue of a certificate of completion of drainage works.	Section 13 of Arterial Drainage Act 1945.

PART 3

Reserved Functions to be Performed by the Local Authority

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
1	Extending the period of permitted absence from attendance at local authority meetings.	Section 18.
2	Adopting a proposal for the alteration of the number of members of certain local authorities.	Section 22.
3	Adopting or reverting to the title "Cathaoirleach" and "Leas-Chathaoirleach" and giving to the office of Cathaoirleach or Leas-Chathaoirleach alternative titles.	Section 32 and Schedule 8.
4	Removal from office of the Cathaoirleach or Leas-Chathaoirleach or the chairperson of any strategic policy committee.	Section 34 (as amended by *section 38* of the *Local Government Reform Act 2014*).
5	Deciding to fix the day or days for the first meetings of the municipal district members for each of the municipal districts within the functional area of the local authority.	Paragraph 4 Schedule 10 (as amended by *section 57* of the *Local Government Reform Act 2014*).
6	Deciding to hold special meetings; appointing days and times of meetings; appointing a regular schedule for the holding of ordinary meetings; appointing different days, times and places for different meetings; appointing the day for holding the annual meeting other than in a year in which a local election is held; making additional arrangements for the giving of public notice of meetings; resolving that a member leave a meeting; making, amending or revoking standing orders; and making rules for the purpose of ensuring that appointments to bodies are made fairly and equitably.	Section 44 and paragraphs 1, 2, 3, 8, 13, 16 and 19 of Schedule 10.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
7	Deciding to meet in committee for whole or part of a meeting where the authority considers that such action is not contrary to the overall public interest.	Section 45.
8	Establishing a committee to consider matters connected with the functions of the local authority and to assist and advise the authority on those matters or to perform functions of the authority; appointing the members of a committee; and dissolving a committee.	Section 51.
9	Establishing a joint committee of 2 or more local authorities to consider and advise on specified matters, or to perform functions delegated to it, delegating reserved functions to a joint committee and dissolving such a committee.	Section 52.
10	Making the integrated local economic and community plan.	Section 66C(4) (inserted by *section 44* of the *Local Government Reform Act 2014*).
11	Preparing, reviewing and updating the implementation strategy for the economic elements of the local economic and community plan.	Section 66E (inserted by *section 44* of the *Local Government Reform Act 2014*).
12	Entering into an agreement with another local or public authority for the performance by one of the authorities concerned of any function of the other.	Section 85.
13	Adopting the draft local authority budget.	F3**[**Section 3 of the *Local Government Rates and Other Matters Act 2019*].
14	Determining the annual rate on valuation to be levied.	Section 103 (substituted by *section 58* of the *Local Government Reform Act 2014*).
15	Specifying a local electoral area or local electoral areas within the administrative area of the local authority where owners of vacant premises shall be entitled to claim and receive a refund of differing proportion of such rate to that that would otherwise apply to the rest of the administrative area and deciding what proportion of refund shall apply in respect of each of those specified electoral districts.	Section 14 (as amended by *section 31* of the *Local Government Reform Act 2014*) of the Local Government Act 1946, section 20 (as so amended) of the Cork City Management Act 1941 and section 71 (as so amended) of the Local Government (Dublin) Act 1930.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
16	Adoption of a schedule of proposed works of maintenance and repair to be carried out in a municipal district, if the schedule is not adopted by the municipal district members.	Subsection (4) of section 103A (inserted by *section 58* of the *Local Government Reform Act 2014*).
17	Authorising the incurring of additional expenditure and adopting and amending a scheme authorising the chief executive to incur additional expenditure without prior approval of the elected council.	Section 104.
18	Requiring the preparation and submission to the local authority members of financial statements.	Section 105.
19	A decision to borrow money or to lend money to another local authority.	Section 106.
20	Delegation of additional functions to municipal district members or revocation of such delegation.	Section 131A (inserted by *section 21* of the *Local Government Reform Act 2014*).
21	Performing, in accordance with regulations, a specified function in place of municipal district members in a particular case or occasion.	Section 131A (inserted by *section 21* of the *Local Government Reform Act 2014*).
22	Extending a direction by the Cathaoirleach of a county council, a city council or a city and county council requiring the chief executive to refrain from doing a particular act, matter or thing.	Section 133.
23	Approving the corporate plan with or without amendment.	Section 134.
24	Adopting the draft local authority service delivery plan.	Section 134A (inserted by *section 50* of the *Local Government Reform Act 2014*).
25	Directing that certain works shall not proceed.	Section 139.
26	Requiring a particular act, matter or thing to be done or effected in the performance of executive functions of the local authority, other than certain prescribed matters.	Section 140.
27	Authorisation by an elected council of one or more of its members to avail of training or attend training events.	Subsection (5A) (inserted by *section 53* of the *Local Government Reform Act 2014*) of section 141.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
28	Authorising representation of the authority by councillors at a conference, seminar or other meeting or event, or to avail of training or attend training events.	Section 142.
29	A decision to pay an allowance for reasonable expenses of Cathaoirleach and Leas-Chathaoirleach and the determination of the amount of the allowance.	Section 143.
30	The appointment, suspension or removal of a chief executive by a county council, a city council, or city and county council.	Sections 145 and 146.
31	Resolving that disposal of land which is held by a local authority shall be carried out in accordance with terms specified in the resolution, or that it shall not be carried out.	Section 183.
32	Making an order to declare an area to be an area of special amenity.	Section 202 of the Act of 2000.
33	Making, or refusing to make, or revocation or amendment of, an order designating any area or place as a landscape conservation area.	Section 204 of the Act of 2000.
34	The adoption of an annual report under section 221.	Section 221.
35	Deciding to hold or to cease to hold membership of an association of local authorities.	Section 225.
36	Declaring that another local authority shall be the successor of a specified joint burial board or cemetery joint committee which is to be dissolved.	Section 230.
37	Deciding that a named member leave a meeting of a local authority.	Paragraph 13 of Schedule 10 (as amended by *section 57* of the *Local Government Reform Act 2014*).
38	Deciding that a named member was the cause of a meeting being adjourned, with a consequential reduction in remuneration and expenses.	Paragraph 13 of Schedule 10 (as amended by *section 57* of the *Local Government Reform Act 2014*).
39	Deciding that a named member was the cause of a meeting being adjourned and should be suspended from attendance at meetings, with a consequential cessation of payment of remuneration and expenses for the suspension period imposed, and the early lifting of the suspension.	Paragraph 13 of Schedule 10 (as amended by *section 57* of the *Local Government Reform Act 2014*).
40	Deciding to pay certain expenses to non-members of a local authority for attendance at committees or joint committees.	Article 9 of the Local Government (Expenses of

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
		Local Authority Members) Regulations 1993 (S.I. No. 391 of 1993).
41	Applying to the Minister to make an order under *subsection (8)* of *section 29* of the *Local Government Reform Act 2014* that the adjustment period, referred to in that section and applicable to a specified area within the administrative area of the local authority, may be extended by a period not greater than 10 years and stating the length of extension being sought.	*Section 29(8)* of the *Local Government Reform Act 2014*.
42	Making or amendment of a scheme for the waiver of rates and determination of classes of property in respect of which rates may be paid by instalments.	Sections 2 and 4 of the Local Government (Rates) Act 1970.
43	Proposing that the boundary of a county, a city, or a city and county be altered, making a statement of response to such proposal, amending the proposal and deciding to make an application to the Minister for the making of an order altering the boundary.	Section 29 of the Local Government Act 1991.
44	Nominating a person to be a candidate at a presidential election.	Section 16 of the Presidential Elections Act 1993.
45	Adopting a purchase scheme applying to the sale of dwellings.	Section 90 (inserted by section 26 of the Housing (Miscellaneous Provisions) Act 1992) of the Housing Act 1966, as amended by section 183.
46	The making of an agreement between authorities to enable a housing authority to perform any of its housing functions outside its functional area.	Section 109 of the Housing Act 1966.
47	The determination of the terms and conditions under which assistance is provided to another housing authority or an approved body.	Section 6 of the Housing (Miscellaneous Provisions) Act 1992.
48	Adoption of a policy for the effective performance of functions under section 58(1) of the Housing Act 1966 or an amendment to such a policy.	Section 9 of the Housing (Miscellaneous Provisions) Act 1992.
49	The transfer, sale or assignment of mortgages, unless it is the subject of a direction by the Minister.	Section 14 of the Housing (Miscellaneous Provisions) Act 1992.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
50	The adoption of a traveller accommodation programme or an amendment to, or replacement of, the programme.	Section 7 of the Housing (Traveller Accommodation) Act 1998.
51	The making of an appointment to a local traveller accommodation consultative committee.	Section 22 of the Housing (Traveller Accommodation) Act 1998.
52	The making and amending of a scheme which determines the order of priority for allocation of affordable houses provided under Part V of the Planning and Development Act 2000.	Section 98 of the Act of 2000.
53	Making and amending a scheme that determines the order of priorities for allocation of affordable houses made available for sale under Part 2 of the Housing (Miscellaneous Provisions) Act 2002.	Section 8 of the Housing (Miscellaneous Provisions) Act 2002.
54	The making or amendment of an allocation scheme determining the order of priority to be accorded in the allocation of dwellings.	Section 22 of the Housing (Miscellaneous Provisions) Act 2009.
55	The making and revocation of a rent scheme providing for the manner in which rents and other charges in respect of dwellings shall be determined.	Section 31 of the Housing (Miscellaneous Provisions) Act 2009.
56	The drawing up and adoption of, and the amendment of, an anti-social behaviour strategy.	Section 35 of the Housing (Miscellaneous Provisions) Act 2009.
57	The adoption or amendment of a Homelessness Action Plan.	Section 40 of the Housing (Miscellaneous Provisions) Act 2009.
58	The adoption of a proposal to designate an apartment complex for the purpose of making the apartments available for sale to the tenants.	Section 53 of the Housing (Miscellaneous Provisions) Act 2009.
59	The designation of an apartment complex in accordance with a section 53 proposal.	Section 55 of the Housing (Miscellaneous Provisions) Act 2009.
60	The extension of the initial selling period for apartments in a designated apartment complex.	Section 56 of the Housing (Miscellaneous Provisions) Act 2009.
61	Functions of a road authority in relation to abandonment of a railway line.	Section 21 of the Transport Act 1950.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
62	The making of representations by a road authority to the National Roads Authority and to the Minister for Transport regarding a proposed national road alignment.	Section 22 of the Roads Act 1993.
63	The making of a scheme for the establishment of a system of tolls in relation to a regional road or a local road, the making of representations to the National Roads Authority in relation to a toll scheme in relation to a national road and the making of an order revoking a toll scheme in relation to a regional road or a local road.	Sections 57 and 60 (as amended by sections 271 and 273 of the Act of 2000) of the Roads Act 1993.
64	The making of toll bye-laws in relation to a regional road or a local road.	Section 61 (as amended by section 274 of the Act of 2000) of the Roads Act 1993.
65	Entering into an agreement for financing, maintenance, construction and operation of toll roads in relation to a regional road or a local road.	Section 63 (as amended by section 275 of the Act of 2000) of the Roads Act 1993.
66	The making of special speed limit bye-laws.	Section 9 of the Road Traffic Act 2004.
67	The making of bye-laws to regulate and control skips on public roads and the consideration of objections or representations in relation to the draft bye-laws.	Section 72 of the Roads Act 1993.
68	Entering into an agreement with the Commissioners for Public Works in Ireland for the transfer of a bridge over a canal.	Section 16 of the Canals Act 1986.
69	The making of a development plan and making or refusing to make a variation of a development plan which for the time being is in force.	Sections 9, 12 and 13 of the Act of 2000.
70	The revocation or modification of a permission to develop land if the development to which the permission relates no longer conforms with the provisions of the development plan.	Section 44 of the Act of 2000.
71	Making a development contribution scheme.	Section 48 of the Act of 2000.
72	Making or amending a supplementary development contribution scheme.	Section 49 of the Act of 2000.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
73	Deciding to make, subject to variations and modifications, or deciding not to make a draft planning scheme for strategic development zones.	Section 169 (as amended by section 51 of the Planning and Development (Amendment) Act 2010) of the Act of 2000.
74	Amending or revoking a planning scheme for strategic development zones.	Section 171 of the Act of 2000.
75	Adoption by a planning authority of a code of conduct for dealing with conflicts of interest and promoting public confidence in the integrity of the conduct of its business.	Section 150 of the Act of 2000.
76	Making or terminating of an agreement by two or more planning authorities for sharing the cost of performing functions under the Planning and Development Act 2000.	Section 244 of the Act of 2000.
77	Directing the manner in which a list of the planning applications received shall be made available to the members of a planning authority.	Article 27 (inserted by the Planning and Development Regulations 2006 (S.I. No. 685 of 2006)) of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001).
78	Directing the manner in which a list of planning applications in respect of which decisions were given shall be made available to the members of a planning authority.	Article 32 (inserted by the Planning and Development Regulations 2006) of the Planning and Development Regulations 2001.
79	Examining and considering a drainage scheme sent to a county council by the Commissioners of Public Works and providing observations to the Commissioners in regard to such scheme.	Section 5 of the Arterial Drainage Act 1945 and section 5 of the Arterial Drainage (Amendment) Act 1995
80	The consideration of a report on proposed coast protection works and the making of a declaration for the promotion of a coast protection scheme, the consideration of a report by the Commissioners of Public Works and the making of a declaration on the preparation and execution of a coast protection scheme, the making of a declaration that a coast protection scheme is or is not to be proceeded with and the making of an objection to the issue of a certificate of completion.	Sections 2, 5, 8, 10 and 18 of the Coast Protection Act 1963.
81	The making of an agreement by a fire authority to provide services for, or avail of the services of, any body or person other than a fire authority and the making of an agreement between fire authorities for the purpose of any of their functions.	Section 10 of the Fire Services Act 1981.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
82	The making and revision by a fire authority of a plan for fire and emergency operations.	Section 26 of the Fire Services Act 1981.
83	The making of a financial contribution by a local authority to support or assist any person, or body of persons, engaged, or proposing to engage, in any research, survey or investigation into the nature and extent, the cause and effect, and the prevention or limitation, of air pollution or in any educational programme relating to such matters.	Section 18 of the Air Pollution Act 1987.
84	The making, revoking or amending by a local authority of a special control area order to prevent or limit air pollution and the giving of consent to the making of such an order by any other local authority.	Section 39 of the Air Pollution Act 1987.
85	Entry into an agreement with the Environmental Protection Agency to exercise or perform any function or service on behalf of the Agency.	Section 45 of the Environmental Protection Agency Act 1992.
86	The making, review, variation or replacement by a local authority of an air quality management plan.	Section 46 of the Air Pollution Act 1987.
87	The making, revision or replacement by a local authority of a water quality management plan.	Section 15 of the Local Government (Water Pollution) Act 1977.
88	The making by a local authority of a contribution to the funds of a person engaged in or proposing to engage in research, surveys or investigations in relation to water pollution.	Section 29 of the Local Government (Water Pollution) Act 1977.
89	The making by a local authority of bye-laws in relation to a harbour under its control or management, including bye-laws with respect to the use of, and the safety of navigation within, a harbour and generally with respect to the regulation of a harbour, and for the purpose of enabling it to impose charges.	Section 89 of the Harbours Act 1996 and section 199.
90	The making by a local authority of bye-laws declaring all or any part of its functional area to be a control area where it is satisfied that horses in that area should be licensed.	Sections 13 and 17 of the Control of Horses Act 1996.
91	The making of bye-laws providing certain exemptions in relation to a horse licence.	Sections 13 and 19 of the Control of Horses Act 1996.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
92	The entering by a local authority into arrangements with another local authority, or any termination thereof, in relation to the application for and the granting of horse licences on its behalf.	Sections 13 and 20 of the Control of Horses Act 1996.
93	The making, replacement or revision of a water services strategic plan, an application to the Minister for an extension of not more than 3 months after the latest date for the making of a water services strategic plan, and approving a joint plan, by a water services authority.	Section 36 of the Water Services Act 2007.
94	The making of bye-laws, for the purpose of preventing or eliminating the entry of polluting matter to waters, prohibiting the carrying on of a specified activity.	Section 21 of the Local Government (Water Pollution)(Amendment)Act 1990.
95	The establishment of environmental objectives and the establishment of a programme of measures in order to achieve those objectives in relation to each river basin district.	Article 12 of the European Communities(Water Policy) Regulations 2003 (S.I. No. 722 of 2003).
96	The making and updating of a river basin management plan.	Article 13 of the European Communities(Water Policy) Regulations 2003.
97	The making of bye-laws in relation to presentation of waste for collection.	Section 35 of the Waste Management Act 1996.
98	The adoption of a library development programme.	Section 78.
99	Entry by a local authority into an agreement for the Health Service Executive to perform a function on the authority's behalf.	Section 8 of the Health Act 2004.
100	The making or revoking of a determination for the provision of meals for children attending a national school situated outside the authority's functional area.	Section 274 of the Social Welfare(Consolidation) Act 1981.
101	The making by a city council of a scheme in relation to the provision of meals (other than meals in national schools).	Section 279 of the Social Welfare(Consolidation) Act 1981.
102	The making of a decision to provide a public abattoir.	Section 19 of the Abattoirs Act 1988.
103	The making of a scheme dividing a county or city into polling districts and appointing a polling place for each polling district and an appointment of an alternative polling place for a polling district in a scheme for the time being in force.	Section 28 (as amended by section 2 of the Electoral (Amendment) Act 1996) of the Electoral Act 1992.

Reference No. (1)	Description of reserved function (2)	Provision under which reserved function is conferred (3)
104	Entry into arrangements under section 15(2) or 15(3) of the Control of Dogs Act 1986and the granting of assistance (other than the provision of services of staff) under section 15(4) of that Act.	Section 15 (as amended by section 6 of the Control of Dogs (Amendment) Act 1992) of the Control of Dogs Act 1986.
105	The making of bye-laws relating to control of dogs.	Section 17 (inserted by section 211) of the Control of Dogs Act 1986.
106	Where regulations provide for the issue of polling information cards by a local authority, a decision to issue them.	Section 27.
107	The passing by a local authority of a resolution that the basic rate of local property tax should stand varied (either upwards or downwards) by a specified percentage in respect of relevant residential properties situated in the local authority's functional area.	Section 20 of the Finance (Local Property Tax) Act 2012.
108	Establishing, dissolving or replacing a local community development committee.	Section 49A (inserted by *section 36(1)* of the *Local Government Reform Act 2014*).
109	Appointment of members of a local community development committee.	Section 128D (inserted by *section 36(2)* of the *Local Government Reform Act 2014*).
110	Approving a local and community development programme.	Section 128B (inserted by *section 36(2)* of the *Local Government Reform Act 2014*).
111	Adoption of an implementation plan setting out the steps to be taken in respect of a report of the National Oversight and Audit Commission.	Section 126D (inserted by *section 61(1)* of the *Local Government Reform Act 2014*).
112	Adoption of a statement indicating the actions already taken or planned to be taken by the chief executive to carry out the directions of the council in relation to the exercise and performance of the reserved functions are not sufficient, stating the reasons for such opinion.	Section 132 (inserted by *section 47* of the *Local Government Reform Act 2014*).
113	The adoption of a Framework for Public Participation in Local Government.	Section 127 (inserted by *section 46* of the *Local Government Reform Act 2014*).

".

Annotations

Amendments:

F3 Substituted (6.11.2023) by *Local Government Rates and other Matters Act 2019* (24/2019), s. 22(b), S.I. No. 536 of 2023.

Section 26

SCHEDULE 4

Consequential Provisions Relating to Local Authorities

Definition (*Schedule 4*).

1. In this Schedule "relevant day or date" means the 2014 establishment day or the transfer date, as the circumstances require.

Transfer of assets.

2. (1) All assets, whether real or personal (including choses-in-action) which, immediately before the relevant day or date, were vested in or belonged to or were held in trust for a dissolved authority and all rights, powers, licences and privileges relating to or connected with any such assets shall, on the relevant day or date, without any conveyance or assignment, but subject where necessary to transfer in the books of any bank, corporation or company, be transferred to and become and be vested in or the property of or held in trust for (as the case may require) the successor authority to such dissolved authority for all the estate, term or interest for which the same, immediately before their dissolution, was vested in or belonged to or was held in trust for such dissolved authority but subject to all trusts and equities affecting the same and then subsisting and capable of being performed.

(2) Any asset transferred by this paragraph which, immediately before the relevant day or date, was standing in the books of any bank or was registered in the books of any bank, corporation, or company in the name of a dissolved authority shall, upon the request of the successor authority to which such asset was transferred, at any time on or after the relevant day or date, be transferred in such books by such bank, corporation or company into the name of that successor authority.

(3) On and from the relevant day or date, every chose-in-action transferred in accordance with the provisions of this paragraph may be sued upon, recovered or enforced by the successor authority to which it was transferred in its own name, and it shall not be necessary for that authority to give notice to the person bound by such chose-in-action of the transfer effected by this paragraph.

Transfer of liabilities.

3. (1) Every debt and other liability (including stock and mortgage debts, and unliquidated liabilities arising from torts or breaches of contract) which immediately before the relevant day or date was owing and unpaid or had been incurred and was undischarged by a dissolved authority, shall, on that day or date become and be the debt or liability of the successor authority to the dissolved authority and shall be paid or discharged by and may be recovered from or enforced against the successor authority.

(2) Every debt the liability for which is transferred by this paragraph shall, on and after the relevant day or date, be charged on the local fund and the county rate of the successor authority to the dissolved authority.

(3) A dissolution under this Act does not invalidate or otherwise affect any payable order or cheque issued by a dissolved authority and which is not presented for payment before the relevant day or date or any permission or other authority given by a dissolved authority for the payment of the amount of a paying order, and the successor authority shall make arrangements for the payment of the amount of every such paying order upon due presentation within a reasonable time after the relevant day or date.

Transfer of staff.

4. (1) (a) Subject to *clause (b)* every person who, immediately before the relevant day or date, as the case may be, was a member of the staff of a dissolved authority shall, on such day or date become and be a member of the staff of the relevant successor authority.

(b) Every person who, immediately before the relevant day or date, as the case may be, was a fixed-term employee of a dissolved authority shall, on such day or date, become and be a fixed-term employee of the relevant successor authority for the duration of his or her contract of employment.

(c) Nothing in this paragraph shall be read as affecting the provisions of Public Service Management (Recruitment and Appointments) Act 2004 that relate to the redeployment of staff of a dissolved authority.

(2) Except in accordance with a collective agreement negotiated with a recognised trade union or staff association concerned a person referred to in *subparagraph (1)* shall not, on the relevant day or date, as the case may be, be brought to less beneficial terms and conditions of service (including those relating to tenure of office) or of remuneration than the terms and conditions of service (including those relating to tenure of office) or of remuneration to which he or she was subject immediately before such day or date.

(3) In *subparagraph (2)*, a reference to terms and conditions of remuneration does not include conditions in relation to superannuation.

(4) In relation to a person referred to in *subparagraph (1)*, previous service with the dissolved authority from which the person was transferred shall be reckonable for the purposes of, but subject to any exceptions or exclusions in, the following:

(a) the Redundancy Payments Acts 1996 to 2011;

(b) the Protection of Employees (Part-Time Work) Act 2001;

(c) the Act of 2003;

(d) the Organisation of Working Time Act 1997;

(e) the Terms of Employment (Information) Acts 1994 to 2012;

(f) the Minimum Notice and Terms of Employment Acts 1973 to 2005;

(g) the Unfair Dismissals Acts 1977 to 2007;

(h) the Maternity Protection Acts 1994 and 2004;

(i) the Parental Leave Acts 1998 and 2006;

(j) the Adoptive Leave Acts 1995 and 2005;

(k) the Carer's Leave Act 2001.

(5) Any superannuation benefits awarded to or in respect of a person transferred in accordance with this paragraph, and the terms and conditions relating to those benefits, shall be no less favourable than those applicable to or in respect of the person immediately before the commencement of this Act.

(6) In this paragraph—

"Act of 2003" means the Protection of Employees (Fixed-Term Work) Act 2003;

"contract of employment" has the same meaning as it has in the Act of 2003;

"fixed-term employee" has the same meaning as it has in the Act of 2003;

"public service body" has the same meaning as it has in section 3(1) of the Ministers and Secretaries (Amendment) Act 2011;

"recognised trade union or staff association" means a trade union or staff association recognised by the Minister for the purpose of negotiations which are concerned with the remuneration or conditions of employment, or the working conditions of employees;

"previous service with the dissolved authority" includes an entitlement in respect of any service for which the dissolved authority is duly accountable.

Preservation of continuing contracts.

5. Every bond, guarantee or other security of a continuing character made or given by a dissolved authority to another person or by any person to any dissolved authority and in force immediately before the relevant day or date and every contract or agreement in writing made between any dissolved authority and another person and not fully executed and completed before the relevant day or date shall, notwithstanding the dissolution of the authority concerned, continue in force on and after the relevant day or date but shall be construed and have effect as if the name of the successor authority to the dissolved authority were substituted therein for the name of that dissolved authority, and such security, contract or agreement shall be enforceable by or against the successor authority accordingly.

Saving for certain acts and resolutions.

6. (1) Nothing in this Act shall affect the validity of any act that was done before the relevant day or date by or on behalf of a dissolved authority.

(2) Without prejudice to the generality of *subparagraph (1)* —

(a) any resolution passed, order made or notice given or served, by a dissolved authority before the relevant day or date, the operation, effect or terms of which had not on that day or date ceased or expired shall, in so far as it is not inconsistent with this Act or any order or regulations made thereunder, continue in force and have effect after that day or date as if it were a resolution passed, order made or notice given or served by the successor authority on the date on which the resolution, order or notice, as the case may be, was actually passed, made, given or served by the dissolved authority and as if the functions of the dissolved authority were, on that day or date, performable by the successor authority,

(b) any thing done, or treated by virtue of any enactment as having been done, by, to or in relation to a dissolved authority before the relevant day or date in the exercise or performance of or by such authority of any of its functions shall, on and after the relevant day or date and in so far as it is not inconsistent with this Act or any order or regulations made thereunder, be treated as having been done, by, to or in relation to the successor authority concerned,

(c) any reference in a document to a dissolved authority and to which *subparagraph (3)* relates shall, on and after the relevant day or date, be construed as a reference to the successor authority concerned.

(3) In this paragraph "thing" includes—

(a) any written agreement or other instrument in writing or any scheme, plan, statement, policy, determination, declaration, undertaking, made or adopted by or on behalf of, or to be treated as having been made or adopted by or on behalf of, a dissolved authority,

(b) any direction given, revocation made, or to be treated as having been given or made, by or to a dissolved authority,

(c) any lease, licence, way-leave, permit, certificate, permission, consent, approval, authorisation, exemption, relaxation, acknowledgment or dispensation, whether (where appropriate) relating to land or otherwise, granted or given, or to be treated as having been granted or given, by or to a dissolved authority,

(d) any application, proposal or objection made, or to be treated as having been made, by or to a dissolved authority,

(e) any condition or requirement imposed, or to be treated as having been imposed, or any notice served or to be treated as having been served, by or on a dissolved authority.

(4) *Subparagraphs (2)* and *(3)* shall be interpreted as illustrative and not as restrictive.

Continuance of bye-laws, rules and regulations.

7. Every bye-law, rule and regulation lawfully made by a dissolved authority and in force immediately before the relevant day or date shall, on or after that day or date, so far as it is not inconsistent with this Act or any order or regulation made thereunder and so far as it relates to the administrative area of the successor authority to the dissolved authority or part of that area, continue in force and have effect as a bye-law, rule or regulation made by that successor authority to the dissolved authority in respect of the area for and in respect of which the bye-law, rule or regulation was actually made by the dissolved authority and, accordingly, every such bye-law, rule or regulation may be continued, amended or revoked, and any penalties or forfeitures arising thereunder, before or after the relevant day or date, may be recovered and enforced by that successor authority in the like manner and as fully as the same could have been continued, amended, revoked, recovered or enforced by the dissolved authority as if *sections 17* and *24* had not come into force.

Continuation of development plans.

8. The development plans for the administrative area of a dissolved authority so far as they applied and had effect as regards that area immediately prior to the relevant day or date shall, on and from that day or date, be deemed to have been made by the successor authority to the dissolved authority

and be development plans for that area as if the functions of the dissolved authority were, on the date on which that plan had been duly made by that dissolved authority, performable by the successor authority.

Admissibility in evidence of documents of dissolved authorities.

9. (1) All books and other documents directed or authorised by or under any enactment to be kept by a dissolved authority and which, immediately before the relevant day or date, would be receivable in evidence shall, notwithstanding the dissolution of such authority, be admitted in evidence on or after the relevant day or date as fully as if this Act had not been enacted.

(2) Whenever an extract from or certificate of the contents of any book or other document directed or authorised by or under any enactment to be kept by a dissolved authority would, if verified in a particular manner by a particular officer of such dissolved authority, have been admissible immediately before the relevant day or date as evidence of such contents, an extract from or certificate of the contents of such book or document shall, if verified in such particular manner by the chief executive of the successor authority concerned or by an officer of that successor authority (whose official position it shall not be necessary to prove) authorised by the chief executive in that behalf, be admitted, on or after the relevant day or date, as evidence of such contents to the same extent as such first-mentioned extract or certificate would have been so admitted if this Act had not been enacted.

Audit of accounts.

10. (1) In respect of the local financial year in which the relevant day or date occurs—

(a) the accounts of each authority to be dissolved shall continue to be maintained by the authority concerned until it is dissolved, and

(b) with effect from the relevant day or date, the accounts of a dissolved authority shall be amalgamated with the accounts of the successor authority and be maintained by the successor authority as if the dissolved authority had been dissolved at the commencement of that year,

and, accordingly, the accounts of the successor authority to be audited for that year shall include the matters to which *clause (b)* relates and those accounts shall be so audited.

(2) Until the audit required by *subparagraph (1)* is completed, any employee of a dissolved authority whose duty it is to make up any accounts of or to account for any portion of the income and expenditure of the dissolved authority and every member of a dissolved authority shall, for the purposes of the audit and so far as is practicable, be deemed to continue in office and be bound to perform the same duties and render the same accounts and be subject to the same liabilities as if this Act had not been passed.

Continuance of pending legal proceedings.

11. In any action, suit, prosecution or other legal proceeding which was pending immediately before the relevant day or date in any court or tribunal and to which a dissolved authority was a party, the successor authority to that dissolved authority shall on the relevant day or date become and be a party or parties in the place of the dissolved authority and that successor authority shall accordingly be substituted for such dissolved authority and every such proceeding shall be continued between that successor authority and the other parties to those proceedings, and no such proceeding shall

abate or be discontinued or prejudicially affected by reason of the dissolution of the dissolved authority.

Adoptive Acts.

12. (1) Where any enactment has been adopted by a dissolved authority in respect of the whole or a specified part of its administrative area and the authority had not rescinded such adoption the enactment shall, on and after the relevant day or date, be deemed to have been adopted by the successor authority to the dissolved authority in respect of the area for and in respect of which the same was actually adopted by the dissolved authority and for the purposes of this paragraph that successor authority shall be deemed to have had power to adopt the enactment.

(2) Where any enactment is deemed to have been adopted pursuant to *subparagraph (1)* such adoption may at any time be rescinded by resolution of the successor authority concerned in respect of all or part of its administrative area.

Local Acts.

13. Every local Act in force immediately before the relevant day or date in, or in relation to, all or any part of the administrative area of a dissolved authority shall, on and after such day or date and so far as it is consistent with the provisions of this Act or any order or regulations made under this Act, be in force in, or in relation to, such part or parts of the administrative area of the successor authority to such dissolved authority as correspond to the area in or in relation to which such Act was in force on such day or date.

Money due in respect of rates or rent.

14. (1) Without prejudice to *subparagraph (2)*, all rates, rent, and other money which immediately before the relevant day or date are due and payable to a dissolved authority shall on and after that day or date become due and be payable to the successor authority concerned and any such rates, rent and money may be collected and recovered by or on behalf of that successor authority in like manner as they could be collected or recovered by or on behalf of the dissolved authority if this Act had not been enacted.

(2) All rates, rent and other money which immediately before the relevant day or date are accruing due to a dissolved authority shall on and after that day or date accrue and be deemed always to have accrued due to the successor authority concerned, and where any such rate, rent or money becomes due and payable the same shall be due and payable to and may be collected and recovered by or on behalf of such successor authority in like manner as it could have been collected or recovered by or on behalf of the dissolved authority if this Act had not been enacted.

(3) Every rate collector of a dissolved authority who is in office as such rate collector immediately before the relevant day or date shall, on and after that day or date unless or until the successor authority to the dissolved authority otherwise directs, collect and recover on behalf of such successor all rates which immediately before that day or date were due and payable to or were accruing due to such dissolved authority and had been given in charge to such rate collector for collection.

(4) For the purposes of this paragraph, the amount of rent payable to a successor authority by a person who was a tenant of a dwelling let by a dissolved authority shall, on the relevant day or date be determined for the period commencing on that day or date and ending on F4**[**30 June 2015**]**, in accordance with the rent scheme operated by the dissolved authority under section 58 of the Housing Act 1966 in respect of its dwellings immediately before that day or date.

Valuation lists.

15. (1) The valuation list applicable to a successor authority on the relevant day or date shall be—

(a) except where *clause (b)* applies, the valuation list (including any revisions) relating to the dissolved authorities concerned last before that day or date as relates to the area comprised in the county or city and county concerned, or

(b) where the Commissioner of Valuation made orders before the relevant day or date under section 19 of the Valuation Act 2001 in respect of the dissolved authorities concerned, the list to which *section 33(1)* relates.

(2) Where the valuation of any relevant property in the administrative area of a dissolved authority is at any time for any reason revised or altered (including any case where such revision or alteration arises as a result of any appeal or other process commenced before the relevant day or date), the rate shall be assessed in accordance with such revised or altered valuation and may be levied, collected and recovered accordingly by the successor authority concerned.

Continuation of housing allocation schemes.

16. An allocation scheme made under section 22 of the Housing (Miscellaneous Provisions) Act 2009 by a dissolved authority to which *section 17* relates that is in force immediately before the 2014 establishment date shall—

(a) be deemed to have been made by the successor authority to the dissolved authority on that date, and

(b) continue to have effect in respect of the former administrative area of the dissolved authority concerned until such time as that successor authority makes an allocation scheme under the said section 22.

Register of electors.

17. With effect from the relevant day or date and until the next following register of electors comes into force—

(a) the register of electors in force for the Limerick registration area shall be the register of electors for Limerick City and County,

(b) the register of electors in force for the Tipperary registration area shall be the register of electors for Tipperary County, and

(c) the register of electors in force for the Waterford registration area shall be the register of electors for Waterford City and County.

Polling districts.

18. With effect from the relevant day or date, and until the first scheme under section 28 of the Electoral Act 1992 in respect of the successor authority is made, the arrangements with respect to polling districts in the areas of the relevant dissolved authorities shall be deemed to be an arrangement with respect to polling districts in the area of the successor authority.

Continuation of membership of certain bodies.

19. (1) Subject to the provisions of this Act and any regulations made under it, all persons appointed (whether by nomination, election or otherwise) as members of any body by a dissolved authority shall continue to be members of the body to which they were so appointed for such period as

they would have held such office if this Act had not been enacted save in any case where provision to the contrary is made by any such body.

(2) This paragraph applies to appointments—

(a) of persons who were, immediately before the relevant day or date, members of a dissolved authority who, on or after that day or date, would continue to be members of the authority referred to in *subparagraph (1)* had such dissolved authority not been dissolved,

(b) of persons to whom *clause (a)* does not apply,

(c) to bodies whether corporate or unincorporate.

Annotations

Amendments:

F4 Substituted (15.09.2014) by *Housing (Miscellaneous Provisions) Act 2014* (21/2014), s. 57, S.I. No. 404 of 2014.

Modifications (not altering text):

C4 Application of schedule extended (1.06.2014) by *Local Government Reform Act 2014 (Dissolution of the County Tipperary Joint Libraries Committee and Transfer of Assets and Liabilities) Order 2014* (S.I. No. 232 of 2014), reg. 5.

4. On 1 June 2014, the assets and liabilities of the Joint Committee transfer to Tipperary County Council in accordance with Article 5.

5. The provisions of section 26(2)(d) and Schedule 4 (other than paragraphs 6(2)(a), 7, 8, 12, 13, subparagraphs (3) and (4) of paragraph 14, 15, 16, 17 and 18) of the Act of 2014 apply to the transfer of assets and liabilities referred to in Article 4.

Section 36(3)

SCHEDULE 5

Relevant Body

"SCHEDULE 16

Relevant Bodies to which Section 128F(1) (d) Relates

(1) Pobal

(2) Avondhu/Blackwater Partnership Limited

(3) Ballyhoura Development Limited

(4) Bray Area Partnership Limited

(5) Breffni Integrated Development Limited

(6) Carlow County Development Partnership Limited

(7) Cill Dara Ar Aghaidh Teoranta

(8) Clare Local Development Company Limited

(9) Comhar na nOileáin Teoranta

(10) Comhair Chathair Chorcaí Teoranta

(11) County Kilkenny LEADER Partnership Company Limited

(12) County Sligo LEADER Partnership Company Limited

(13) Co. Wicklow Community Partnership

(14) Donegal Local Development Company Limited

(15) Fingal Leader Partnership Company Limited

(16) Forum Connemara Limited

(17) Galway City Partnership Limited

(18) Galway Rural Development Company Limited

(19) Inishowen Development Partnership

(20) IRD Duhallow Limited

(21) Laois Community and Enterprise Development Company Limited

(22) Leitrim Integrated Development Company Limited

(23) Longford Community Resources Limited

(24) Louth LEADER Partnership

(25) Mayo North East LEADER Partnership Company Teoranta

(26) Meath Community Rural and Social Development Partnership Limited

(27) Monaghan Integrated Development Limited

(28) North and East Kerry LEADER Partnership Teoranta

(29) North Tipperary LEADER Partnership

(30) Northside Partnership Limited

(31) Offaly Integrated Local Development Company Limited

(32) People Action Against Unemployment Limited

(33) Rathmines Pembroke Community Partnership Limited

(34) Roscommon Integrated Development Company Limited

(35) South and East Cork Area Development Partnership Limited

(36) South Dublin County Partnership Limited

(37) South Kerry Development Partnership Limited

(38) South Tipperary Development Company Limited

(39) South West Mayo Development Company Limited

(40) Southside Partnership DLR Limited

(41) The Ballyfermot / Chapelizod Partnership Company Limited

(42) The Ballymun Partnership Limited

(43) The Blanchardstown Area Partnership Limited

(44) Tolka Area Partnership Limited

(45) Waterford Area Partnership Limited

(46) Waterford LEADER Partnership Limited

(47) West Cork Development Partnership Limited

(48) West Limerick Resources Limited

(49) Westmeath Community Development Limited

(50) Wexford Local Development".

Number 1 *of* 2014

LOCAL GOVERNMENT REFORM ACT 2014

REVISED

Updated to 16 May 2024

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Local Government Acts 1925 to 2024: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), s. 1(2)(a)). The Acts in the group are:

- *Local Government Act 1925* (5/1925)
- *Local Government Act 1927* (3/1927)
- *Local Government Act 1941* (23/1941)
- *Local Government Act 1946* (24/1946)
- *Local Government Act 1955* (9/1955)
- *Local Government (No. 2) Act 1960* (40/1960)
- *Local Government (Buncrana) Act 1968* (2/1968)
- *Local Government (Rateability of Rents) (Abolition) Act 1971* (15/1971) in so far as it amends *Local Government Acts 1925 to 1967*
- *Local Government (Financial Provisions) Act 1978* (35/1978)
- *Local Government (Financial Provisions) Act 1983* (10/1983)
- *Local Government (Financial Provisions) (No. 2) Act 1983* (21/1983)
- *Local Government (Reorganisation) Act 1985* (7/1985)
- *Local Government Act 1991* (11/1991)
- *Local Government Act 1994* (8/1994)
- *Local Government (Financial Provisions) Act 1997* (29/1997)
- *Local Government Act 1998* (16/1998)
- *Local Government (Financial Provisions) Act 2000* (6/2000)
- *Local Government Act 2000* (25/2000)
- *Local Government Act 2001* (37/2001) (other than ss. 163, 164 and 211 and Parts 23 and 24)
- *Local Government Act 2003* (8/2003)
- *Electoral (Amendment) Act 2004* (15/2004), s. 34
- *Local Government (Business Improvement Districts) Act 2006* (42/2006), ss. 2 to 7
- *Water Services Act 2007* (30/2007), ss. 1(7), 13 and 115
- *Copyright and Related Rights (Amendment) Act 2007* (39/2007), Part 3
- *Local Government (Miscellaneous Provisions) Act 2012* (17/2012), Part 4
- *Electoral, Local Government and Planning and Development Act 2013* (27/2013), Part 9

- *Local Government Reform Act 2014* (1/2014), other than s. 1(3) to (8), s. 5(3) to (5) and sch. 2
- *Housing (Miscellaneous Provisions) Act 2014* (21/2014), s. 57
- *Planning and Development (Housing) and Residential Tenancies Act 2016* (17/2016), ss. 1(2)(c), 52
- *Local Government Act 2019* (1/2019)
- *Local Government Rates and other Matters Act 2019* (24/2019), other than ss. 23 to 27
- *Local Government (Maternity Protection and Other Measures for Members of Local Authorities) Act 2022* (52/2022), s. 2
- *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), Part 13 chapters 6, 7 (ss. 261-274)
- *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), other than Part 5 (ss. 36-45) and ss. 65, 66, 67, 69

Acts previously included in the group but now repealed are:

- *Local Government (Amendment) Act 1930* (26/1930)
- *Local Government Act 1933* (5/1933)
- *Local Government (Amendment) Act 1934* (5/1934)
- *Local Government (Amendment) (No. 2) Act 1934* (44/1934)
- *Local Government Act 1936* (46/1936)
- *Local Government (Amendment) Act 1939* (9/1939)
- *Local Government Act 1953* (12/1953)
- *Local Government Act 1958* (9/1958)
- *Local Government Act 1959* (10/1959)
- *Local Government Act 1960* (23/1960)
- *Local Government (Roads and Motorways) Act 1974* (6/1974)
- *Local Government (Toll Roads) Act 1979* (34/1979)

Valuation Acts 2001 to 2023: this Act is one of a group of Acts included in this collective citation (*Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), s. 1(4)). The Acts in this group are:

- *Valuation Act 2001* (13/2001)
- *Local Government (Business Improvement Districts) Act 2006* (42/2006), s. 8
- *Local Government Reform Act 2014* (1/2014), subs. 1(3), s. 33 and so much of sch. 2 part 6 as relates to the *Valuation Act 2001* (13/2001)
- *Health Service Executive (Financial Matters) Act 2014* (17/2014), s. 16
- *Water Services Act 2014* (44/2014), s. 12
- *Valuation (Amendment) Act 2015* (10/2015)
- *Landlord and Tenant (Ground Rents) (Amendment) Act 2019* (42/2019), s. 6
- *Residential Tenancies and Valuation Act 2020* (7/2020), s. 14
- *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), Part 13 chapter 5 (ss. 256-260)

Housing Acts 1966 to 2024: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), s. 1(2)(b)). The Acts in this group are:

- *Housing Act 1966* (21/1966)
- *Housing (Miscellaneous Provisions) Act 1979* (27/1979)
- *Housing Act 1988* (28/1988), other than ss. 27 and 28
- *Housing (Miscellaneous Provisions) Act 1992* (18/1992), other than ss. 38(3) and (4) and ss. 29 and 30
- *Housing (Miscellaneous Provisions) Act 1997* (21/1997), other than s. 24(3) and ss. 16 and 17
- *Housing (Traveller Accommodation) Act 1998* (33/1998), other than ss. 26 and 27
- *Housing (Miscellaneous Provisions) Act 2002* (9/2002), other than ss. 17 to 20, 22, 23 and 24 and schs. 2 and 3
- *Housing (Miscellaneous Provisions) Act 2004* (43/2004), other than s. 2
- *Housing (Miscellaneous Provisions) Act 2009* (22/2009), other than s. 100
- *Housing (Amendment) Act 2013* (22/2013)
- *Local Government Reform Act 2014* (1/2014), ss. 1(4), 5(3), sch. 2 part 1 and sch. 4 paras. 1 and 14 (in so far as they relate to the *Housing Act 1966*) and para. 16.
- *Housing (Miscellaneous Provisions) Act 2014* (21/2014)

- *Residential Tenancies (Amendment) Act 2015* (42/2015), ss. 15, 85, 87
- *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019), s. 67 and s. 1(2)
- *Affordable Housing Act 2021* (25/2021)
- *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024), s. 65

Acts previously included in the collective citation and construction but now repealed are:

- *Housing Act 1984* (1/1984)
- *Housing Act 1969* (16/1969)
- *Housing Act 1970* (18/1970)

Local Elections Acts 1974 to 2014: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Local Government Reform Act 2014* (1/2014), s. 1(5)). The Acts in the group are:

- *Local Elections (Petitions and Disqualifications) Act 1974* (8/1974)
- *Local Government (Reorganisation) Act 1985* (7/1985), so much of the Act as relates to local elections
- *Local Government Act 1991* (11/1991), Part III and so much of Part IV as relates to local elections
- *Electoral Act 1992* (23/1992), Part II insofar as it relates to local government electors and Part XXIII insofar as it relates to local elections
- *Electoral Act 1997* (25/1997), Parts VII and VIII insofar as they relate to local elections
- *Local Government Act 1998* (16/1998), ss. 9 and 10
- *Local Elections (Disclosure of Donations and Expenditure) Act 1999* (7/1999) (other than s. 1(4) and so much of s. 25 as relates to the European Parliament elections)
- *Local Government Act 2001* (37/2001), Parts 3, 4, Chapter 3 of Part 5 and s. 243
- *Electoral (Amendment) Act 2001* (38/2001), in so far as it relates to local elections
- *Electoral (Amendment) Act 2002* (4/2002), in so far as it relates to local elections
- *Local Government (No. 2) Act 2003* (17/2003)
- *Electoral (Amendment) Act 2004* (15/2004), in so far as it relates to local elections
- *Electoral (Amendment) Act 2006* (33/2006), in so far as it relates to local elections
- *Electoral (Amendment) Act 2009* (4/2009), in so far as it relates to local elections
- *Electoral (Amendment) (No. 2) Act 2009* (9/2009) (other than s. 9)
- *Electoral (Amendment) (Political Funding) Act 2012* (36/2012), in so far as it relates to local elections
- *Local Government Reform Act 2014* (1/2014), ss. 1(5), 5(4) and sch. 2 part 2 in so far as it relates to the *Local Elections (Petitions and Disqualifications) Act 1974* and the *Local Elections (Disclosure of Donations and Expenditure) Act 1999*

Acts previously included in the group but now repealed are:

- *Local Government Act 1994* (8/1994), Parts II and III
- *Electoral (Amendment) (No. 2) Act 1986* (35/1986), in so far as it relates to local elections

Electoral Acts 1992 to 2023: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Electoral (Amendment) Act 2023* (40/2023), s. 7(2)). The Acts in this group are:

- *Electoral Act 1992* (23/1992)
- *Electoral (Amendment) Act 1996* (43/1996)
- *Electoral Act 1997* (25/1997)
- *Electoral (Amendment) Act 1998* (4/1998)
- *Electoral (Amendment) (No. 2) Act 1998* (19/1998) (repealed)
- *Local Elections (Disclosure of Donations and Expenditure) Act 1999* (7/1999)
- *Standards in Public Office Act 2001* (31/2001), in so far as it relates to functions of the Commission under the *Electoral Act 1997* (25/1997)
- *Electoral (Amendment) Act 2001* (38/2001)
- *Electoral (Amendment) Act 2002* (4/2002)
- *Electoral (Amendment) (No. 2) Act 2002* (23/2002)
- *Electoral (Amendment) Act 2004* (15/2004)
- *Electoral (Amendment) Act 2005* (16/2005)

- *Electoral (Amendment) Act 2006* (33/2006)
- *Electoral (Amendment) Act 2007* (14/2007)
- *Electoral (Amendment) Act 2009* (4/2009)
- *Electoral (Amendment) (No. 2) Act 2009* (9/2009), other than s. 9
- *Electoral (Amendment) Act 2011* (14/2011)
- *Electoral (Amendment) Act 2012* (27/2012)
- *Electoral (Amendment) (Political Funding) Act 2012* (36/2012)
- *Electoral (Amendment) (Dáil Constituencies) Act 2013* (7/2013)
- *Electoral, Local Government and Planning and Development Act 2013* (27/2013), other than Parts 8 and 9
- *Local Government Reform Act 2014* (1/2014), s. 1(6), s. 5(4) and sch. 2 part 2, sch. 4 paras. 17 and 18, in so far as it relates to the *Electoral Act 1992*
- *Electoral (Amendment) Act 2014* (8/2014)
- *Electoral (Amendment) (No. 2) Act 2014* (24/2014)
- *Electoral (Amendment) Act 2015* (62/2015), ss. 3, 4
- *Electoral (Amendment) Act 2015* (5/2016)
- *Electoral (Amendment) (Dáil Constituencies) Act 2017* (39/2017)
- *Companies (Statutory Audits) Act 2018* (22/2018), ss. 71, 73
- *European Parliament Elections (Amendment) Act 2019* (7/2019), s. 8
- *Electoral Reform Act 2022* (30/2022), ss. 6-30, 41-59, 61-69, 72, 77-114, 173
- *Electoral (Amendment) Act 2023* (40/2023), other than s. 5

Building Control Acts 1990 to 2020: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Planning and Development, and Residential Tenancies, Act 2020* (27/2020), s. 1(2)(b)). The Acts in the group are:

- *Building Control Act 1990* (3/1990)
- *Building Control Act 2007* (21/2007)
- *Local Government Reform Act 2014* (1/2014), s. 1(7), 5(5) and Part 3 of Schedule 2 (in so far as it relates to the *Building Control Acts 1990 to 2014*)
- *Planning and Development, and Residential Tenancies, Act 2020* (27/2020), s. 5

Planning and Development Acts 2000 to 2023: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), s. 1(3)). The Acts in the group are:

- *Planning and Development Act 2000* (30/2000)
- *Local Government Act 2001* (37/2001), ss. 2, 5(3) and sch. 4 (in so far as they relate to the Act of 2000) and s. 247
- *Planning and Development (Amendment) Act 2002* (32/2002), Parts 2 and 3
- *Housing (Miscellaneous Provisions) Act 2004* (43/2004), s. 2
- *Planning and Development (Strategic Infrastructure) Act 2006* (27/2006)
- *Water Services Act 2007* (30/2007), ss. 114 and 1(6)
- *Harbours (Amendment) Act 2009* (26/2009), ss. 7(1), (2) and 21(3)
- *Compulsory Purchase Orders (Extension of Time Limits) Act 2010* (17/2010)
- *Planning and Development (Amendment) Act 2010* (30/2010) (other than Part 3)
- *Environment (Miscellaneous Provisions) Act 2011* (20/2011), Part 5
- *Electoral, Local Government and Planning and Development Act 2013* (27/2013), Part 8
- *Local Government Reform Act 2014* (1/2014), ss. 1(8), 5(7) and sch. 2 part 4
- *Planning and Development (Amendment) Act 2015* (63/2015)
- *Planning and Development (Housing) and Residential Tenancies Act 2016* (17/2016), ss. 1(1), (2)(a), (3), 2-29
- *Planning and Development Act 2017* (20/2017)
- *Planning and Development (Amendment) Act 2018* (16/2018), other than Part 4 and sch. 3 ref. nos. 12-18
- *European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018* (S.I. No. 296 of 2018), Parts 2, 3, 4 and schs. 1 and 2
- *Aircraft Noise (Dublin Airport) Regulation Act 2019* (12/2019), Part 3
- *Residential Tenancies (Amendment) Act 2019* (14/2019), s. 38
- *Local Government Rates and Other Matters Act 2019* (24/2019), ss. 23, 24
- *European Union (Waste Water Discharge) Regulations 2020* (S.I. No. 214 of 2020), Part II (reg. 5)
- *Emergency Measures in the Public Interest (Covid-19) Act 2020* (2/2020), s. 9

- *Planning and Development, and Residential Tenancies, Act 2020* (27/2020)
- *Planning and Development, Heritage and Broadcasting (Amendment) Act 2021* (11/2021), Part 2 chapters 2 (ss. 4-11), 5 (s. 15)
- *Planning and Development (Large Scale Residential Developments) Act 2021* (40/2021)
- *Maritime Area Planning Act 2021* (50/2021), Part 8 (ss. 171-174) and schs. 10-12
- *Planning and Development, Maritime and Valuation (Amendment) Act 2022* (29/2022), Part 2 (ss. 2-41)
- *Planning and Development and Foreshore (Amendment) Act 2022* (47/2022), Part 2 (ss. 2-14)
- *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), Part 13 chapter 3 (ss. 246-253)

Civil Defence Acts 1939 to 2014: this Act is one of a group of Acts included in this collective citation (*Local Government Reform Act 2014* (1/2014), s. 1(9)). The Acts in this group are:

- *Air-raid Precautions Act 1939* (21/1939)
- *Air-raid Precautions (Amendment) Act 1946* (28/1946)
- *Civil Defence Act 2012* (51/2012)
- *Local Government Reform Act 2014* (1/2014), s. 1(9), s. 5(6) and sch. 2 part 6 (in so far as they amend the *Air-Raid Precautions Act 1939* and the *Civil Defence Act 2012*)

Acts previously included in the group but now repealed are:

- *Civil Defence Act 2002* (16/2002)

Control of Dogs Acts 1986 to 2014: this Act is one of a group of Acts included in this collective citation (*Local Government Reform Act 2014* (1/2014), s. 1(10)). The Acts in this group are:

- *Control of Dogs Act 1986* (32/1986)
- *Control of Dogs (Amendment) Act 1992* (13/1992)
- *Dog Breeding Establishments Act 2010* (29/2010), part 3
- *Animal Health and Welfare Act 2013* (15/2013), s. 77
- *Local Government Reform Act 2014* (1/2014), s. 1(10), s. 5(6) and sch. 2 part 6 (in so far as they amend the *Control of Dogs Act 1986* and the *Dog Breeding Establishments Act 2010*)

Criminal Justice (Public Order) Acts 1994 to 2023: this Act is one of a group of Acts included in this collective citation (*Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 1(4)). The Acts in this group are:

- *Criminal Justice (Public Order) Act 1994* (2/1994)
- *Criminal Justice (Public Order) Act 2003* (16/2003)
- *Criminal Justice (Public Order) Act 2011* (5/2011)
- *Animal Health and Welfare Act 2013* (15/2013), s. 77
- *Local Government Reform Act 2014* (1/2014), s. 1(11), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Criminal Justice (Public Order) Act 1994*)
- *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 63

Education and Training Boards Acts 2013 and 2014: this Act is one of a group of Acts included in this collective citation (*Local Government Reform Act 2014* (1/2014), s. 1(12)). The Acts in this group are:

- *Education and Training Boards Act 2013* (11/2013)
- *Local Government Reform Act 2014* (1/2014), s. 1(12) and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Education and Training Boards Act 2013*)

Foreshore Acts 1933 to 2023: this Act is one of a group of Acts included in this collective citation (*Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023*(26/2023), s. 1(2)). The Acts in the group are:

- *Foreshore Act 1933* (12/1933)
- *Foreshore (Amendment) Act 1992* (17/1992)
- *Fisheries and Foreshore (Amendment) Act 1998* (54/1998), s. 5 and ss. 1 and 7 in so far as they relate to s. 5

- *Fisheries (Amendment) Act 2003* (21/2003), s. 32 and s. 2 in so far as it relates to s. 32
- *Maritime Safety Act 2005* (11/2005), Part 6
- *Foyle and Carlingford Fisheries Act 2007* (17/2007), s. 35
- *Foreshore and Dumping at Sea (Amendment) Act 2009* (39/2009), other than s. 1(3) and (5), Part 3 and sch. 2
- *Foreshore (Amendment) Act 2011* (11/2011)
- *Local Government Reform Act 2014* (1/2014), s. 1(13), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Foreshore (Amendment) Act 1992*)
- *Maritime Area Planning Act 2021* (50/2022), Part 9, chapters 1 (ss. 175-181), 3 (ss. 183-186)
- *Planning and Development and Foreshore (Amendment) Act 2022* (47/2022), Part 3 (ss. 15-21)
- *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023* (26/2023), Part 13 chapter 1 (s. 244)

Health Acts 1947 to 2022: this Act is one of a group of Acts included in this collective citation (*Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), s. 1(2)). The Acts in this group are:

- *Health Act 1947* (28/1947)
- *Health Act 1953* (26/1953)
- *Health (Fluoridation of Water Supplies) Act 1960* (46/1960)
- *Health Act 1970* (1/1970)
- *Misuse of Drugs Act 1977* (12/1977), s. 36 and s. 42 in so far as it amends the *Health Acts 1947 to 1970*
- *Health (Family Planning) Act 1979* (20/1979)
- *Health (Family Planning) (Amendment) Act 1985* (4/1985)
- *Health (Amendment) Act 1986* (10/1986)
- *Health (Amendment) Act 1987* (3/1987)
- *Health (Nursing Homes) Act 1990* (23/1990)
- *Health (Amendment) Act 1991* (15/1991), other than s. 8
- *Health (Amendment) Act 1994* (11/1994)
- *Health (Amendment) Act 1996* (15/1996)
- *Health (Amendment) (No. 2) Act 1996* (23/1996)
- *Health (Amendment) (No. 3) Act 1996* (32/1996), other than ss. 21 and 22
- *Health (Provision of Information) Act 1997* (9/1997)
- *Health (Eastern Regional Health Authority) Act 1999* (13/1999)
- *Health (Miscellaneous Provisions) Act 2001* (14/2001), except in so far as it relates to the *Tobacco (Health Promotion and Protection) Act 1988*
- *Health Act 2004* (42/2004)
- *Health (Amendment) Act 2005* (3/2005), in so far as it amends the *Health Acts 1947 to 2004*
- *Irish Medicines Board (Miscellaneous Provisions) Act 2006* (3/2006), Part 5
- *Health (Repayment Scheme) Act 2006* (17/2006)
- *Hepatitis C Compensation Tribunal (Amendment) Act 2006* (22/2006), except s. 6
- *Health (Nursing Homes) (Amendment) Act 2007* (1/2007)
- *Health Act 2007* (23/2007)
- *Medical Practitioners Act 2007* (25/2007), s. 57(9)
- *Health Act 2008* (21/2008)
- *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 64
- *Health (Amendment) Act 2010* (15/2010)
- *Health (Amendment) (No. 2) Act 2010* (20/2010)
- *Child Care (Amendment) Act 2011* (19/2011), ss. 35 and 36
- *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013)
- *Health (Pricing and Supply of Medical Goods) Act 2013* (14/2013), s. 30
- *Health Service Executive (Governance) Act 2013* (23/2013)
- *Local Government Reform Act 2014* (1/2014), s. 1(14), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Health (Flouridation of Water Supplies) Act 1960*)
- *Health Service Executive (Financial Matters) Act 2014* (17/2014)
- *Health (General Practitioner Service) Act 2014* (28/2014)
- *Health (General Practitioner Service) Act 2015* (19/2015)
- *Health (General Practitioner Service) Act 2018* (13/2018)
- *Health Service Executive (Governance) Act 2019* (17/2019), other than Part 3
- *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019* (8/2019), Part 2

- *Health (General Practitioner Service and Alteration of Criteria for Eligibility) Act 2020* (11/2020)
- *Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020* (23/2020), Part 2 (s. 5)
- *Health (Miscellaneous Provisions) (No. 2) Act 2022* (20/2022), other than s. 7

Acts previously included in the group but now repealed are:

- *Health Act 1954* (23/1954)
- *Health and Mental Treatment Act 1957* (16/1957), s. 1
- *Health and Mental Treatment (Amendment) Act 1958* (37/1958), s.1
- *Health (Homes For Incapacitated Persons) Act 1964* (8/1964)
- *Health and Mental Treatment (Amendment) Act 1966* (2/1966), s. 1
- *Health (Mental Services) Act 1981* (17/1981)
- *Health (Amendment) Act 2004* (19/2004)

Merchant Shipping Acts 1894 to 2022: this Act is one of a group of Acts included in this collective citation (*Merchant Shipping (Investigation of Marine Casualties) (Amendment) Act 2022* (8/2022), s. 16(2)). The Acts in this group are:

- *Merchant Shipping Act 1894* (57 & 58 Vict. c. 60)
- *Merchant Shipping (Exemption from Pilotage) Act 1897* (60 & 61 Vict. c. 61)
- *Merchant Shipping (Liability of Shipowners) Act 1898* (61 & 62 Vict. c. 14)
- *Merchant Shipping (Mercantile Marine Fund) Act 1898* (61 & 62 Vict. c. 44)
- *Merchant Shipping Act 1906* (6 Edw. 7 c. 48)
- *Merchant Shipping Act 1907* (7 Edw. 7 c. 52)
- *Merchant Shipping (Amendment) Act 1920* (10 Geo. 5 c. 2)
- *Merchant Shipping Act 1921* (11 & 12 Geo. 5 c. 28)
- *Merchant Shipping (International Labour Conventions) Act 1933* (29/1933)
- *Merchant Shipping (Safety and Load Line Conventions) Act 1933* (42/1933)
- *Merchant Shipping (Amendment) Act 1939* (12/1939)
- *Merchant Shipping Act 1947* (46/1947)
- *Merchant Shipping (Safety Convention) Act 1952* (29/1952)
- *Merchant Shipping Act 1966* (20/1966)
- *Merchant Shipping (Load Lines) Act 1968* (17/1968)
- *Merchant Shipping (Certification of Seamen) Act 1979* (37/1979)
- *Merchant Shipping Act 1981* (33/1981)
- *Merchant Shipping Act 1992* (2/1992)
- *Merchant Shipping (Salvage and Wreck) Act 1993* (34/1993)
- *Merchant Shipping (Liability of Shipowners and Others) Act 1996* (35/1996)
- *Merchant Shipping (Commissioners of Irish Lights) Act 1997* (37/1997)
- *Merchant Shipping (Miscellaneous Provisions) Act 1998* (20/1998)
- *Merchant Shipping (Investigation of Marine Casualties) Act 2000* (14/2000)
- *Sea Pollution (Hazardous Substances) (Compensation) Act 2005* (9/2005), s. 28
- *Maritime Safety Act 2005* (11/2005), other than Parts 5 and 6
- *Merchant Shipping Act 2010* (14/2010), other than s. 93
- *Local Government Reform Act 2014* (1/2014), s. 1(15), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Merchant Shipping (Salvage and Wreck) Act 1993*)
- *Merchant Shipping (Registration of Ships) Act 2014* (43/2014)
- *Harbours Act 2015* (61/2015), s. 51
- *Merchant Shipping (Investigation of Marine Casualties) (Amendment) Act 2022* (8/2022)

Acts previously included in the group but now repealed are:

- *Merchant Shipping (Liability of Shipowners & Others) Act 1900* (63 & 64 Vict. c. 32)
- *Pilotage Act 1913* (2 & 3 Geo. 5 c. 31)
- *Merchant Shipping (Certificates) Act 1914* (4 & 5 Geo. 5 c. 42)
- *Merchant Shipping (Convention) Act 1914* (4 & 5 Geo. 5 c. 50)
- *Merchant Shipping (Salvage) Act 1916* (6 & 7 Geo. 5 c. 41)
- *Merchant Shipping (Wireless Telegraphy) Act 1919* (9 & 10 Geo. 5 c. 38)
- *Merchant Shipping (Helm Orders) Act 1932* (32/1932)
- *Pilotage (Amendment) Act 1962* (2/1962)
- *Fisheries (Amendment) Act 1983* (27/1983), s. 8 in so far as it amends the *Merchant Shipping Act 1894* and s. 10(2)

National Monuments Acts 1930 to 2014: this Act is one of a group of Acts included in this collective citation (*Local Government Reform Act 2014* (1/2014), s. 1(16)). The Acts in this group are:

- *National Monuments Act 1930* (2/1930)
- *National Monuments Act 1954* (37/1954)
- *National Monuments (Amendment) Act 1987* (17/1987)
- *National Monuments (Amendment) Act 1994* (17/1994)
- *National Monuments (Amendment) Act 2004* (22/2004)
- *Local Government Reform Act 2014* (1/2014), s. 1(16), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *National Monuments Act 1930*)

Protection of Employment Acts 1977 to 2024: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Act 2024* (14/2024), s. 1(2)). The Acts in this group are:

- *Protection of Employment Act 1977* (7/1977)
- *Protection of Employees (Part-Time Work) Act 2001* (45/2001), in so far as it applies to the *Protection of Employment Act 1977*
- *Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007* (27/2007), in so far as it applies to the *Protection of Employment Act 1977*
- *Local Government Reform Act 2014* (1/2014), s. 1(17), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Protection of Employees (Part-Time Work) Act 2001* and the *Protection of Employment Act 1977*)
- *Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Act 2024* (14/2024), Part 2 (ss. 3-12)

Redundancy Payments Acts 1967 to 2022*:* this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Redundancy Payments (Amendment) Act 2022* (3/2022), s. 5(2)). The Acts in this group are:

- *Redundancy Payments Act 1967* (21/1967)
- *Redundancy Payments Act 1971* (20/1971)
- *Redundancy Payments Act 1973* (11/1973) (not amended)
- *Redundancy Payments Act 1979* (7/1979)
- *Protection of Employees (Employer's Insolvency) Act 1984* (21/1984), s. 12
- *Social Welfare Act 1990* (5/1990), ss. 26, 27 and 29
- *Worker Protection (Regular Part-Time Employees) Act 1991* (5/1991), in so far as it relates to the Redundancy Payments Acts 1967 to 1990
- *Social Welfare Act 1991* (7/1991), s. 39 other than subs. (2)
- *Protection of Employees (Part-Time Work) Act 2001* (45/2001), in so far as it relates to the *Redundancy Payments Acts 1967 to 1990*
- *Redundancy Payments Act 2003* (14/2003)
- *Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007* (27/2007), insofar as it relates to the *Redundancy Payments Acts 1967 to 2003*
- *Social Welfare Act 2011* (37/2011), Part 3
- *Social Welfare Act 2012* (43/2012), Part 3
- *Local Government Reform Act 2014* (1/2014), s. 1(19), s. 5(6) and sch. 2 part 6 (in so far as they amend the *Redundancy Payments Act 1967*)
- *Redundancy Payments (Amendment) Act 2022* (3/2022), other than s. 4

Sea Pollution Acts 1991 to 2014: this Act is one of a group of Acts in2cluded in this collective citation, to be construed together as one (*Local Government Reform Act 2014* (1/2014), s. 1(20)). The Acts in the group are:

- *Sea Pollution Act 1991* (27/1991)
- *Energy (Miscellaneous Provisions) Act 1995* (35/1995) insofar as it amends *Sea Pollution Act 1991*
- *Dumping at Sea Act 1996* (14/1996), s. 12
- *Sea Pollution (Amendment) Act 1999* (18/1999)
- *Sea Pollution (Miscellaneous Provisions) Act 2006* (29/2006), s. 1(3) and Part 3 (ss. 19-37)

• *Local Government Reform Act 2014* (1/2014), s. 1(19), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Sea Pollution (Amendment) Act 1999* and the *Sea Pollution (Miscellaneous Provisions) Act 2006*)

Terms of Employment (Information) Acts 1994 to 2014: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Local Government Reform Act 2014* (1/2014), s. 1(21)). The Acts in this group are:

• *Terms of Employment (Information) Act 1994* (5/1994)
• *Protection of Employees (Part-Time Work) Act 2001* (45/2001) in so far as it relates to the *Terms of Employment (Information) Act 1994*
• *Industrial Relations (Amendment) Act 2012* (32/2012), s. 18
• *Local Government Reform Act 2014* (1/2014), s. 1(21), and s. 5(6) and sch. 2 part 6 (in so far as they amend the *Terms of Employment (Information) Acts 1994 to 2012*)

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found in the Legislation Directory at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

• *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024* (7/2024)
• *Local Government Rates and other Matters Act 2019* (24/2019)
• *Dublin Docklands Development Authority (Dissolution) Act 2015* (55/2015)
• *Health (General Practitioner Service) Act 2014* (28/2014)
• *Housing (Miscellaneous Provisions) Act 2014* (21/2014)
• *Health Service Executive (Financial Matters) Act 2014* (17/2014)
• *Electoral (Amendment) Act 2014* (8/2014)

All Acts up to and including *Employment (Collective Redundancies and Miscellaneous Provisions) and Companies (Amendment) Act 2024* (14/2024), enacted 9 May 2024, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

• *Local Government (Expenses of Local Authority Members) (Amendment) Regulations 2017* (S.I. No. 494 of 2017)
• *Local Government Reform Act 2014 (Rates) Order 2017* (S.I. No. 484 of 2017)
• *Local Government Act 1991 (Regional Assemblies) (Establishment) (Amendment) Order 2015* (S.I. No. 62 of 2015)
• *Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014* (S.I. No. 573 of 2014)
• *Local Government (Audit Committee) Regulations 2014* (S.I. No. 244 of 2014)

- *Local Government (Expenses of Local Authority Members) Regulations 2014* (S.I. No. 236 of 2014)
- *County and City Development Boards Dissolution Order 2014* (S.I. No. 233 of 2014)
- *Local Government Reform Act 2014 (Dissolution of the County Tipperary Joint Libraries Committee and Transfer of Assets and Liabilities) Order 2014* (S.I. No. 232 of 2014)
- *Local Government (Application of Certain Provisions of the Local Government Act 2001 to Municipal District Members) Regulations 2014* (S.I. No. 230 of 2014)
- *Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014* (S.I. No. 228 of 2014)
- *Local Government Reform Act 2014 (Transfer Date) Order 2014* (S.I. No. 216 of 2014)
- *Local Government Reform Act 2014 (Establishment Day) Order 2014* (S.I. No. 215 of 2014)
- *Local Government Reform Act 2014 (Commencement of Certain Provisions) (No. 3) Order 2014* (S.I. No. 214 of 2014)
- *Local Government Reform Act 2014 (Commencement of Certain Provisions) (No. 2) Order 2014* (S.I. No. 146 of 2014)
- *Local Government Reform Act 2014 (Commencement of Certain Provisions) Order 2014* (S.I. No. 38 of 2014)

All statutory instruments up to and including *Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024 (Commencement) (No. 2) Order 2024* (S.I. No. 207 of 2024), made 14 May 2024, were considered in the preparation of this revision.