



STATUTORY INSTRUMENTS BILL, 1947.

EXPLANATORY MEMORANDUM.

1. This Bill deals with arrangements to print and publish statutory instruments, otherwise known as statutory rules and orders. The Bill will replace the Rules Publication Act, 1893, which was not fully adapted for application in this State and which, according to legal advice, has therefore been merely of imperfect obligation. While efforts have been made to secure adherence to the procedure laid down in the Act of 1893, the results have not been satisfactory or uniform, in that some statutory orders have been published outside the official, numbered series.

2. The Bill is designed to remedy this unsatisfactory position by the establishment of a simple, uniform and reasonably flexible procedure for the printing and publishing of statutory instruments in an official, numbered series and for the publication of notices of the making of statutory instruments in *Iris Oifigiúil* (Section 3).

3. Having regard to the volume and variety of statutory instruments, it is not proposed to insist on the publication of all in the official series. Provision is accordingly being made empowering the Attorney General to exempt from inclusion in the official, numbered series those statutory instruments which, because of their merely local or personal application, temporary operation or limited effect, or for any other sufficient reason, should not be published in the official series (Section 2 (3)). To avoid multiplicity of references to the Attorney General, he is further empowered to exempt not merely individual instruments but classes of instruments (Section 2 (4)). An example of "any other reason" which might weigh with the Attorney General in deciding on exemption would be a statutory instrument of a confidential nature, such as some of the Defence Force Regulations, or an instrument which received adequate alternative publicity, e.g., the numerous regulations issued by the Civil Service Commission regarding competitions for vacancies in the Civil Service.

4. Provision is made in Section 3 (3) of the Bill to ensure that contravention of a statutory instrument will not be punishable as a criminal offence unless adequate publicity has been given to the instrument when made.

Roinn Dlí agus Cirt.

Samhain, 1947.

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