



S.

BILLE NA nUDARAS nAITIUIL (OIFIGIGH AGUS
FOSTAITHE), 1928.

LOCAL AUTHORITIES (OFFICERS AND EMPLOYEES)
BILL, 1928.

Mar do tugadh isteach.

As introduced.

ARRANGEMENT OF SECTIONS.

Section.

1. Definition.
2. Meaning of "this Act" in Principal Act.
3. Amendment to section 2 (1) of Principal Act.
4. Amendment to section 3 of Principal Act.
5. Repeal of section 4 of Principal Act.
6. Amendment to section 5 (1) of Principal Act.
7. Amendments to section 6 of Principal Act.
8. Amendments to section 7 of Principal Act.
9. Amendment to section 8 of Principal Act.
10. Amendment to section 9 of Principal Act.
11. Short title and citation.

SAORSTÁT EIREANN.

BILLE NA nUDARAS nAITIUIL (OIFIGIGH AGUS
FOSTAITHE), 1928.

LOCAL AUTHORITIES (OFFICERS AND EMPLOYEES),
BILL, 1928.

5

BILL

entitled

AN ACT TO AMEND THE LOCAL AUTHORITIES (OFFICERS
AND EMPLOYEES) ACT, 1926.

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

10

Definition.

1.—In this Act the expression “The Principal Act” means
the “Local Authorities (Officers and Employees) Act, 1926 (No.
39 of 1926).”

Meaning of
“this Act”
in Principal
Act.

2.—The expression “this Act” wherever it occurs in the
Principal Act (including any clause inserted in the Principal Act
by virtue of this Act) shall from and after the passing of this
present Act be construed as meaning the Principal Act as
amended by this present Act, and the Principal Act shall have
effect accordingly.

15
20

Amendment to
Section 2 (1)
of Principal
Act.

3.—Sub-section (1) of section 2 of the Principal Act shall be
construed and have effect as if paragraph (a) thereof were
deleted and the following paragraph were substituted therefor,
that is to say:—

“ (a) the following executive offices, that is to say:—

25

- (i) the office of secretary to a county council,
- (ii) the office of secretary to a board of health,
- (iii) the office of accountant to a county council,
- (iv) the office of secretary to a county committee of
technical instruction,
- (v) the office of secretary to a county committee of
agriculture,
- (vi) the office of chief clerk to a county council,
- (vii) the offices of clerks to borough and urban
councils; and ”

30

35

Amendment to
Section 3 of
the Principal
Act.

4.—Section 3 of the Principal Act is hereby repealed and in
lieu thereof it is hereby enacted as follows, that is to say:—

“ (1) The Executive Council shall appoint the persons
fulfilling the functions assigned to the Commissioners
appointed under the Civil Service Regulation Act, 1924 (No.
5 of 1924) to be Local Appointments Commissioners (in this
Act referred to as the Commissioners) to fulfil the functions
assigned to such Commissioners by this Act.

40

(2) The provisions of sub-sections (2) (3) and (4) of section
1 of the Civil Service Regulation Act, 1924 shall apply to this
Act as to that Act.”

45

Repeal of
Section 4 of
Principal Act.

5.—Section 4 of the Principal Act is hereby repealed.

Amendment to
Section 5 (1) of
Principal Act.

6.—Sub-section (1) of section 5 of the Principal Act shall be
construed and have effect as if the following words were inserted
after paragraph (b) thereof, that is to say:—

50

“ Provided that in the case of a vacancy for an executive
office under a local authority the person appointed to such
vacant office is a person who held a pensionable office for
not less than five years on the clerical staff of the said or any
local authority or any two or more local authorities and

55

that such person shall have passed a qualifying examination conducted according to regulations made by the Commissioners; and

5 Provided also that in the case of a vacancy for a professional or technical office the local authority shall have power to appoint or promote an officer holding a similar pensionable office under the said or any local authority or any two or more local authorities subject in all cases to the ratification by the Minister of such appointment."

10 7.—The Principal Act shall be construed and have effect as if section 6 thereof were amended as follows, that is to say:— Amendments to
Section 6 of
Principal Act.

15 (a) by the insertion of the words "or panel of persons qualified" after the word "person" in sub-sections (1) and (2) wherever the word "person" occurs in such sub-sections.

(b) by the deletion of sub-section (3) thereof and the insertion of the following sub-section in lieu of the sub-section so deleted, that is to say:—

20 " (3) On receiving such request as aforesaid from the local authority or the Minister (as the case may be) the Commissioners shall select in accordance with this Act and recommend to the local authority for appointment to the said post a person or a panel containing the names of not less than three persons best qualified as requested and when judging qualifications the Commissioners shall consider local knowledge or experience an additional qualification.

25 Where the number of qualified applicants for the post is less than three and the request from the local authority is for a panel the Commissioners shall forward and recommend to the local authority the names of the applicants qualified for the position."

30 8.—The Principal Act shall be construed and have effect as if section 7 thereof were amended as follows, that is to say:— Amendments to
Section 7 of
Principal Act.

35 (a) by the insertion of the words "or panel of persons qualified" after the word "person" wherever the word "person" occurs in such section, and

(b) by the insertion of the following sub-section at the end of sub-section (3) thereof, that is to say:—

40 " (4) The Commissioners shall present copies of the qualifications prescribed under this section in respect of all offices comprised in any particular description, class or grade of offices to which this Act applies before each House of the Oireachtas as soon as may be after the qualifications are so prescribed."

45 9.—The Principal Act shall be construed and have effect as if the following new sub-section were inserted at the end of section 8 thereof, that is to say:— Amendment to
Section 8 of
Principal Act.

50 " (4) When for the purpose of filling any post under a local authority a competitive examination is held the name of the candidate who obtained first place in such examination shall be sent by the Commissioners to such local authority for appointment or where there are two or more vacancies the names of such two or more candidates as have obtained highest places in such examination in order of merit and the candidate or candidates so recommended by the Commissioners and no other shall be appointed by the local authority, subject in all cases to the usual regulations as to health and character."

60 10.—Section 9 of the Principal Act is hereby repealed and in lieu thereof it is hereby enacted as follows, that is to say:— Amendment to
Section 9 of
Principal Act.

" 9. Whenever a local authority or the Minister requests the Commissioners to recommend to them the names of a person or persons qualified for appointment to an office to

which this Act applies and the local authority in consultation with and with the concurrence of the Minister is of opinion that having regard to the knowledge and experience necessary for the efficient performance of the duties and qualifications prescribed under this Act for that office, the person or persons to be recommended as qualified for appointment to that office cannot be satisfactorily selected by competitive examination the Commissioners with the sanction of the Minister may dispense with the competitive examination required by this Act and may select the person or persons to be recommended as qualified for appointment by the local authority by such means and in such manner as they think proper."

Short Title and Citation.

11.—This Act may be cited as the Local Authorities (Officers and Employees) Act, 1928, and shall be construed as one with the Principal Act and that Act and this Act may be cited together as the Local Authorities (Officers and Employees) Acts, 1926 and 1928.

P

Q

R

S

T

U

V

W

X

Y

Z

A

B

C

D

Saorstát Éireann.

BILLE NA nUDARAS nAITIUIL
(OIFIGIGH AGUS FOSTAITHE), 1928.

BILLE

(mar do tugadh isteach)

dá ngairmtear

Acht chun Acht na nUdarás nAitiúil (Oifigigh agus Fostaithe), 1926, do leasú.

Eamon de Valéra do thug isteach agus Seán T. O Ceallaigh ag cuidiú leis.

Do horduiodh, ag Dáil Éireann, do chlóbhuála, 2adh Bealtaine, 1928.

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí MESSRS. EASON AND SON, LTD.,
40 agus 41 Sráid Iochtarach Uí Chonaill,
Baile Atha Cliath.

Clóbhuailte ag CAHILL & Co., LTD.

[Dhá Phinginn Glan.]

Wt. 9—783. 575. 5/28. C.&Co. (6969).

Saorstát Éireann.

LOCAL AUTHORITIES (OFFICERS AND
EMPLOYEES) BILL, 1928.

BILL

(as introduced)

entitled

An Act to amend the Local Authorities
(Officers and Employees) Act, 1928.

*Introduced by Deputy Eamon de Valéra
supported by Deputy Seán T. O Ceallaigh.*

*Ordered, by Dáil Éireann, to be printed,
2nd May, 1928.*

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

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

Printed by CAHILL & Co., LTD.

[Twopence Net.]