



# SAORSTÁT EIREANN.

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**BILLE UDARÁSANNA AITIÚLA (SLÁNAÍOCHT),  
1923.**

**LOCAL AUTHORITIES (INDEMNITY) BILL, 1923.**

*Mar do tugadh isteach  
As introduced.*

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## ARRANGEMENT OF SECTIONS.

Section.

1. Definition of "local authority "
2. Approval by Ministry and consequent validation of certain acts and omissions.
3. Validation of transfers of funds to trustee.
4. Short title.



# SAORSTÁT EIREANN.

## BILLE UDARÁSANNA AITIÚLA (SLÁNAÍOCHT), 1923.

### LOCAL AUTHORITIES (INDEMNITY) BILL, 1923.

## BILL

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*entitled*

AN ACT TO ESTABLISH THE VALIDITY OF CERTAIN  
ACTS DONE AND OMISSIONS MADE BY LOCAL  
AUTHORITIES DURING THE PERIOD BETWEEN  
THE 31ST DAY OF MARCH, 1920, AND THE 6TH DAY  
OF DECEMBER, 1922. 10

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

Definition of  
"local authority." 1.—In this Act the expression "local authority" means and  
includes 15

(a) the council of a county, county borough, or urban or  
rural district, the commissioners of a town, and a board  
of guardians, and

(b) any public body established under or by virtue of the  
Local Government (Temporary Provisions) Act, 1923  
(No. 9 of 1923) to perform the functions of any of the  
bodies mentioned in the foregoing clause (a), and 20

(c) any committee or joint committee of any one or more of  
the bodies mentioned in the foregoing clauses (a) and  
(b). 25

Approval of  
Minister and  
consequent valid-  
ation of certain  
acts and omis-  
sions.

2.—(1) Whenever it shall appear to the Minister of Local  
Government that the doing or omitting to do any act, matter, or  
thing done or omitted to be done by a local authority during the  
period between the 31st day of March, 1920, and the 6th day of  
December, 1922, was or might be illegal or invalid, either  
because the doing or omitting to do (as the case may be) such act,  
matter, or thing was contrary to any law or was in excess of or  
outside the jurisdiction or power of the local authority, or because  
any sanction or approval required by any law to be obtained for  
the doing or omission to do (as the case may be) such act, matter, 30  
or thing was not given, the Minister of Local Government may  
approve of such act, matter, or thing having been done or omitted  
to be done (as the case may be) by such local authority. 35

(2) Whenever the Minister of Local Government shall have  
approved of any such act, matter, or thing as is mentioned in  
the foregoing sub-section having been done or omitted to be done  
(as the case may be) by a local authority, the doing or omission  
to do (as the case may be) that act, matter, or thing by that  
local authority shall be and be deemed always to have been legal  
and valid notwithstanding any enactment, order, or rule of law 40  
to the contrary. 45



3.—(1) Every transfer to which this section applies of the funds or any part of the funds of a local authority from the duly appointed treasurer of the local authority to any person (hereinafter called the trustee for a local authority) as trustee, agent, or acting-treasurer for the local authority is hereby declared to be and always to have been legal and valid notwithstanding any enactment, order, or rule of law to the contrary.

Validation of transfers of funds to trustee.

(2) All payments of money made by a trustee for a local authority out of the funds and by the direction of that local authority which would have been legal and valid if they had been duly made by that local authority through a duly appointed treasurer are hereby declared to be and always to have been legal and valid payments by that local authority notwithstanding that in the authorising and making of such payments the procedure prescribed by law in respect of payments by a local authority through its treasurer was not adopted.

(3) A trustee for a local authority shall be liable to account for all moneys received by him from, for, or on behalf of that local authority, and the accounts of such trustee of such moneys and of the disbursements made by him thereout shall form part of the accounts of that local authority and shall be audited in the manner in which the accounts of that local authority are required by law to be audited, and for the purpose of such audit every payment by such trustee shall be deemed to have been made on the authority of the members of the local authority by which such payment was in fact authorised although the authority was not given in the manner or in accordance with the procedure prescribed by law.

(4) No action or proceeding whether by way of surcharge or otherwise shall lie against any local authority, or any member or officer thereof, or any trustee for a local authority for or on account of any transfer, receipt, or payment declared by this section to be valid.

(5) This section applies only to transfers of funds made during the period between the 31st day of March, 1920, and 6th day of December, 1922, in pursuance of a resolution of a local authority.

4.—This Act may be cited as the Local Authorities (Indemnity) Act, 1923.

Short title.



# Saorstát Éireann.

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BILLE UDARASANNA AITIÚLA  
(SLANAIOCHT), 1923.

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## BILLE

(mar do tugadh isteach)

*dá ngairmtear*

Bille chun éifeacht do thabhairt do ghníomhartha agus d'fhaillíocha áirithe a dhin údarásanna áitiúla i rith na tréimhse sin ón 31adh lá de Mhárta, 1920, go dtí an 6adh lá de Mhí na Nodlag, 1922.

*An t-Aire um Rialtas Aitiúil do thug isteach.*

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*Do horduiodh, ag Dáil Éireann, do chló-bhuala  
16adh Mí na Samhna, 1923.*

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[Leath-aol Glan.]

# Saorstát Éireann.

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LOCAL AUTHORITIES (INDEMNITY)  
BILL, 1923.

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## BILL

(as introduced)

*entitled*

A Bill to establish the validity of certain acts done and omissions made by local authorities during the period between the 31st day of March, 1920, and the 6th day of December, 1922.

*Introduced by the Minister for Local  
Government.*

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*Ordered, by Dáil Éireann, to be printed,  
16th November, 1923.*

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