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**AN BILLE UM BEOSTOC A ONNMHAIRÍTEAR (ÁRACHAS), 1984  
EXPORTED LIVE STOCK (INSURANCE) BILL, 1984**

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*Mar a ritheadh ag Dáil Éireann  
As passed by Dáil Éireann*

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**ARRANGEMENT OF SECTIONS**

**Section**

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**ACTS REFERRED TO**

Exported Live Stock (Insurance) Act, 1950  
Exported Live Stock (Insurance) Acts, 1940 to 1950

1950, No. 10





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AN BILLE UM BEOSTOC A ONNMHAIRÍTEAR (ÁRACHAS), 1984  
EXPORTED LIVE STOCK (INSURANCE) BILL, 1984

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# BILL

*entitled*

AN ACT TO DISSOLVE THE EXPORTED LIVE STOCK 5  
(INSURANCE) BOARD AND TO PROVIDE FOR CER-  
TAIN OTHER MATTERS CONNECTED WITH SUCH  
DISSOLUTION.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definition.

1.—In this Act “the Act of 1950” means the Exported Live Stock 10  
(Insurance) Act, 1950.

Appointment to and  
membership of  
Board.

2.—(1) As from the passing of this Act the Board shall consist of  
not less than three nor more than nine members.

(2) (a) The National Executive shall appoint the members of the 15  
Board.

(b) A person appointed pursuant to this subsection to member-  
ship of the Board shall, unless he sooner dies, resigns or  
is disqualified, continue to be a member of the Board for  
so long as the Board continues in being.

(3) Notwithstanding subsection (4) of section 6 of the Act of 1943, 20  
any person who—

(a) pursuant to the said section 6 was appointed to be a member  
of the Board in June, 1980, and

(b) before the passing of this Act, neither resigned from such 25  
membership nor became disqualified,

shall be deemed to have continued to be and to have been a member  
of the Board immediately before the passing of this Act.

(4) A person who was, or is by this section, deemed to have been,  
a member of the Board immediately before the passing of this Act  
shall, unless he dies, resigns or become disqualified continue to be a 30  
member of the Board for so long as the Board continues in being.

(5) Whenever a person ceases to be a member of the Board,  
whether because of death, resignation or disqualification and as a  
result of such cesser the number of members of the Board is reduced



to less than three, the National Executive shall, as soon as may be, make an appointment under *subsection (2)* of this section as regards the vacancy.

(6) Section 6 (4) of the Act of 1943 shall, in so far as it requires the National Executive to appoint members of the Board, cease to have effect.

3.—As and from the passing of this Act, section 9 (1) of the Principal Act shall be construed and have effect as if the reference therein to three were a reference to two. Quorum of Board.

10 4.—(1) The Board shall, as soon as may be after the passing of this Act, wind up its affairs. Winding up of Board.

(2) (a) The Board may do or cause to be done anything required to enable it to fulfil the obligation imposed on it by *subsection (1)* of this section.

15 (b) (i) Without prejudice to the generality of *paragraph (a)* of this subsection and notwithstanding anything contained in the Principal Act, subject to *subparagraph (ii)* of this paragraph, the Board may for the purpose referred to in that paragraph terminate the appointment under section 12 of the Principal Act of any person who for the time being is the secretary, the assistant secretary or an officer of the Board.

20 (ii) The termination of an appointment referred to in *subparagraph (i)* of this paragraph shall be on such terms as may be agreed between the Board and the other person concerned, or, in default of such agreement, as may be determined by the Minister for the Public Service.

25 (3) Notwithstanding *subsection (2)* of this section, the Board shall not assign, surrender or otherwise dispose of its interest in any premises acquired or taken on lease by it pursuant to section 11 of the Principal Act (as amended by section 7 of the Act of 1943) without the prior approval of the Minister.

35 5.—(1) As regards the period of the Board's existence subsequent to the 31st day of March, 1984, section 14 (1) of the Principal Act shall be construed as requiring the Board to prepare, as soon as may be after the passing of this Act, a final account showing, as regards such period, all payments, disbursements, investments, sales and other dealings referred to in the said section 14 (1). Final account.

40 (2) Subsections (2), (3) and (4) of section 14 of the Principal Act shall apply as regards the account prepared in compliance with the requirement of *subsection (1)* of this section and for the purposes of such application that account shall be regarded as having been prepared under the said section 14.

45 6.—(1) The National Executive shall, if required so to do by the Minister, as soon as may be, advise the Minister as to how any moneys shown by the account referred to in *section 5* of this Act to remain in the Fund should be disposed of. Advice to Minister regarding disposal of moneys remaining in Fund.



(2) (a) If the Minister accepts advice given to him by the National Executive under this section, he shall direct the Board to dispose of the moneys referred to in *subsection (1)* of this section in accordance with that advice.

(b) In case the Minister either— 5

(i) does not accept advice given to him by the National Executive under this section, or

(ii) does not request the National Executive to give such advice,

the moneys referred to in *subsection (1)* shall be disposed of by the Board in such manner as the Minister shall direct. 10

(3) The Board shall comply with the direction given by the Minister under this section and neither anything in the Exported Live Stock (Insurance) Acts, 1940 to 1950, nor any rule of law shall be construed as operating to prevent the Board's compliance with the direction. 15

Dissolution of Board.

7.—Where the Minister is satisfied that the Board has wound up its affairs and pursuant to section 14 (3) of the Principal Act, as applied by *section 5 (2)* of this Act, the final account referred to in *section 5 (1)* of this Act is received by the Minister, and in particular the Minister is satisfied that— 20

(a) no claim made for compensation under the Exported Live Stock (Insurance) Acts, 1940 to 1950, (including any appeal under section 5 of the Act of 1943 or application for re-investigation under section 8 of the Act of 1950) is outstanding, and 25

(b) there are no proceedings taken by the Board pursuant to section 16 of the Act of 1943 which have not been withdrawn, settled or otherwise finally determined,

he shall, as soon as may be, by order dissolve the Board. 30

Making of claims under Exported Live Stock (Insurance) Acts, 1940 to 1950, limited.

8.—A claim for compensation under the Exported Live Stock (Insurance) Acts, 1940 to 1950, shall not be made after the expiration of the period of six months beginning on the passing of this Act.

No further orders to be made under section 4 of the Act of 1943.

9.—The Board shall not make any order under section 4 of the Act of 1943 after the passing of this Act. 35

Repeals.

10.—(1) The following are hereby repealed:

(a) the Principal Act,

(b) the Act of 1943, and

(c) the Act of 1950.

(2) *Subsection (1)* of this section shall— 40

(a) insofar as it repeals sections 4 (3), 15, 16 and 17 (1) of the Principal Act and sections 6 (1), 6 (3), 6 (6), 12 and 13 (1)



of the Act of 1943, come into operation on the passing of this Act, and

5 (b) insofar as it repeals any other provision of the Exported Live Stock (Insurance) Acts, 1940 to 1950, come into operation on the commencement of the Order under this Act dissolving the Board.

(3) This Act shall, on the day next following the date of the commencement of the order under this Act dissolving the Board, be repealed.

10 11.—(1) This Act may be cited as the Exported Live Stock (Insurance) Act, 1984.

Short title,  
collective citation  
and construction.

(2) The Exported Live Stock (Insurance) Acts, 1940 to 1950, and this Act may be cited together as the Exported Live Stock (Insurance) Acts, 1940 to 1984, and shall be construed together as one Act.



AN BILLE UM BEOSTOC A  
ONNMHAIRÍTEAR (ÁRACHAS), 1984

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BILLE

*dá ngairtear*

Acht do dhíscaoileadh an Bhoird um Eallach Stuic a hEasportálfar (Árachas) agus do dhéanamh socrú i dtaobh nithe áirithe eile a bhaineann leis an díscaoileadh sin.

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*An tAire Talmhaíochta a thíolaic*

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*Ritheadh ag Dáil Éireann,  
27 Meitheamh, 1984*

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BAILE ÁTHA CLIATH:  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais,  
Teach Sun Alliance, Sráid Theach Laighean, Baile Átha  
Cliath 2, nó trí aon díoltóir leabhar.

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EXPORTED LIVE STOCK (INSURANCE)  
BILL, 1984

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BILL

*entitled*

An Act to dissolve the Exported Live Stock (Insurance) Board and to provide for certain other matters connected with such dissolution.

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*Presented by the Minister for Agriculture*

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*Passed by Dáil Éireann,  
27th June, 1984*

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