

SAORSTÁT EIREANN.

**BILLE TOGHACHAN AGUS CRUINNITHE AITIULA (CUR
AR ATH-LO), 1931.**
**LOCAL ELECTIONS AND MEETINGS (POSTPONEMENT)
BILL, 1931.**

Mar do leasúidh i gCoiste.
As amended in Committee.

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LOCAL ELECTIONS AND MEETINGS (POSTPONEMENT)
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BILL

entitled

AN ACT TO POSTPONE THE TRIENNIAL ELECTIONS TO
CERTAIN LOCAL AUTHORITIES WHICH ARE DUE TO
BE HELD NEXT AFTER THE PASSING OF THIS ACT 10
AND TO POSTPONE THE ELECTIONS TO CERTAIN
OTHER LOCAL AUTHORITIES WHICH ARE REQUIRED
BY LAW TO BE HELD WITHIN A PERIOD EXPIRING
WITHIN THREE YEARS AFTER THE PASSING OF
THIS ACT AND TO POSTPONE MEETINGS OF LOCAL 15
AUTHORITIES REQUIRED BY LAW TO BE HELD
DURING THE PERIOD COMMENCING ON THE 23RD
DAY OF JUNE, 1932, AND ENDING ON THE 1ST DAY
OF JULY, 1932, AND TO MAKE PROVISIONS CONSE-
QUENTIAL ON OR INCIDENTAL TO SUCH POSTPONE- 20
MENTS.

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

Definitions.

1.—In this Act—

the expression “the Minister” means the Minister for Local 25
Government and Public Health;

the expression “local authority” means and includes the council
of a county, the council of a county or other borough, the council
of an urban district, and the commissioners of a town;

the expression “the Act of 1927” means the Local Elections 30
Act, 1927 (No. 39 of 1927).

Postponement
of elections.

2.—(1) The triennial elections of members of local authorities
(other than the councils of county boroughs) which are due to
be held next after the passing of this Act shall be and are hereby
postponed until such date not later than the 15th day of July, 35
1934 as the Minister shall by order appoint.

(2) Every election of members of a local authority (other than
the council of a county borough) which is not a triennial election
but is required by law to be held within a period expiring within 40
three years after the passing of this Act shall, notwithstanding
anything contained in any other enactment, be held on such date,
whether before or after the expiration of the said period of three
years but not in any case later than the 15th day of July, 1934,
as the Minister shall appoint.

(3) Where an election of members of a local authority (other 45
than the council of a county borough) was required by law to be
held within a period which expired after the 15th day of May,
1931 and before the passing of this Act and no election of mem-
bers of such local authority was held within such period, such
period is hereby extended and shall be deemed always to have 50
been extended until the day next after the day on which this Act
is passed and the next foregoing sub-section of this section shall
apply to such election accordingly.

(4) Different dates may be appointed under this section for the holding of elections of members of different local authorities or classes of local authorities.

5 (5) An order under this section (including this sub-section) appointing the date for the holding of an election may be revoked by the Minister by a subsequent order but in every such case the Minister shall by such subsequent order appoint a new date not later than the 15th day of July, 1934, for the holding of such election.

10 (6) In this Act the expression " the appointed day " means the day appointed under this section for the holding of the election of members of the local authority in relation to which the expression is used.

15 3.—The following provisions shall have effect in relation to every triennial election of the members of the council of a county which is postponed by this Act, that is to say:— **Consequential provisions for county triennial elections.**

(a) such election shall be held on the appointed day and, subject to the provisions of this Act, shall be deemed to be a triennial election;

20 (b) save as is otherwise provided by this Act, the appointed day shall for the purposes of Part II of the Act of 1927 be the ordinary day of election of the members of such council next after the passing of this Act;

25 (c) the seventh day after the appointed day shall for the purposes of Part II of the Act of 1927 be the ordinary day of retirement of the members of such council next after the passing of this Act;

30 (d) the term of office current at the passing of this Act of the members of such council shall be and is hereby extended until the seventh day after the appointed day.

35 4.—The following provisions shall have effect in relation to every triennial election of the members of the council of a borough (other than a county borough), the council of an urban district, or the commissioners of a town which is postponed by this Act, that is to say:— **Consequential provisions for other triennial elections.**

(a) such election shall be held on the appointed day and, subject to the provisions of this Act, shall be deemed to be a triennial election;

40 (b) save as is otherwise provided by this Act, the appointed day shall for the purposes of Part II of the Act of 1927 be the ordinary day of election of the members of such council or commissioners next after the passing of this Act;

45 (c) the fifth day after the appointed day shall for the purposes of Part II of the Act of 1927 be the ordinary day of retirement of the members of such council or commissioners next after the passing of this Act;

50 (d) the term of office current at the passing of this Act of the members of such council or commissioners shall be and is hereby extended until the fifth day after the appointed day.

55 5.—(1) No provision in any other enactment limiting the time within which an election (other than a triennial election) required by this Act to be held on the appointed day shall be held or caused to be held shall have effect in relation to any such election. **Consequential provisions in regard to non-triennial elections.**

60 (2) Whenever the Minister makes an order under this Act appointing the date for the holding of an election which is not a triennial election the Minister shall by such order declare whether the election held on the date so appointed shall or shall not be deemed to be a triennial election to the local authority thereby elected, and thereupon—

(a) if the Minister so declares that such election is to be deemed to be a triennial election, such election shall

for all purposes be a triennial election to the local authority thereby elected and Part II of the Act of 1927 shall apply accordingly; but

- (b) if the Minister so declares that such election is not to be deemed to be a triennial election, such election shall not be a triennial election to the local authority thereby elected and the election to such local authority held next after such election shall be a triennial election and shall for the purposes of this Act be the triennial election of the members of such local authority which is due to be held next after the passing of this Act and this Act shall apply thereto accordingly.

Extension of term of office of certain members of certain boards, etc.

6.—(1) This section applies—

(a) to every board, committee, or other body all or any of the members of which are required by law to be appointed triennially by the council of a county; and

(b) to those members of any such board, committee, or other body (whether constituting the whole or part only of the membership of such body) who are appointed by the council of a county a triennial election to which is postponed by this Act and whose term of office current at the passing of this Act would but for this section terminate on a date calculated by reference to such triennial election.

(2) The term of office current at the passing of this Act of those members to which this section applies of every board, committee, or other body to which this section applies is hereby extended until the day after the day on which is held the annual meeting next after the appointed day of the council by whom such members were appointed.

(3) Every doubt, question, and dispute as to whether any particular board, committee, or other body is or is not a board, committee, or other body to which this section applies or as to whether any particular member of any such body is or is not a member to whom this section applies shall be determined by the Minister whose decision thereon shall be final and conclusive.

Casual vacancies occurring before the appointed day.

7.—(1) Every casual vacancy to which this section applies in the membership of a local authority a triennial election to which is postponed by this Act may be filled by means of the choice by such local authority of a person to fill such vacancy but not otherwise.

(2) A person chosen under this section by a local authority to fill a casual vacancy to which this section applies shall hold office in all respects as if he had been elected to fill such vacancy.

(3) This section applies to every casual vacancy which either occurred but was not filled before the passing of this Act or shall occur after the passing of this Act and before the appointed day and which in either case would but for this section be required by law to be filled by election.

Remission of penalties for resignation.

8.—No member of a local authority a triennial election to which is postponed by this Act who shall resign his office as such member after the passing of this Act and before the appointed day shall be liable to any fine or other penalty for or on account of such resignation.

Saving from disqualification in certain cases.

9.—A member of a local authority a triennial election to which is postponed by this Act who has ceased or shall cease to be a local government elector in the functional area of such local authority by reason of the coming into force of a new register of local government electors on the 1st day of June, 1931, or on any day after the passing of this Act shall not, by reason only of such cesser, be disqualified from continuing to hold office as a member of such local authority until the ordinary day of retire-

ment of the members of such local authority next after the passing of this Act.

10.—(1) Notwithstanding anything contained in sections 8 and 9 of the Act of 1927, every annual meeting of the council of a county, the council of an urban district which is not a borough, or of the commissioners of a town which is required by virtue of those sections to be held during the period beginning on the 23rd day of June, 1932, and ending on the 1st day of July, 1932, shall be held at such hour on such day, not earlier than the 23rd day of August, 1932, nor later than the 1st day of September, 1932, as such council or commissioners shall appoint.

Postponement of certain annual and quarterly meetings of local authorities.

(2) Notwithstanding anything contained in section 10 of the Act of 1927, every quarterly meeting of the council of a county or other borough which is required by virtue of that section to be held during the period beginning on the 23rd day of June, 1932, and ending on the 1st day of July, 1932, shall be held at such hour on such day, not earlier than the 23rd day of August, 1932, nor later than the 1st day of September, 1932, as such council shall appoint.

(3) Section 11 of the Act of 1927 shall apply in respect of every annual meeting and every quarterly meeting the day for the holding of which is appointed under this section in like manner as if such day had been appointed under that Act.

(4) An annual meeting or a quarterly meeting held on a date appointed under this section shall for the purposes of the Act of 1927 be an annual meeting or a quarterly meeting (as the case may be) held on a date appointed under that Act.

11.—The reference in sub-section (7) of section 9 of the Local Government (Ireland) Act, 1898, as amended by section 77 of the Local Government Act, 1925 (No. 5 of 1925), to the three local financial years which ended next before the last triennial election of county councillors shall from the passing of this Act until the appointed day be construed as a reference to the three local financial years which ended next before the triennial election of county councillors next before the passing of this Act, and the said sub-section shall have effect accordingly.

Amendment of section 9 of the Local Government (Ireland) Act, 1898.

12.—So much of Section 2 of the Vocational Education Act, 1930 (No. 29 of 1930), as defines the expression "election year" is hereby repealed and in lieu thereof it is hereby enacted that for the purposes of the said Act the following provisions shall have effect, that is to say:—

Postponement of elections of certain vocational education committees.

(a) in relation to the council of a county borough and to the vocational education committee for a borough vocational education area, the year 1931 shall be an election year, and every third successive year after that year shall also be an election year; and

(b) in relation to any other local authority and to any other vocational education committee, the year in which the appointed day under this Act occurs shall be an election year, and every third successive year after that year shall also be an election year,

and the said Vocational Education Act, 1930, shall be construed and have effect and be deemed always to have had effect accordingly.

13.—Where, in consequence of the postponement of a triennial election by this Act, no date has been appointed by a local authority for the holding of the annual meeting or the quarterly meeting (as the case may be) of such local authority which is required by law to be held during the period beginning on the 23rd day of June, 1931, and ending on the 1st day of July, 1931, or there is or shall be any other difficulty in regard to such meeting, the Minister may by order make such provision in regard to such meeting (including appointing a date for the holding thereof) as shall appear to him necessary for securing that such meeting shall be duly held within the said period and that the business of such meeting shall be duly transacted thereat.

Removal of difficulties in regard to certain meetings.

Adaptation of enactments.

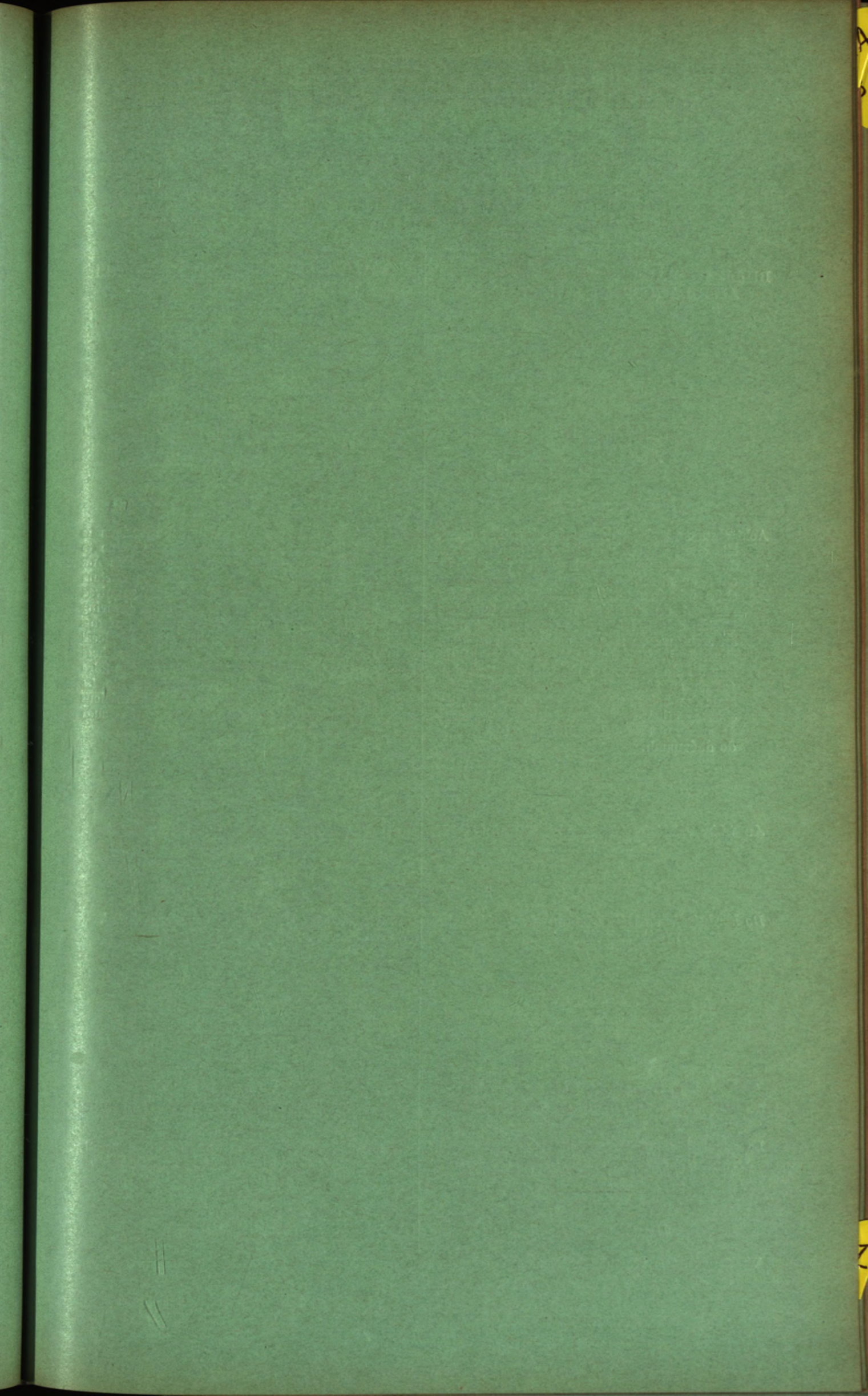
14.—Every statute, order, and regulation relating to elections of members of any local authority or to the meetings of any local authority shall, in so far as it relates to any election postponed by this Act or to the meetings of a local authority an election to which is postponed by this Act or to any meeting which is postponed by this Act, have effect subject to the provisions of this Act, and the Minister may by order make such adaptations of or modifications in any such statute, order, or regulation as may in his opinion be necessary to enable such statute, order, or regulation to have effect in accordance with this section.

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Short title.

15.—This Act may be cited as the Local Elections and Meetings (Postponement) Act, 1931.



BILLE TOGHACHAN AGUS CRUINNITHE
AITIULA (CUR AR ATH-LO), 1931.

LOCAL ELECTIONS AND MEETINGS
(POSTPONEMENT) BILL, 1931.

BILLE

(Mar do leasúidh i gCoiste.)

dá ngairmtear

Acht chun na gcéad thoghachán cinn trí mbliain eile chun údarás n-áitiúil áirithe dlighearf do chomóra tar éis an Achta so do rith do chur ar ath-ló agus chun na dtoghachán chun údarás n-áitiúil áirithe eile is gá do réir dlí do chomóra fé cheann tréimhse bheidh caithte laistigh de thrí bliana tar éis an Achta so do rith do chur ar ath-ló agus chun cruinnithe d'údarás áitiúla is gá do réir dlí do chomóra i rith na tréimhse dar tosach an 23adh lá de Mheitheamh, 1932, agus dar críoch an 1adh lá d'Iúil, 1932, do chur ar ath-ló agus chun forálacha leanann as an geur ar ath-ló san no ghabhann leis do dhéanamh.

*An tAire Rialtais Aitiúla agus Slainte Púibli
do thug isteach.*

*Do hordúidh, ag Dáil Éireann, do chlóbhuála,
27adh Bealtaine, 1931.*

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN TSOLATHAIR.

Le ceannach tré aon díoltóir leabhar, no díreach ó Oifig Díolta Foillseacháin Rialtais, 5, Sráid Thobair Phódraig, Baile Átha Cliath, C.2.

Clóbhuailte ag CAHILL AND CO., LTD.

[*Leath Raol Glan.*]

Wt. 6.—967. 575. 5/31. C.&Co. (779).

BILL

(As amended in Committee.)

entitled

An Act to postpone the triennial elections to certain local authorities which are due to be held next after the passing of this Act and to postpone the elections to certain other local authorities which are required by law to be held within a period expiring within three years after the passing of this Act and to postpone meetings of local authorities required by law to be held during the period commencing on the 23rd day of June, 1932, and ending on the 1st day of July, 1932, and to make provisions consequential on or incidental to such postponements.

*Introduced by the Minister for Local
Government and Public Health.*

*Ordered, by Dáil Éireann, to be printed,
27th May, 1931.*

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