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**AN BILLE UM ÚDARÁS FORBARTHA AN CHAMPAIS  
NÁISIÚNTA SPÓRT 2006  
NATIONAL SPORTS CAMPUS DEVELOPMENT  
AUTHORITY BILL 2006**

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**EXPLANATORY MEMORANDUM**

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*General*

The Government has approved the creation of the National Sports Campus Development Authority to oversee the planning and development of a campus of sports facilities at Abbotstown in Co. Dublin. The primary purpose of the Bill is to provide the statutory basis for this Authority.

The Bill contains 3 parts. The main provisions are summarised below.

**PART 1**

**PRELIMINARY AND GENERAL (*Sections 1 to 4*)**

This Part contains standard provisions regarding: short title; the expenses of the Minister; and definitions of key terms used in the Bill. Provision is also made for the laying of orders made by the Minister before each House of the Oireachtas.

**PART 2**

**NATIONAL SPORTS CAMPUS DEVELOPMENT  
AUTHORITY (*Sections 5 to 30*)**

*Sections 5 and 6* provide for the making of an order by the Minister to set a day for the establishment of the Authority, which will be known as the National Sports Campus Development Authority, and which will have, with the approval of the Minister given with the consent of the Minister for Finance, the power to acquire, hold and dispose of land and other property.

*Section 7* describes the Authority's functions. The primary functions of the Authority will be to develop a sports campus on the site; to furnish and equip it; manage, operate and maintain it and encourage and promote its use by professional and amateur sports people and members of the public alike. A development plan for the campus must be submitted for approval of the Minister and the Government and before the commencement of each phase, details of that phase must also be submitted for approval.

*Section 7* also provides that the site currently owned by the Minister for Agriculture and Food shall be conveyed, in whole or in part

as the Government directs, to the Authority and that pending such conveyance the Authority may develop the land. *Schedule 1* contains a description of the land at Abbotstown owned by the Minister for Agriculture and Food.

*Section 8* provides the Authority with powers to enter into agreements with others to carry out its functions whether by means of a lease or other means, to accept gifts on conditions consistent with the Authority's functions, to make charges, recover debts and engage consultants or advisers.

*Sections 9 and 10* set out details regarding the membership of the Authority and the standard conditions in relation to the holding of its meetings. The Authority will consist of a chairperson and twelve members. Members will hold office for a period of up to 5 years. They may not serve more than two consecutive terms and there is to be an annual rotation of the membership after an initial 3-year period. These sections also contain standard conditions covering cessation of membership and the filling of casual vacancies.

*Section 11* permits the Authority to establish committees to assist and advise it on matters relating to any of its functions.

*Section 12* provides for the payment of remuneration and expenses to members of the Authority and committee members, subject to the consent of the Minister and the Minister for Finance.

*Section 13* provides for the appointment, with the consent of the Minister, of a Chief Executive by the Authority.

*Section 14* is a standard provision for the appointment and payment of staff.

*Section 15* provides that the Authority may, with the approval of the Minister given with the consent of the Minister for Finance, make provision for superannuation or prepare a superannuation scheme in respect of the staff of the Authority.

*Sections 16* provides that where a member of the Authority or a committee or staff of the Authority, a subsidiary or consultant has a beneficial interest in any matter for consideration by the Authority, he or she must disclose it and must not seek to influence decisions by the Authority in relation to it.

*Section 17* prohibits the unauthorised disclosure of confidential information by a member of the Authority, a committee, a staff member of the Authority or subsidiary, a consultant or member of staff of the consultant, and provides for appropriate penalties for non-compliance with this provision including removal from office or termination of a contract for or of services.

*Section 18* contains the standard prohibitions on members of the Authority or a subsidiary holding political office, either at local, national or European level, and also provides for secondment arrangements where persons employed by the Authority or a subsidiary secure election to office at these levels.

*Section 19* provides that, with the consent of the Minister for Finance, the Minister may make advances to the Authority out of moneys provided by the Oireachtas.

*Sections 20, 21 and 22* contain standard provisions in relation to the submission of audited accounts and annual reports to the Minister, which the Minister will subsequently lay before each House of the Oireachtas. The accounts of the Authority will be audited by the Comptroller and Auditor General. These sections also include standard provision for the attendance by the Chief Executive at meetings of Oireachtas Committees and the Public Accounts Committee.

*Section 23* provides for the amendment of the Freedom of Information Act 1997 to include reference to the Authority.

*Section 24* allows the Minister to give general policy directions to the Authority.

*Section 25* provides that the Authority is entitled to withhold consent to renewal of a lease or tenancy agreement, subletting or change in use in respect of the site or any part of it, where such renewal, subletting or change in use would prejudice the running of the site.

*Section 26* is a standard provision requiring the Authority to provide itself with a seal.

*Section 27* provides for the amendment of the State Authorities (Public Private Partnership Arrangements) Act 2002 to include reference to the Authority.

*Section 28* provides that the Authority may for the purpose of performing any of its functions, with the approval of the Minister given with the consent of the Minister for Finance, establish or acquire subsidiaries, acquire, hold, and dispose of shares or other interests in a company, promote and take part in the establishment of a company or enter into a joint venture or partnership.

*Section 29* provides that the Authority or a subsidiary may borrow with the approval of the Minister given with the consent of the Minister for Finance.

*Section 30* provides that the Authority may, for the purposes of providing access, acquire by agreement or, in accordance with *Schedule 2*, compulsorily, any land adjoining the Abbotstown site or any interest in or right over such land. *Schedule 2* details the provisions relating to the compulsory acquisition of the land referred to in *section 30*, including that such acquisition must be authorised by an order made by the Minister.

### PART 3

#### TRANSITIONAL PROVISIONS (*Sections 31 to 38*)

This Part contains standard transitional provisions concerning a range of items.

*Section 31* provides for the dissolution of Campus and Stadium Ireland Development Ltd. (CSID Ltd.) on the establishment day.

*Section 32* provides for the transfer of the existing staff of CSID Ltd. to the new Authority, on the establishment day, on terms and conditions no less favourable than those to which they were subject immediately beforehand.

*Section 33* contains provisions relating to the vesting in the Authority, on the establishment day, of land and other property formerly vested in the dissolved body.

*Sections 34, 35 and 36* are standard provisions for the transfer to the Authority of all rights and liabilities of CSID Ltd., for the preservation of existing contracts or agreements and the continuity of legal proceedings to which CSID Ltd. is party.

*Section 37* provides that stamp duty is not chargeable on the conveyancing to or vesting of land in the Authority under the Act.

*Section 38* provides for the validation of the power of the Taoiseach, the Minister for Finance and the Minister for Arts, Sport and Tourism to hold and transfer shares in CSID Ltd.

*An Roinn Ealaíon, Spóirt agus Turasóireachta,  
Feabhra, 2006.*