



**AN BILLE UM GHNÓTHAÍ POBAIL, TUAITHE AGUS
GAELTACHTA (FORÁLACHA ILGHNÉITHEACHA) 2007**
**COMMUNITY, RURAL AND GAELTACHT AFFAIRS
(MISCELLANEOUS PROVISIONS) BILL 2007**

Mar a ritheadh ag Seanad Éireann
As passed by Seanad Éireann

ARRANGEMENT OF SECTIONS

Section

1. Definitions.
2. Functions of Minister.
3. Amendment of Third Schedule to Freedom of Information Act 1997.
4. Amendment of section 8 of Western Development Commission Act 1998.
5. Amendment of section 2 of Act of 2003.
6. Amendment of section 3 of Act of 2003.
7. Repeal of Arramara Teoranta (Acquisition of Shares) Acts 1949 to 2002.
8. Expenses of Ministers.
9. Short title and collective citation.

SCHEDULE

ACTS REPEALED

ACTS REFERRED TO

Alginat Industries (Ireland) Limited (Acquisition of Shares) Act 1949	1949, No. 22
Alginat Industries (Ireland) Limited (Acquisition of Shares) Act 1954	1954, No. 29
Arramara Teoranta (Acquisition of Shares) Act 2002	2002, No. 11
Freedom of Information Act 1997	1997, No. 13
Minister for Community, Rural and Gaeltacht Affairs (Powers and Functions) Act 2003	2003, No. 39
Terms of Employment (Information) Acts 1994 and 2001	
Western Development Commission Act 1998	1998, No. 42



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BILL

entitled

AN ACT TO CONFIRM THE FUNCTIONS OF THE MINISTER
FOR COMMUNITY, RURAL AND GAELTACHT
AFFAIRS, TO AMEND THE FREEDOM OF INFOR-
MATION ACT 1997, TO AMEND THE WESTERN
DEVELOPMENT COMMISSION ACT 1998, TO AMEND
THE MINISTER FOR COMMUNITY, RURAL AND GAEL-
TACHT AFFAIRS (POWERS AND FUNCTIONS) ACT
2003, TO REPEAL THE ARRAMARA TEORANTA
(ACQUISITION OF SHARES) ACTS 1949 TO 2002, AND
TO PROVIDE FOR RELATED MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act, unless the context otherwise requires—

Definitions.

“Act of 2003” means the Minister for Community, Rural and Gael-
tacht Affairs (Powers and Functions) Act 2003;

“community development” includes local development and schemes
that provide support for communities in order to enable them to
improve the lives of the members of the communities;

“Department” means the Department of Community, Rural and
Gaeltacht Affairs;

“Minister” means the Minister for Community, Rural and Gael-
tacht Affairs;

“National Drugs Strategy” means national strategies approved from
time to time by the Government for the purposes of countering drug
misuse in the State;

“rural development” includes—

(a) the promotion, fostering and support of economic, social
and cultural activities in rural areas by the implemen-
tation of a broad range of schemes, and

(b) initiatives to sustain employment in, and assist in the pros-
perity of, rural areas;

“scheme”—

- (a) means programmes or measures operated, managed, delivered or sponsored, whether in whole or in part, directly or indirectly or in conjunction or co-operation with any other person (including the European Union or any Department of State), by the Department in relation to the performance of any of the functions of the Minister specified in *section 2(1)*, and 5
- (b) includes such programmes or measures provided to one community or rural area or to a class of communities or rural areas based on— 10
 - (i) the specific needs of that community or rural area or class of communities or rural areas, as the case may be,
 - (ii) the commonality of interests of that class of communities or rural areas, as the case may be, or 15
 - (iii) the geographical distribution of that class of communities or rural areas, as the case may be.

Functions of
Minister.

2.—(1) Without prejudice to the generality of any other provision of this Act, or of any other enactment, conferring functions on the Minister, the functions of the Minister are and shall be deemed to always have been to— 20

- (a) support and promote community development,
- (b) support and promote voluntary activity and philanthropy,
- (c) support and promote rural development, 25
- (d) co-ordinate the implementation of the National Drugs Strategy (including matters relating to the allocation of services and facilities to counter drug misuse in areas of the State where such misuse is significantly higher than in other areas of the State), 30
- (e) support and promote the Irish language, including the co-ordination of policy in this regard, and the development of the Gaeltacht and the Islands,
- (f) support and promote North/South co-operation within the ambit of the Minister’s functions (including functions under *paragraphs (a) to (e)*), and 35
- (g) support and promote North/South co-operation in relation to Ulster Scots heritage, culture and language.

(2) The Minister may—

- (a) with the consent of the Minister for Finance, develop and implement any scheme that, in the Minister’s opinion, supports or promotes any function of the Minister (including functions specified in *subsection (1)*), 40
- (b) maintain any scheme that, in the Minister’s opinion, supports or promotes any such function, 45

(c) expand, with the consent of the Minister for Finance, any scheme.

5 (3) The Minister shall not be, or be deemed to be, an employer, within the meaning of the Terms of Employment (Information) Acts 1994 and 2001, by virtue only of the provision of funding to a person or persons under any scheme.

(4) Nothing in this section shall of itself be construed to—

(a) prevent the Minister from terminating any scheme, or

10 (b) limit the generality of any functions conferred (whether by an enactment or otherwise) on another Minister of State or Department or any other agency or body of State.

3.—The Third Schedule to the Freedom of Information Act 1997 is amended in Part 1 by—

Amendment of Third Schedule to Freedom of Information Act 1997.

15 (a) inserting “No. 42 of 1998” at the end of the first column of that Part,

(b) inserting “Western Development Commission Act 1998” at the end of the second column of that Part opposite the insertion made by *paragraph (a)*, and

20 (c) inserting “Section 18” in the third column of that Part opposite the insertion made by *paragraph (b)*.

4.—Section 8(5) of the Western Development Commission Act 1998 is amended by substituting “€1,000,000” for “£250,000”.

Amendment of section 8 of Western Development Commission Act 1998.

5.—Section 2(4) of the Act of 2003 is amended by substituting the following for paragraph (b):

Amendment of section 2 of Act of 2003.

25 “(b) the following:

(i) centres of population within a radius of 120 kilometres of that terminus specified in regulations made by the Minister with the consent of the Minister for Finance and the Minister for Transport;

30 (ii) centres of second level education specified in regulations made by the Minister, with the consent of the Minister for Finance and the Minister for Transport, where the Minister has reasonable grounds to believe, after consultation with the Minister for Education and Science, that the educational needs of the students concerned would be seriously prejudiced if such centres were not so specified; or

40 (iii) both centres referred to in subparagraph (i) and centres referred to in subparagraph (ii).”.

Amendment of section 3 of Act of 2003.	6.—Section 3(1)(b) and (c) of the Act of 2003 is amended by deleting “any such”.	
Repeal of Arramara Teoranta (Acquisition of Shares) Acts 1949 to 2002.	7.—The Acts specified in the Schedule are repealed.	
Expenses of Ministers.	8.—(1) The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.	5
	(2) The expenses incurred by the Minister for Finance in the administration of this Act shall be paid out of moneys provided by the Oireachtas.	10
Short title and collective citation.	9.—(1) This Act may be cited as the <i>Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007</i> .	
	(2) The Western Development Commission Act 1998 and <i>section 4</i> may be cited together as the Western Development Commission Acts 1998 and 2007.	15
	(3) The Minister for Community, Rural and Gaeltacht Affairs (Powers and Functions) Act 2003 and <i>sections 5</i> and <i>6</i> may be cited together as the Minister for Community, Rural and Gaeltacht Affairs (Powers and Functions) Acts 2003 and 2007.	
Section 7.	SCHEDULE	20
	ACTS REPEALED	
	1. Alginat Industries (Ireland) Limited (Acquisition of Shares) Act 1949.	
	2. Alginat Industries (Ireland) Limited (Acquisition of Shares) Act 1954.	25
	3. Arramara Teoranta (Acquisition of Shares) Act 2002.	