

ÉIRE.

BILLE TEAGHLACHAS AN UACHTARAIN, 1938. PRESIDENTIAL ESTABLISHMENT BILL, 1938.

Mar do ritheadh ag dhá Thigh an Oireachtais.

As passed by both Houses of the Oireachtas.

ARRANGEMENT OF SECTIONS.

Section.

1. Emoluments and allowances receivable by the President.
2. Provision of an official residence and establishment for the President.
3. Grant of pensions to ex-Presidents.
4. Grant of pensions to widows of ex-Presidents.
5. General provisions in respect of pensions granted under this Act.
6. The secretary to the President.
7. The staff in the office of the secretary to the President.
8. Application of the Civil Service Regulation Acts, 1924 and 1926.
9. Short title.

ÉIRE.

BILLE TEAGHLACHAS AN UACHTARAIN, 1938. PRESIDENTIAL ESTABLISHMENT BILL, 1938.

BILL

entitled

5

AN ACT TO PROVIDE THE EMOLUMENTS AND ALLOW-
ANCES TO BE RECEIVED BY THE PRESIDENT
UNDER ARTICLE 12 OF THE CONSTITUTION, TO
MAKE PROVISION FOR THE GRANTING OF
PENSIONS TO PERSONS WHO HAVE HELD THE 10
OFFICE OF PRESIDENT AND TO WIDOWS OF
SUCH PERSONS, TO CREATE, AS FROM THE
COMING INTO OPERATION OF THE CONSTITUTION,
THE POST OF SECRETARY TO THE PRESIDENT, AND
TO MAKE PROVISION FOR OTHER MATTERS CON- 15
NECTED WITH THE ESTABLISHMENT OF THE
PRESIDENT AND THE OFFICE OF THE SECRETARY
TO THE PRESIDENT.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Emoluments and
allowances
receivable by
the President.

1.—(1) The emoluments and allowances to be received by the 20
President in pursuance of section 11 of Article 12 of the Constitu-
tion shall be at the rate of ten thousand pounds per annum, whereof
five thousand pounds shall be the personal remuneration of the
President.

(2) The emoluments and allowances mentioned in the foregoing 25
sub-section of this section shall be charged upon and payable out
of the Central Fund or the growing produce thereof and shall be
paid by equal quarterly instalments or by such other periodical
payments as the Minister for Finance shall, with the consent of
the President, from time to time determine. 30

Provision of an
official residence
and establishment
for the President.

2.—In addition to the emoluments and allowances to be received
by the President in pursuance of section 11 of Article 12 of the
Constitution, it shall be lawful for the Minister for Finance, out
of moneys provided by the Oireachtas, to provide and maintain 35
for the President an official residence, to defray the expenses of
the office establishment of the secretary to the President, and to
provide for the President such facilities and services, and such
other things, as the said Minister shall from time to time determine
to be necessary or proper.

Grant of pensions
to ex-Presidents.

3.—(1) A pension at the rate of twelve hundred pounds per 40
annum shall be granted by the Government to every person who,
having held the office of President, ceases to hold that office for
any reason other than death or removal from office under section
10 of Article 12 of the Constitution.

(2) A person to whom a pension has been granted under this 45
section shall not be granted another pension under this section on
account of any subsequent service in the office of President.

(3) Every pension granted to a person under this section shall
be charged upon and payable out of the Central Fund or the grow-
ing produce thereof to the said person during his life from the 50
date of the cesser of office on account of which such pension is
granted.

4.—(1) Subject to the provisions of this section, a pension at the rate of five hundred pounds per annum shall be granted by the Government to the widow of any person who—

Grant of pensions to widows of ex-Presidents.

- (a) died while holding the office of President, or
5 (b) died while in receipt of a pension granted under the next preceding section of this Act, or
(c) was, immediately before his death, entitled to be granted but was not actually granted a pension under the said next preceding section.

10 (2) No pension shall be granted under this section to a person who has re-married after the death of the husband in respect of whose death such pension could (but for this sub-section) be granted.

(3) Every pension granted to a person under this section shall
15 be charged upon and payable out of the Central Fund or the growing produce thereof to the said person from the date of death of her husband, until, in case she re-marries, such re-marriage or, in case she does not re-marry, her death.

5.—(1) Every pension granted under this Act shall be deemed
20 to accrue from day to day, but shall be paid to the person to whom it is granted or such person's personal representative in arrear by equal quarterly instalments or by such other periodical instalments as the Minister for Finance shall from time to time determine.

General provisions in respect of pensions granted under this Act.

(2) Where a person to whom a pension has been granted under
25 this Act becomes a member of the Oireachtas, the amount of such pension shall, notwithstanding anything to the contrary contained in any other Act, be reduced, so long as such person continues to be a member of the Oireachtas, by the amount of any allowance to which such person may be entitled under statutory authority by
30 virtue of such membership.

(3) Where a person to whom a pension has been granted under this Act is in receipt of any remuneration, pension, emolument, or allowance payable out of public funds or the funds of a local authority, the following provisions shall have effect, that is to
35 say:—

- (a) whenever and so long as the total amount payable to such person out of the said funds is equal to or exceeds the pension granted to such person under this Act, that pension shall not be payable;
40 (b) whenever and so long as the total amount aforesaid is less than the said pension granted under this Act, so much only of the said pension shall be payable as will, together with the said total amount, be equal to the full amount of the said pension.

45 (4) It shall be lawful for the Government to declare by order that any particular fund or money shall be deemed to be a public fund for the purposes of the next preceding sub-section of this section, and whenever any such declaration is so made the expression "public funds" shall, in the said next preceding sub-section, be
50 construed and have effect as including the fund or money to which such declaration relates.

6.—(1) There is hereby created, as from the coming into operation of the Constitution, the post of secretary to the President which shall be a permanent post in the civil service of the State
55 and shall have attached to it such duties and functions in relation to the President and to the Commissions respectively constituted by Articles 57 and 14 of the Constitution as the Government shall from time to time direct.

The secretary to the President.

(2) No such direction as is mentioned in the foregoing sub-section of this section shall be given by the Government while
60 there is an elected President in office without consultation with such President.

(3) Every appointment of a person to the post of secretary to the President shall be made by the Government, but no such appointment shall be made while there is an elected President in office without consultation with such President.

(4) Every secretary to the President shall hold his office on such terms and conditions and shall receive, out of moneys provided by the Oireachtas, such remuneration as the Minister for Finance shall from time to time direct. 5

(5) The duties of the secretary to the President shall include the duty of acting as clerk to the Council of State. 10

(6) Every appointment of a person to the office of secretary to the President which was made by the Government before the passing of this Act shall be deemed to have been made under this section and shall have, and be deemed always to have had, effect accordingly, and sub-sections (4) and (5) of this section shall apply and have effect and be deemed always to have had effect in relation to every person so appointed. 15

The staff in the office of the secretary to the President.

7.—(1) There shall be attached to the office of the secretary to the President such and so many officers and persons as the Taoiseach shall from time to time, with the consent of the Minister for Finance, consider to be necessary. 20

(2) Every officer and person attached to the office of the secretary to the President shall be appointed by the Taoiseach with the concurrence of the Minister for Finance.

(3) Every officer and person attached to the office of the secretary to the President shall hold his post in that office on such terms and conditions and shall receive, out of moneys provided by the Oireachtas, such remuneration as the Minister for Finance shall from time to time direct. 25

(4) This section shall have, and be deemed always to have had, effect as from the coming into operation of the Constitution. 30

Application of the Civil Service Regulation Acts, 1924 and 1926.

8.—The Civil Service Regulation Acts, 1924 and 1926, and every Act extending or amending those Acts shall apply and be deemed always to have applied to every situation to which any person was or is appointed under this Act (whether before or after the passing of this Act) other than any such situation which is for the time being comprised in the Schedule to the Civil Service Regulation Act, 1924 (No. 5 of 1924), as adapted in consequence of the enactment of the Constitution. 35

Short title.

9.—This Act may be cited as the Presidential Establishment Act, 1938. 40

File

RECEIVED
JANUARY 1918

BILL

of

And whereas the
provisions of the
act of March 3, 1879,
chapter 25, section 1,
entitled "An Act to
provide for the
construction of a
canal to connect the
Gulf of Mexico with
the Gulf of California,
and for other purposes,"
are hereby approved.

THOMAS H. BROWN

MAILED AT THE CLERK'S
OFFICE OF THE DISTRICT COURT

is hereby approved and
the same shall be
in full force and effect
from and after the date
of the filing of this
order.

[SIGNED]

WM. H. BROWN, CLERK

Éire.

BILLE TEAGHLACHAS AN
UACHTARAIN, 1938.

BILLE

dá ngairmtear

Acht chun na sochar agus na n-allúntas do gheobhaidh an tUachtarán fé Airteagal 12 den Bhunreacht do sholáthar, chun socrúithe do dhéanamh chun pinsean do dheonadh do dhaoine do bhí i seilbh oifige mar Uachtarán agus do bhaintreacha daoine den tsórt san, chun puist an Rúnaí don Uachtarán do bhunú amhail o theacht i ngníomh don Bhunreacht, agus chun socrúithe do dhéanamh i dtaobh nithe eile bhaineas le Teaghlachas an Uachtarán agus le hOifig an Rúnaí don Uachtarán.

*Rithte ag dhá Thigh an Oireachtais,
22adh Iúl, 1938.*

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí aon díoltóir leabhar, no díreach
ó Oifig Díolta Foillseacháin Rialtais, 3-4, Sráid
an Choláiste, Baile Atha Cliath.
Cló-bhuailte ag CAHILL & Co., LTD.

[*Dhá Phinginn Glan.*]

Wt. 14—51, 550. 7/38. C.&Co. (3535).

Éire.

PRESIDENTIAL ESTABLISHMENT
BILL, 1938.

BILL

entitled

An Act to provide the emoluments and allowances to be received by the President under Article 12 of the Constitution, to make provision for the granting of pensions to persons who have held the office of President and to widows of such persons, to create, as from the coming into operation of the Constitution, the post of Secretary to the President, and to make provision for other matters connected with the Establishment of the President and the Office of the Secretary to the President.

*Passed by both Houses of the Oireachtas,
22nd July, 1938.*

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through any bookseller, or directly
from the Government Publications Sale Office,
3-4, College Street, Dublin.

Printed by CAHILL & Co., LTD.

[*Twopence Net.*]