



AN BILLE IASCAIGH (LEASÚ), 1995
FISHERIES (AMENDMENT) BILL, 1995

EXPLANATORY AND FINANCIAL MEMORANDUM

Introduction

The main provision of the Bill is to provide that the Minister for the Marine may, by order, following a request from a fisheries board or after consideration by him of a report of a person appointed by him to examine the management and organisation of a board and the performance by it of its functions, appoint a Commission to carry out such and so many of the functions of that board as he may determine.

Detailed Provisions of Bill

Section 1 governs the interpretation of terms used in the Bill.

Section 2 provides for the appointment by the Minister of a person or persons to report to him on the management and organisation of a board and the performance by it of its functions and for the inspection by such person or persons of a board's records or documents.

Section 3 provides for the establishment by the Minister, following a request by a board or after consideration by him of a report of a person or persons appointed under *section 2*, of a Commission to carry out one or more functions of a board as he may determine.

Section 4 makes provision for the furnishing of notice to a board where the Minister proposes to appoint a Commission following consideration of a report under *sections 2* and *3* and for the making of representations by that board.

Section 5 lays down detailed provisions in relation to the appointment, membership and removal of a Commission.

Section 6 provides for co-ordination between the Commission and a board where one or more but not all of the functions of a board have been conferred on a Commission and for the resolution of any dispute or disagreement which may arise therefrom.

Section 7 provides for the furnishing of information and documentation by a board or its officers to a Commission.

Section 8 provides for the removal of board members for failure to comply with *sections 2* and *7* insofar as compliance with a request for documentation or records is concerned.

Section 9 governs the making of orders by the Minister and provides, among other matters, that such orders, drafts of which shall be laid before the Houses of the Oireachtas, may be annulled by a resolution of either House.

Section 10 provides that the powers conferred by this Act to a board are not in substitution for any other powers conferred on the Minister or any other person in relation to the board immediately before the passing of the Act.

Section 11 provides that expenses incurred by the Minister in the administration of this Act shall be paid out of moneys provided by the Oireachtas.

Section 12 makes provision for the short title of the Bill.

Staffing and Exchequer Implications

There are no direct costs or staffing implications.

Roinn na Mara,
Iúil, 1995.

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Section 8 provides for the removal of board members for failure to comply with sections 5 and 7 insofar as compliance with a request for documentation or records is concerned.

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