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**AN BILLE UM CHLÁR LEASANNA CHOMHALTAÍ AN
OIREACHTAIS, 1991**
**REGISTER OF MEMBERS OF THE OIREACHTAS INTERESTS
BILL, 1991**

Mar a tionscnaíodh

As initiated

Section

1. Definitions.
2. Register of interests.
3. Registrable interests.
4. Maintenance of register by Clerk.
5. Annual revision of register.
6. Requirement of members to comply with provisions of Act after their election or nomination.
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ACTS REFERRED TO

Copyright Act, 1963

1963, No. 10

Status of Children Act, 1987

1987, No. 26



AN BILLE UM CHLÁR LEASANNA CHOMHALTAÍ AN
OIREACHTAIS, 1991
REGISTER OF MEMBERS OF THE OIREACHTAS INTERESTS
BILL, 1991

BILL

entitled

AN ACT TO ESTABLISH A REGISTER OF INTERESTS OF
MEMBERS OF THE OIREACHTAS AND FOR RELATED
PURPOSES.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definitions.

1.—(1) In this Act, except where the context otherwise requires—

“Clerk” means the Clerk of Dáil Éireann or the Clerk of Seanad Éireann as the case may be;

“family” means the spouse of the member and a relative of the member or of his spouse and “relative” means lineal ancestor, lineal descendant, uncle, aunt, brother, sister, descendant of a brother or sister, or the spouse of any of those persons; and for the purposes of this definition a relationship includes and has the meaning assigned to it by section 3 of the Status of Children Act, 1987;

“member” means a member of the Oireachtas;

the “register” has the meaning assigned to it by *section 2 (1)*;

“registrable interests” means an interest required to be registered in the register by virtue of *section 3*;

“return of interests” has the meaning assigned to it by *section 4*.

(2) In this Act a reference to a section is to a section of this Act, unless it is indicated that reference to some other enactment is intended.

(3) In this Act a reference to a subsection or paragraph is to the subsection or paragraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

Register of
interests.

2.—(1) There shall be established a register of interests of members of the Oireachtas.

(2) The register shall be maintained in the case of members of Dáil Éireann by the Clerk of Dáil Éireann, and in the case of members of Seanad Éireann by the Clerk of Seanad Éireann.

3.—Every member shall register in the register, by filing a return of interests issued to him by the Clerk for this purpose, the following interests in respect of himself and his family where appropriate—

Registrable interests.

- (a) remunerated directorships of companies, public or private,
- (b) remunerated trades, professions, or vocations,
- (c) the names of clients when the interests referred to in paragraphs (a) and (b) include personal services by the member which arise out of or are related in any manner to his membership of the Oireachtas,
- (d) financial sponsorships in the case that to the knowledge of the member the sponsorship has exceeded 25 per cent. of that member's election expenses or whereby such sponsorship includes payment by any person or organisation or any material benefit or advantage whether direct or indirect,
- (e) overseas visits relating to or arising from membership of the Oireachtas where the cost of such a visit has not been wholly borne by the member or by public funds except in the case of such visits where the cost has been borne by the Interparliamentary Union, the Council of Europe, or an institution of the European Community and the identification of the organisation, institution or person paying for such costs,
- (f) any payments or any material benefits or advantages or gifts of a value greater than £50 received from or on behalf of foreign governments, organisations, or persons,
- (g) land and property from which an aggregate income exceeding £500 per annum is derived except in the case of a member's home residence unless he also derives an income therefrom,
- (h) the names of companies or other bodies in which the member has, to his knowledge, either himself or with or on behalf of his family a beneficial interest in shareholdings of a nominal value greater than one-hundredth of the issued share capital.

4.—(1) The Clerk shall maintain and revise the register and list therein the interests of members under the following headings:

Maintenance of register by Clerk.

- (a) directorships;
- (b) trades or professions;
- (c) clients;
- (d) financial sponsorships;
- (e) overseas visits;

(f) payments or gifts from foreign governments;

(g) land and property;

(h) declarable shareholdings.

(2) The return of interests in which a member is required to file his registrable interests shall be in the format and under the same headings as set out in *subsection (1)* in respect of the register.

(3) If and so long as the office of either Clerk is vacant or the holder of that office is unable through illness, absence or other cause to fulfil his duties, the duties devolved upon him under this Act shall be performed by the Clerk-Assistant of the Dáil or Clerk-Assistant of the Seanad as the case may be.

(4) The Clerk shall, within three months of the coming into operation of this Act and in March of every year thereafter, make copies of the register for the time being in force available for public inspection by having them placed in—

(a) the library of the Houses of the Oireachtas;

(b) libraries to whom the terms of the Copyright Act, 1963, applies;

(c) the Government Publications Sale Office.

(5) The requirement of *subsection (4)* shall not preclude the Government Publications Sale Office from making a charge for the purchase of copies of the register provided that the charge is not greater than the cost of publishing the register.

Annual revision of register.

5.—Subject to *section 6*, and for every year subsequent to the year in which this Act comes into operation, the Clerk shall revise the register not later than the 28th February in that year, and for this purpose he shall issue to each member a return of interest which shall be required to be returned to him duly completed by each member not later than the 30th January in that year.

Requirement of members to comply with provisions of Act after their election or nomination.

6.—Whenever there is a general election to Dáil Éireann and to Seanad Éireann or a bye-election or the filling of a casual vacancy as the case may be, each member elected or nominated therefrom shall be required to comply with the provisions of this Act within 30 days after the day on which such member first becomes, by compliance with the Standing Orders of the House of which he is a member, entitled under the Standing Orders of that House, to sit in that House as a member thereof.

Duty of members in respect of return of interests.

7.—(1) It shall be the duty of members to notify the Clerk of changes in their registrable interests under *section 3* within four weeks of their interests changing or a notifiable interest arising therein.

(2) It shall be the duty of members to notify the Clerk of their registrable interests in the prescribed return of interests within eight weeks of this Act coming into operation and in accordance with *section 5* in January of every year thereafter.

8.—(1) This Act may be cited as the Register of Members of the Short title and
Oireachtas Interests Act, 1991. commencement.

(2) This Act shall come into operation within two months of the
date of its passing.

BILL

(as initiated)

entitled

An Act to establish a register of interests of
members of the Oireachtas and for related
purposes.

Introduced by Senators Brendan Ryan, Joe
O'Toole and David Norris

Ordered by Seánad Éireann to be printed,
20th November, 1991

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE

To be purchased through any bookseller, or directly
from the Government Publications Sale Office,
Sun Alliance House, Molesworth Street, Dublin 2.

Printed by CARRILL PRINTERS LIMITED.

70p

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(nóir a tionscraíodh)

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Acht do bhunú clár leasana chomhaltai an Oir-
eachtais agus le haghaidh críochas gaolmhara.

Na Seannadóirí Breandán Ó Riain, Seánán Ó
Tuathail agus David Norris a thug tionsc

Ordúidh ag Seánad Éireann a chloíbhualadh,
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CHOMHALTAÍ AN OIREACHTAIS, 1991

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OIREACHTAS INTERESTS BILL, 1991

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(mar a tionscnaíodh)

dá ngairtear

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*Ordaíodh ag Seanad Éireann a chlóbhualadh,
6 Samhain, 1991*

*Ordered by Seanad Éireann to be printed,
6th November, 1991*

BAILE ÁTHA CLIATH:
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