



AN BILLE UM CHISTE OIÐHREACHTA, 2001
HERITAGE FUND BILL, 2001

EXPLANATORY MEMORANDUM

The Bill provides for the establishment of a Heritage Fund with an overall limit of £10 million. The purpose of the Fund is to build up resources for use by the principal State collecting cultural institutions in acquiring for the national collections items of moveable heritage. These items include such artifacts as manuscripts, books and works of art that are both rare, costly (above a valuation of £250,000) and are of national importance and that otherwise could not be acquired. The collecting institutions involved are the National Museum of Science and Art (National Museum of Ireland), the National Library of Ireland, the Irish Museum of Modern Art, the National Gallery of Ireland and the National Archives.

The Bill will allow for Exchequer funds to be paid into the Fund from the Vote of the Department of Arts, Heritage, Gaeltacht and the Islands permitting funds to be accumulated subject to an overall limit of £10 million as follows — Year 1 £3 million, Year 2 £2 million, Year 3 £2 million, Year 4 £2 million and Year 5 £1 million. In addition, private individuals or companies will be able to contribute to the Fund.

Recommendations on acquisitions using the Fund will be made to the Minister by the Council of National Cultural Institutions.

The Council of National Cultural Institutions was established in line with the commitment in “An Action Programme for the Millennium”. It comprises the Directors of the National Museum, National Gallery, National Library, National Archives, Chester Beatty Library, National Concert Hall, Irish Museum of Modern Art, National Theatre Society (Abbey Theatre), and the Arts Council and the Chief Executive of the Heritage Council.

Exchequer Costs

The proposed Exchequer funding to be paid into the Fund will be equal to the schedule of moneys provided for in the Bill.

- (a) in the financial year 2001, out of moneys provided by the Oireachtas, the sum of £3 million and
- (b) in the financial years, 2002, 2003 and 2004, out of moneys provided by the Oireachtas, the sum of £2 million and
- (c) in the financial year 2005, out of moneys provided by the Oireachtas, the sum of £1 million to the aggregate to

£10 million or twelve million six hundred and ninety seven thousand euro.

Staffing Implications

There are no staffing implications for the Department.

Impact on Women

Provision applies equally to women as to men.

Implications for Regulatory Reform

The Bill complements and strengthens the main existing provisions regarding treatment of heritage items and collections set out in the National Cultural Institutions Act, 1997 and in section 1003 of the Taxes Consolidation Act, 1997 (as amended by the Finance Act, 2000).

Poverty Proofing

There are no adverse implications arising.

Impact on North/South and East/West Relations

There will be no direct impact on North/South and East/West relations. The Fund will facilitate the acquisition, by the collecting institutions provided for, of artifacts of national importance from time to time and the appropriate display of these artifacts will be an added attraction to visitors from the United Kingdom and Northern Ireland.

Impact on Rural Communities

The establishment of the Heritage Fund will have no direct impact on rural communities.

Provisions

Section 1 contains the short title and commencement.

Section 2 contains definitions.

Section 3 provides for the Fund to consist of such accounts as the Minister for Finance, after consultation with the Minister for Arts, Heritage, Gaeltacht and the Islands, determines.

It also provides for the Minister to submit to the Comptroller and Auditor General the accounts of the Fund 3 months after the end of the financial year. The Minister for Finance shall manage the Fund. Moneys standing to the credit of the Fund that are not required immediately shall be invested by the Minister for Finance:

- in such securities (other than shares in a company) considered appropriate;
- by way of deposit of moneys in a deposit account with any credit institution.

All income received by the Minister for Finance on investments made by him or her and the proceeds of any such investments shall be paid into the Fund.

Section 4 provides for Exchequer funds to be paid into the Fund from the Vote of the Department of Arts, Heritage, Gaeltacht and the Islands allowing funds to be accumulated subject to an overall limit of £10 million.

Section 5 provides for moneys standing to the credit of the Fund to be used only for those purposes specified in this Act.

Section 6 provides for the Minister to accept a gift of moneys, the purpose of the making of which is to benefit the Fund. The Minister may also accept a gift of land or other property with the consent of the Minister for Finance to enable the State to realise its value for the benefit of the Fund.

Section 7 provides for the Minister, on the recommendation of the Council of National Cultural Institutions, to pay out of the Fund such an amount of moneys, as he or she determines for the purpose of defraying, in whole or in part, the expenditure incurred in purchasing an eligible heritage item. Payments shall only be made out of the Fund with the consent of the Minister for Finance.

Section 8 provides for the Minister to prepare an annual report after the end of each financial year.

Section 9 confers powers on the Council of National Cultural Institutions as the body to be charged with making recommendations to the Minister on disbursements relating to the Fund.

Section 10 concerns meetings and procedures of the Council of National Cultural Institutions in carrying out its function under the Bill.

Section 11 concerns disclosure of certain interests by members of the Council of National Cultural Institutions.

Sections 12 and 13 concern unauthorised disclosure of information by the Council of National Cultural Institutions and the penalties associated with an offence.

An Roinn Ealaíon, Oidhreachta, Gaeltachta agus Oileán, Aibreán, 2001.