



**AN BILLE UM ÚDARÁIS STÁIT (FORBAIRT AGUS
BAINISTEOIREACHT), 1993
STATE AUTHORITIES (DEVELOPMENT AND
MANAGEMENT) BILL, 1993**

EXPLANATORY MEMORANDUM

1. The High Court held on 12th February, 1993, that the Commissioners of Public Works, apart from some specific statutory powers, did not have general legislative authority to build, maintain or manage public buildings or provide public amenities or supply services to the public.

2. The Bill is designed to provide State authorities, i.e. Ministers and the Commissioners of Public Works, with the general power to build, maintain and manage properties and provide services. The Bill deems that these powers always existed.

3. *Section 1* provides for the usual definitions.

Section 2 (1) provides State authorities with the powers to carry out or procure development and maintenance and to supply goods and services.

Section 2 (2) allows State authorities to carry out all actions necessary for the carrying out of the powers set out at 2 (1).

Section 2 (3) provides for the consent of the Minister for Finance to the exercise of powers under *section 2 (1)* and 2 (2).

Section 2 (4) provides that the powers referred to in *subsection 2 (1)* are not in substitution for existing powers of State authorities.

Section 2 (5) defines development.

Section 3 is a standard provision providing for payment of expenses of administration of the Act out of moneys provided by the Oireachtas.

Section 4 provides for Short Title and Collective Citation.

*An Roinn Airgeadais,
Feabhra, 1993.*

AN BILL EN BARRAIS STAIT FORBAIR AGUS
BAINISTOIREACHT, 1993
STATE AUTHORITIES (DEVELOPMENT AND
MANAGEMENT) BILL, 1993

EXPLANATORY MEMORANDUM

1. The High Court held on 15th February, 1993, that the Commission of Public Works, which have some specific statutory powers, did not have general administrative authority to build, maintain or manage public buildings or provide financial assistance or supply services to the public.

2. The Bill is designed to provide state authorities, i.e. Ministers and the Commission of Public Works, with the general power to build, maintain and manage properties and provide services. The Bill deems that these powers always existed.

3. Section 1 provides for the usual definitions.

Section 2 (1) provides state authorities with the power to carry out or procure development and maintenance and to supply goods and services.

Section 2 (2) allows state authorities to carry out all action necessary for the carrying out of the powers set out in 2 (1).

Section 2 (3) provides for the consent of the Minister for Finance to the exercise of powers under section 2 (1) and 2 (2).

Section 2 (4) provides that the powers referred to in subsection 2 (1) are not in substitution for existing powers of State authorities.

Section 2 (5) defines development.

Section 3 is a standard provision providing for payment of expenses of administration of the Act out of moneys provided by the Oireachtas.

Section 4 provides for Short Title and Collective Citation.

AN RÓDAN AGUS
FÉDAR, 1993