

# DÁIL ÉIREANN

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## AN BILLE IASCAIGH MHARA AGUS DLÍNSE MUIRÍ 2005 —ROGHCHOISTE

## SEA-FISHERIES AND MARITIME JURISDICTION BILL 2005 —SELECT COMMITTEE

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*Leasuithe Ionadacha agus Breise  
Additional and Substitute Amendments*

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### SECTION 42

**154.** In page 42, before section 42, but in Chapter 5, to insert the following new section:

“Transfer of staff  
from Minister to  
Authority.

53.—(1) The Minister shall designate officers of the Minister who are sea-fishery protection officers immediately before the establishment day to be transferred to the Authority on the establishment day.

(2) The Minister may designate such and so many of his or her other officers to be transferred to the Authority.

(3) Staff transferred in accordance with *subsection (1)* or *(2)* are deemed to be in the employment of the Authority.

(4) Save in accordance with a collective agreement negotiated with any recognised trade unions and staff associations concerned, an officer of the Minister transferred to the staff of the Authority under *subsection (1)* or *(2)* shall not, while he or she is in the service of the Authority, receive a lesser scale of pay or be made subject to less beneficial terms and conditions of service (including those relating to tenure of office) than the scale of pay to which he or she was entitled or the terms and conditions of service (including those relating to tenure of office) to which he or she was subject immediately before his or her transfer.

(5) In relation to persons transferred in accordance with *subsection (1)* or *(2)* to the staff of the Authority, previous service in the Civil Service shall be reckonable for the purposes of, but subject to any exceptions or exclusions in—

- (a) the Redundancy Payments Acts 1967 to 2003,
- (b) the Minimum Notice and Terms of Employment Acts 1973 to 2001,
- (c) the Unfair Dismissals Acts 1977 to 2001,
- (d) the Terms of Employment (Information) Acts 1994 and 2001,
- (e) the Organisation of Working Time Act 1997,
- (f) the Parental Leave Act 1998,

[ *SECTION 42* ]

- (g) the Carer's Leave Act 2001,
- (h) the Protection of Employees (Part-Time Work) Act 2001 and
- (i) the Protection of Employees (Fixed-Term Work) Act 2003.”.

—An tAire Cumarsáide, Mara agus Acmhainní Nádurtha.

*[This Amendment is in substitution for amendment No. 154 on the principal list of amendments dated 27th January, 2006.]*

*Amendments to Amendment No. 154*

*1.*

In subsection (5)(b), to delete “1973 to 2001” and substitute “1973 to 2005”.

Thomas P. Broughan.

*2.*

In subsection (5)(c), to delete “1977 to 2001” and substitute “1977 to 2005”.

Thomas P. Broughan