



AN BILLE UM ÁISEANNA SAOTHAIR, 1987
LABOUR SERVICES BILL, 1987

EXPLANATORY MEMORANDUM

The purpose of the Bill is to give effect to the Government's decisions, foreshadowed in the White Paper on Manpower Policy (September, 1986), to establish a new body to replace An Chomhairle Oilíúna, the National Manpower Service and the Youth Employment Agency and to remove the upper age-limit on the Youth Employment Levy.

The Bill provides for the setting up of a body to be called An Foras Áiseanna Saothair (FÁS) by order of the Minister for Labour on a day to be designated by him (*Sections 2 and 3*).

Part 1 of the *Schedule* to the Bill provides for the membership of An Foras and the procedures for regulating its business. An Foras shall comprise a part-time Chairman and 16 ordinary members, appointed by the Minister. The ordinary members shall include 4 trade unions' members and 4 employers' members, nominated by appropriate organisations; one member each representing social welfare, education and youth interests, appointed in consultation with the relevant Ministers and appropriate organisations, respectively; 2 members representing employees of An Foras, one member representing the Minister for Finance and 2 representing the Minister. (*Paragraphs 1 to 7*).

Pending the appointment of the employees' members, following an election among the staff of An Foras conducted in accordance with the procedures prescribed in *Part II* of the *Schedule*, An Foras shall consist of the Chairman and 14 ordinary members. Arrangements for the election of employees' members must take place as soon as possible after the setting up of An Foras.

Section 4 specifies the general functions of An Foras, broadly those transferred from the three manpower bodies concerned, as follows: provision of training, re-training, employment schemes, placement and guidance services; helping local community groups and workers' co-operatives to create jobs; and assisting persons seeking employment elsewhere in the European Community.

In addition An Foras may, subject to the approval of the Minister and the Minister for Finance, undertake the provision of consultancy and manpower-related services overseas but only on a commercial basis. For this purpose it is obliged to set up a subsidiary company whose memorandum and articles of association require approval of both Ministers.

Under *section 5* the Minister for Labour may confer additional functions on An Foras, by Affirmative Order of the Oireachtas.

Section 6 provides for the appointment of a Director General. The first Director General will be appointed by the Minister and each subsequent one by An Foras with the consent of the Minister.

Sections 7 and 8 contain provisions about the appointment of staff, their conditions of service and safeguards about pay, conditions, tenure and pensions of persons transferring to An Foras from the existing manpower bodies.

Section 9 prohibits members of the Oireachtas or the European Parliament from being members of An Foras.

Sections 10 to 11 and 13 to 16 are standard financial provisions relating to Exchequer advances, accounts and audits, disclosure, investments, borrowings and gifts.

Under *section 12* An Foras is required to submit annually to the Minister a report on its activities within 6 months after the year in question. In addition, it is required to furnish a report outlining its programme of work, including expenditure estimates, for the coming year.

Section 17 empowers the Minister to issue directions, with which An Foras must comply, in relation to policy generally or any of its activities or expenditure.

Sections 18 to 24 and 26 are technical provisions connected with the dissolution of An Chomhairle and the winding up of the Youth Employment Agency and the National Manpower Service.

Section 25 changes the title of the Youth Employment Levy to Employment and Training Levy. It also provides for its application generally to training and employment schemes, in addition to existing youth programmes, administered by An Foras.

Section 27 provides for the short title of the Act.

*An Roinn Saothair,
Meitheamh, 1987.*