

SAORSTAT EIREANN.

BILLE RIALUITHE NA STAT-SHEIRBHISE (Uimh. 2), 1923.

CIVIL SERVICE REGULATION (No. 2) BILL, 1923.

Mar do ritheadh ag Dáil Eireann.

As passed by Dáil Eireann.

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[No. 52a of '23.]

SAORSTÁT EIREANN.

BILLE RIALUITHE NA STAT-SHEIRBHISE

(Uimh. 2), 1923.

CIVIL SERVICE REGULATION BILL (No. 2), 1923.

BILL

entitled

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AN ACT TO MAKE PERMANENT PROVISION FOR THE
REGULATION OF THE APPOINTMENT AND SER-
VICE OF PERSONS IN THE CIVIL SERVICE OF
THE GOVERNMENT OF SAORSTAT EIREANN AND
THE ESTABLISHMENT OF A BODY OF COMMIS-
SIONERS TO INQUIRE INTO AND CERTIFY THE
QUALIFICATIONS OF PERSONS PROPOSED TO BE
APPOINTED, AND FOR OTHER PURPOSES CON-
NECTED THEREWITH.

BE IT ENACTED BY THE OIREACHTAS OF SAORSTAT
EIREANN AS FOLLOWS :—

1.—(1) It shall be lawful for the Executive Council from
time to time to appoint fit and proper persons to be Civil Service
Commissioners (in this Act referred to as "the Commissioners")
to fulfil the functions assigned to such Commissioners by this
Act. Executive
Council may
appoint Civil
Service
Commissioners

(2) The number of such Commissioners shall not at any time
be more than three.

25 (3) Every person appointed under this section to be a Com-
missioner shall hold office during the pleasure of the Executive
Council.

(4) Every appointment and every removal of a Commissioner
under this section shall immediately be published in the *Iris*
Oifigiúil. Remuneration of
Commissioners
and their officers.

2.—(1) Every person appointed to be a Commissioner under
this Act shall receive such remuneration as the Minister for
Finance shall determine.

35 (2) The Minister for Finance shall appoint such and so many
persons as he may consider necessary to be officers of the Com-
missioners, and such persons shall hold office upon such terms
and be remunerated at such rates and in such manner as the
Minister for Finance shall determine.

40 (3) The remuneration of the Commissioners and their officers
and such other expenses of carrying this Act into effect as may
be sanctioned by the Minister for Finance shall be paid out of
moneys provided by the Oireachtas.

The Commissioners to give certificates of qualification.

3.—(1) The Commissioners shall inquire into the qualifications of every person proposed to be appointed to any permanent situation in the Civil Service of the Government of Saorstát Eireann to which this Act applies, and no person shall be so appointed unless and until a certificate of his qualification for such situation has been issued by the Commissioners. 5

(2) Every certificate of qualification issued by the Commissioners shall, save as is otherwise provided by this Act, declare that the person to whom such certificate relates has satisfied the Commissioners that— 10

(a) he is within the limits of age (if any) prescribed for the situation to which it is proposed to appoint him, and

(b) he is free from any physical defect or disease which would be likely to interfere with the proper discharge of his duties in that situation, and 15

(c) his character is such as to qualify him for such situation, and

(d) he possesses the requisite knowledge and ability to enter on the discharge of his duties in that situation. 20

(3) It shall not be necessary for any person in respect of whom a certificate of qualification shall have been issued by the Commissioners to obtain a new certificate of qualification on being appointed either by transfer or promotion to a situation which, in the opinion of the Commissioners, is similar to the situation in respect of which such certificate shall have already been issued or may properly be filled in customary course of promotion from the class or grade of situation in respect of which such certificate shall have already been issued. 25

Appointments to be made by competitive examinations

4.—(1) Subject to such exceptions as are or may be made by or under this Act, every appointment to any situation to which this Act applies shall be made by means of competitive examinations conducted according to regulations to be made by the Commissioners with the consent of the Minister for Finance. 30

(2) Every such competitive examination (with the exceptions hereinafter in this section mentioned) shall be open to all persons desiring to attend the same who are born in Ireland of Irish parents or who are the children of such persons or who are citizens of Saorstát Eireann or the children of such citizens, and who pay the fees, and possess the qualifications as to age, health and character, prescribed by the regulations made under this section. 35 40

(3) The Commissioners may with the consent of the Minister for Finance by special regulation confine any such competitive examination to persons belonging to a specified class or being in a particular employment or possessing some other similar special qualification, and where an examination is so confined only persons possessing such special qualifications shall be admitted thereto. 45

(4) Every special regulation made by the Commissioners under this section shall be laid before each House of the Oireachtas at least one month before the examination or any of the examinations to which such regulation relates is held and if both such Houses shall, within the next twenty-one days on which either House has sat after such regulation is laid before both Houses, pass resolutions annulling such regulation, such regulation shall be annulled, but such annulment shall not prejudice or invalidate any matter or thing previously done under such regulation. 50 55

The Commissioners may make regulations.

5.—The Commissioners may, with the consent of the Minister for Finance and subject to the provisions of this Act, make regulations prescribing the manner in which and the conditions under which persons are to be admitted either permanently or temporarily to employment in the Civil Service of the Government of Saorstát Eireann or to any situation or class of situations therein, and the conditions on which the Commissioners may issue certificates of qualification under this Act. 60 65

- 6.—In case the Minister for Finance and the Minister in charge of a Government Department shall consider
- 5 (a) that the qualifications in respect of knowledge and ability deemed requisite for any particular situation to which this Act applies in that Government Department are wholly or in part professional or otherwise peculiar and not ordinarily to be acquired in the Civil Service, and the Minister in charge of such Government Department shall propose to appoint to such situation a person who has acquired such qualifications in other pursuits, or
- 10 (b) that it would be for the public interest that the rules in regard to age and the whole or any part of the examination for such a situation as aforesaid should be dispensed with,
- 15 the Commissioners may, if they think fit, grant their certificate of qualification in respect of such situation upon any evidence which is satisfactory to them that the person proposed to be appointed to such situation is fully qualified therefor in respect of age, health, character, knowledge and ability.
- 20 7.—When a person has been selected for appointment to a situation in any Government Department, and the state of business in that Department makes it necessary that the person so selected should enter upon his duties before the issue by the Commissioners of a certificate of his qualification, the Minister
- 25 for Finance may, if he thinks proper and is satisfied that the delay in the issue of such certificate is wholly due to causes beyond the control of such person, direct that the salary of such person shall be payable from the date on which he commences the discharge of his duties.
- 30 8.—(1) The Commissioners shall conduct all examinations in Saorstát Eireann which are now by any statute or other authority required to be conducted by Civil Service Commissioners and also shall if so required by the Executive Council conduct examinations, competitive or qualifying as the case may be, for all or any
- 35 situations in the Defence Forces of Saorstát Eireann, or in the Dublin Metropolitan Police, the Civic Guard or any other police force in Saorstát Eireann or in the service of any local authority or authorities and all or any such other examinations as the Executive Council may from time to time require.
- 40 (2) The Commissioners may with the consent of the Minister for Finance from time to time make regulations for the conduct of examinations to be held by them under this section.
- 45 9.—(1) The Minister for Finance may from time to time make regulations for controlling the Civil Service of the Government of Saorstát Eireann and providing for the classification, remuneration and other conditions and terms of service of all persons employed therein whether permanently or temporarily and may at any time revoke or vary any such regulation.
- 50 (2) All regulations made by the Minister under this section shall be laid before each House of the Oireachtas as soon as may be after they are made, and if both such Houses shall, within the next twenty-one days on which either House has sat after such regulations are laid before the Houses, pass resolutions annulling such regulations, such regulations shall be annulled accordingly, but such annulment shall not prejudice or
- 55 invalidate anything previously done under such regulations.
- 60 10.—(1) This Act shall apply to every situation in the Civil Service of the Government of Saorstát Eireann other than any of the situations for the time being comprised in the Schedule to this Act.
- 65 (2) The Commissioners may by order made on the application of the Minister in charge of any Government Department and with the consent of the Minister for Finance add any situation in that Department to the Schedule to this Act or withdraw any situation in that Department from such Schedule.

Examinations may be dispensed with in certain cases.

In certain cases persons appointed may enter on duties before certificate issued.

The Commissioners to hold examinations for Army, Police and County Surveyorships if required.

Minister for Finance may make regulations

Application of Act.

Orders and regulations to be published in the "Iris Oifigiúil."

11.—(1) All orders and regulations made under this Act by the Commissioners or by the Minister for Finance shall be published in the "Iris Oifigiúil" immediately after they are made.

(2) Notice of every appointment and promotion with respect to which a certificate of qualification is issued by the Commissioners under this Act shall be published by them in the "Iris Oifigiúil" immediately after the issue of such certificate.

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Repeal.

12.—The Civil Service Regulation Act, 1923 (No. 35 of 1923) is hereby repealed.

Short Title.

13.—This Act may be cited as the Civil Service Regulation (No. 2) Act, 1923.

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SCHEDULE.

1. All situations to which the holder is appointed by the Governor-General of the Irish Free State on the advice of the Executive Council.

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2. All situations to which the holder is appointed directly by the Executive Council.

3. The Comptroller and Auditor-General.

4. The unestablished situations of Porters, Door-keepers, Messengers, Night-watchmen, Charwomen, Cleaners, and all other persons hired to perform only subordinate duties or ordinary labour as it is required.

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5. Artisans and other skilled labourers employed in an unestablished capacity.

6. All situations in the Dublin Metropolitan Police, the Civic Guard, or any other police force.

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Saorstát Éireann.

BILLE RIALUITHE NA STAT-
SHEIRBHISE (Uimh 2), 1923.

BILLE

(mar do tugadh isteach)

dá ngairmtear

Bille chun buan-fhorálacha do dhéanamh chun ceápa agus seirbhís daoine i Stát-Sheirbhís Rialtais Shaorstáit Éireann do regleáil, agus chun cólucht Coimisinéirí do bhunú chun scrúdú agus deimhniú do dhéanamh ar cháilíochta daoine a tairgfear chun a gceaptha, agus chun crícheanna eile a bhaineas leis na nithe sin.

*Rithte, ag Dáil Éireann,
4adh Mí na Nodlag, 1923.*

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[Leath-raol Glan.]

Saorstát Éireann.

CIVIL SERVICE REGULATION (No. 2)
BILL, 1923.

BILL

(as introduced)

entitled.

A Bill to make permanent provision for the regulation of the appointment and service of persons in the Civil Service of the Government of Saorstát Éireann, and the establishment of a body of Commissioners to enquire into and certify the qualifications of persons proposed to be appointed, and for other purposes connected therewith.

*Passed, by Dáil Éireann,
4th December, 1923.*

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