



SAORSTAT EIREANN.

BILLE OIFIGIGH CUIRTE (CEAPACHAIN SHEALADACHA), 1923.

COURT OFFICERS (TEMPORARY APPOINTMENTS) BILL, 1923.

*Mar do tugadh isteach
As introduced*

ARRANGEMENT OF SECTIONS.

Section.

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Schedule.

[No. 65 of '23]

SAORSTAT EIREANN.

COURT OFFICERS (TEMPORARY APPOINTMENTS) BILL, 1923.

BILL

entitled

AN ACT TO ENABLE DURING A LIMITED PERIOD PERSONS TO BE APPOINTED TEMPORARILY TO EXECUTE THE DUTIES OF CERTAIN OFFICES CONNECTED WITH THE ADMINISTRATION OF JUSTICE WHICH ARE OR SHALL WITHIN A LIMITED TIME BECOME VACANT, AND TO RESTRICT THE MAKING OF PERMANENT APPOINTMENTS TO CERTAIN OTHER SUCH OFFICES.

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

Power to appoint person to execute duties of offices in Schedule.

1.—(1) If any of the offices mentioned in the Schedule to this Act are vacant at the passing of this Act or shall become vacant within twelve months after the passing of this Act, then and in any such case,

(a) if the power of appointing to such vacant office is vested by law in the Minister, or if there is no person in existence having the power of appointment to such vacant office the Minister may at any time within fourteen months after the passing of this Act in lieu of making an appointment to such vacant office, appoint a fit person possessing the qualifications (if any) prescribed by law for such office to execute temporarily the duties of such office, and

(b) if there is a person (other than the Minister) in existence having the power of appointing to such vacant office that person may with the consent of the Minister, and shall if so directed by the Minister, at any time within fourteen months after the passing of this Act in lieu of making an appointment to such vacant office appoint a fit person possessing the qualifications (if any) prescribed by law for such office to execute temporarily the duties of such office.

(2) No person appointed under this Act to execute the duties of an office shall continue to execute those duties after the expiration of two years from the passing of this Act.

(3) Every appointment under this Act may be terminated at any time by the Minister.

Person appointed under this Act to have powers of holder of office.

2.—Every person appointed under this Act to execute the duties of an office shall have all the powers for the time being vested by law in the holder of that office and in the case of a retrospective appointment shall be deemed for all purposes to have had such powers as from the date on which he is deemed by this Act to have been appointed.

Appointment may be retrospective in certain cases.

3.—Wherever any person has been, previous to the passing of this Act, executing the duties of any office mentioned in the

Schedule to this Act which is vacant at the passing of this Act, and such person is appointed under this Act to execute the duties of that office, the appointment of such person may be declared by the Minister where the appointment is made by him and in any other case by the person making the appointment, to take effect as from the date on which the person so appointed commenced to execute the duties of that office and in such case such person shall be deemed for all purposes to have been appointed under this Act on the date aforesaid.

4.—(1) The Minister may whenever owing to special circumstances he thinks it proper so to do, subject to the consent of the Civil Service Commissioners, appoint or authorize the appointment (as the case may require) to execute the duties of an office under this Act of a person who does not possess the qualifications prescribed by law for that office.

Qualifications may be dispensed with in certain cases.

(2) At least one fortnight before making or authorizing an appointment under this section the Minister shall cause notice of his intention to make or authorize (as the case may be) such appointment to be published in the *Iris Oifigiúil*, and after such appointment has been made the Minister or other person making the appointment shall cause notice of the appointment together with the name of the person appointed to be published in the *Iris Oifigiúil*.

5.—(1) Every person appointed under this Act shall receive such remuneration as shall be sanctioned by the Minister for Finance, but not exceeding the remuneration payable to a person holding the office the duties of which such person is appointed to execute.

Remuneration of persons appointed under this Act.

(2) No person appointed under this Act shall be entitled to any pension, compensation, or allowance on account of the termination of the appointment.

6.—Whenever any person is appointed under this Act to execute the duties of an office, the Minister may prescribe

Security to be given and oath to be taken.

(a) the security (if any) to be given by such person for the due performance of his duties, but such security shall not in any case exceed the security required by law to be given by a person appointed to that office, and

(b) the oath or declaration (if any) to be taken by such person on appointment.

7.—(1) From and after the passing of this Act no person shall be appointed without the consent of the Minister and of the Minister for Finance to any office to which this section applies of, under, or attached to the Supreme Court of Judicature in Ireland or any County Court in Saorstát Éireann.

Appointments to Supreme and County Court Offices.

(2) Every appointment made after the passing of this Act to any such office as is mentioned in the foregoing sub-section shall be temporary only and shall be terminable at any time by the Minister.

(3) This section does not apply to any of the offices mentioned in the Schedule to this Act or to any office the remuneration of which is not paid out of moneys provided by the Oireachtas.

8.—In this Act the word "Minister" means the Minister for Home Affairs.

Definition of "Minister."

9.—This Act may be cited as the Court Officers (Temporary Appointments) Act, 1923.

Short title.

SCHEDULE.

Clerk of the Crown and Peace.

Under-Sheriff.

District Probate Registrar.

Local Registrar of Title.

Assistant Registrar of Deeds.

Saorstát Éireann.

BILLE OIFIGIGH CUIRTE
(CEAPACHAIN SHEALADACHA), 1923.

BILLE

(mar do tugadh isteach)

dá ngairmtear

Bille chun combacht do thabhairt ar feadh tréimhse teoranta chun daoine do cheapa go sealadach chun feidhmiú do dhéanamh ar dhualgaisí oifigí áirithe a bhaineas le riara cirt agus atá folamh no a bheidh folamh laistigh do thréimhse theoranta agus chun teora do chur le buan-cheapacháin do déanamh in oifigí áirithe eile den tsórt san.

An t-Aire um Ghnóthai Duithche do thug isteach.

*Do horduiodh, ag Dáil Éireann, do chlóbhuala,
14adh Mí na Nodlag, 1923.*

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Saorstát Éireann.

COURT OFFICERS (TEMPORARY
APPOINTMENTS) BILL, 1923.

BILL

(as introduced)

entitled

A Bill to enable during a limited period persons to be appointed temporarily to execute the duties of certain offices connected with the administration of justice which are or shall within a limited time become vacant, and to restrict the making of permanent appointments to certain other such offices.

Introduced by the Minister for Home Affairs.

*Ordered, by Dáil Éireann, to be printed,
14th December, 1923.*

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through MESSRS. EASON AND SON, LTD.,
40 and 41 Lower O'Connell Street,
Dublin.

Printed by MESSRS. ALEX. THOM AND CO., LTD.
[Three Pence Net.]