



**AN BILLE MIN-EALAIONA, 1950.
FINE ARTS BILL, 1950.**

*Mar a tugadh isteach.
As introduced.*

ARRANGEMENT OF SECTIONS.

Section.

1. Definitions.
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SCHEDULE.

PROVISIONS APPLICABLE TO THE COUNCIL.

(1) The Council shall advise the Government on any matter relating to the fine arts and on any matter which may be referred to it by the Government.

(2) The Council shall advise the Government on any matter relating to the fine arts and on any matter which may be referred to it by the Government.

(3) The Council shall advise the Government on any matter relating to the fine arts and on any matter which may be referred to it by the Government.

(4) The Council shall advise the Government on any matter relating to the fine arts and on any matter which may be referred to it by the Government.

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AN BILLE MIN-EALAIONA, 1950.
FINE ARTS BILL, 1950.

BILL

entitled

AN ACT TO PROMOTE THE KNOWLEDGE, APPRECIATION AND PRACTICE OF THE FINE ARTS AND, FOR THIS PURPOSE, TO ESTABLISH AN ARTS COUNCIL AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION WITH THE MATTERS AFORESAID. 5

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:— 10

Definitions.

1.—In this Act—

the expression “the Council” means the body established by section 2 of this Act;

the expression “the fine arts” includes music, the drama and literature; 15

the expression “the Minister” means the Minister for Education.

Establishment of An Chomhairle Ealaíon.

2.—(1) On the passing of this Act there shall by virtue of this subsection stand established a body to be called An Chomhairle Ealaíon, or (in the English language) the Arts Council, to fulfil the functions assigned to them by or under this Act. 20

(2) The provisions of the Schedule to this Act shall have effect in relation to the Council.

Functions of the Council.

3.—(1) It shall be the duty of the Council to promote, by such means and in such manner as they think fit, the knowledge, appreciation and practice of the fine arts, with special regard to the desirability of fostering and developing, as regards music, Irish music and, as regards the drama and literature, original drama and literature in the Irish language. 25

(2) The Council shall advise the Government or a member of the Government on any matter (being a matter on which knowledge and experience of the fine arts has a bearing) on which their advice is requested. 30

(3) The Council may co-operate with and assist any other body concerned directly or indirectly with matters relating to the fine arts, and the assistance may include payments by the Council upon such terms and conditions as they think fit. 35

(4) (a) The Government may from time to time by order confer or impose on the Council such additional functions as the Government think proper and specify in the order, and any order made under this paragraph may contain such incidental and supplementary provisions as the Government think necessary or expedient for giving full effect to the order. 40

(b) The Government may by order revoke or amend any order made under this subsection (including this paragraph). 45

5 (c) An order under this subsection shall not come into operation unless it is confirmed by resolution of each House of the Oireachtas, but shall, as from the date of the passing of the later of those resolutions, have statutory effect.

4.—The Council may accept gifts of money, land and other property for purposes connected with their functions, but shall not accept any gift if the conditions attached thereto are inconsistent with their functions. Acceptance of gifts by the Council.

10 5.—(1) There shall be paid to the Council annually out of moneys provided by the Oireachtas a grant of such amount (not exceeding twenty thousand pounds) as the Minister with the concurrence of the Minister for Finance shall determine. State endowment of the Council.

15 (2) Any grant made to the Council under subsection (1) of this section shall, subject to paragraphs 3 and 8 of the Schedule to this Act, be expended by them for such purposes connected with their functions as in their discretion they think fit.

20 6.—(1) The Council shall keep accounts of their income and expenditure in such form as may be approved by the Minister with the concurrence of the Minister for Finance. Accounts and audit.

(2) The accounts of the Council shall be submitted annually by the Council to the Comptroller and Auditor General for audit at such time as the Minister with the concurrence of the Minister for Finance may direct.

25 (3) An abstract of the accounts of the Council for each year, when audited, together with the report of the Comptroller and Auditor General on the accounts, shall be presented to the Minister who shall lay copies thereof before each House of the Oireachtas.

30 7.—(1) The Council shall present to the Minister annually a report of their proceedings during the previous year, and the Minister shall lay a copy thereof before each House of the Oireachtas. Reports.

35 (2) The Council shall furnish to the Minister such information with regard to the exercise of their functions as the Minister may from time to time require.

8.—This Act may be cited as the Fine Arts Act, 1950.

Short title.

SCHEDULE.

Section 2(2).

PROVISIONS APPLICABLE TO THE COUNCIL.

40 1. The Council shall by the name assigned to them by section 2 of this Act be a body corporate with perpetual succession and an official seal (which shall be judicially noticed) and power to sue and be sued in that name and to acquire, hold and dispose of land and other property. Incorporation of the Council.

(2) The Council shall consist of the following members:— Membership.

45 (a) a member, who shall be called the Director, appointed under paragraph 3 of this Schedule,

(b) six members (in this Schedule referred to as ordinary members) appointed under paragraph 4 of this Schedule, and

(c) such number of members (in this Schedule referred to as co-opted members) as may be co-opted under *paragraph 5* of this Schedule.

The Director.

3. (1) The Director shall be appointed by the President.

(2) The remuneration, tenure of office and other conditions of service of the Director shall be such as the Government, on the recommendation of the Minister with the concurrence of the Minister for Finance, shall determine on the occasion of his appointment. 5

(3) The Government, on the recommendation of the Minister with the concurrence of the Minister for Finance and with the consent of the Director for the time being, may from time to time alter all or any of the following, namely, the remuneration, tenure of office and other conditions of service for the time being applicable to him as the Director. 10 15

(4) The remuneration of the Director shall be paid by the Council out of their funds.

Ordinary members.

4. (1) The Government shall, in the year 1951 and in each fifth successive year thereafter, appoint six persons to be ordinary members, and the term of office of every person so appointed shall commence on the day next following the date of his appointment. 20

(2) Every ordinary member appointed under *subparagraph (1)* of this paragraph shall, unless he sooner dies or resigns, hold office until the expiration of the day on which the Government next appoint, in pursuance of that subparagraph, six persons to be ordinary members. 25

(3) Whenever an ordinary member dies or resigns, the Government shall, as soon as conveniently may be, appoint a person to be an ordinary member, and the person so appointed shall, unless he sooner dies or resigns, hold office until the expiration of the day on which the Government next appoint, in pursuance of *subparagraph (1)* of this paragraph, six persons to be ordinary members. 30

(4) An ordinary member whose term of office expires by effluxion of time shall be eligible for re-appointment. 35

(5) No remuneration shall be payable to ordinary members.

Co-opted members

5. (1) The co-opting body for the purposes of this paragraph and *paragraph 6* of this Schedule shall consist of the following members—

(a) the Director, who shall be the chairman thereof, and 40
(b) the ordinary members.

(2) (a) The co-opting body may from time to time at any of their meetings co-opt persons to be co-opted members, but shall so exercise this power that the number of co-opted members for the time being holding office is not more than five 45

(b) Every question at a meeting of the co-opting body shall be determined by a majority of the votes of the members present and voting on it and, in the case of an equal division of votes, the Director shall have a second or casting vote. 50

(c) The quorum for a meeting of the co-opting body shall be three, of whom the Director shall be one.

(3) Every person who is co-opted as a co-opted member shall, unless he sooner dies or resigns, hold office until the date on which 55

the term of office of the persons holding office as ordinary members at the time of this co-option expires, but shall on the expiration of that term be eligible for co-option for a further term.

(4) No remuneration shall be payable to co-opted members.

5 6. The Council may out of their funds, if they think fit, reimburse any member of the Council for any actual out-of-pocket expenses incurred by him as a member of the Council or of the co-opting body. Reimbursement of expenses.

7. (1) At a meeting of the Council—

10 (a) the Director, if present, shall be the chairman of the meeting, Procedure of the Council.

15 (b) if and so long as the Director is not present or if the office of Director is vacant, the members of the Council who are present shall choose one of their members to be the chairman of the meeting.

(2) Every question at a meeting of the Council shall be determined by a majority of the votes of the members present and voting on it and, in the case of an equal division of votes, the chairman of the meeting shall have a second or casting vote.

20 (3) The quorum for a meeting of the Council shall be five.

(4) The Council shall act notwithstanding a vacancy in their membership.

(5) Subject to this paragraph, the Council shall by standing orders or otherwise regulate their procedure and business.

25 8. (1) The Council may appoint or engage such and (subject to the approval of the Minister given with the concurrence of the Minister for Finance) so many officers and servants as they think fit. Officers and servants of the Council.

30 (2) Every officer and servant appointed or engaged by the Council shall be paid by the Council out of their funds such remuneration and shall hold his office or engagement by such tenure and on such conditions as they, with the approval of the Minister given with the concurrence of the Minister for Finance, shall determine.

35 (3) Section 4 of the Civil Service Regulation Act, 1924 (No. 5 of 1924), shall not apply in relation to an appointment or engagement under this paragraph.

40 9. The Council shall provide and have a common seal and such seal shall be authenticated by the signature of the Director or some other member of the Council authorised by the Council to act in that behalf and by the signature of an officer of the Council authorised by them to act in that behalf. Seal of the Council.

BILLE

(mar do tugadh isteach)
dá ngairmtear

Acht do chur eolais, dea-mheasa agus cleachta ar na mín-ealaíona chun cinn agus, chuige sin, do bhunú comhairle ealaíon, agus do dhéanamh soeruithe i dtaobh nithe eile a bhaineas leis na nithe réamhráite.

An Taoiseach do thug isteach.

Do hordáiodh, ag Dáil Éireann, do chlóbhuailadh, 29ú Samhain, 1950.

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN TSOLÁTHAIR.

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais,
3-4 Sráid an Choláiste, Baile Átha Cliath, nó trí
aon díoltóir leabhar.

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[*Raol Glan.*]

BILL

(as introduced)
entitled

An Act to promote the knowledge, appreciation and practice of the fine arts and, for this purpose, to establish an arts council, and to provide for other matters in connection with the matters aforesaid.

Introduced by the Taoiseach.

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