



## **DÁIL ÉIREANN**

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**AN BILLE AIRÍ AGUS RÚNAITHE (LEASÚ), 2011  
MINISTERS AND SECRETARIES (AMENDMENT) BILL 2011**

**LEASUITHE A RINNE AN SEANAD  
AMENDMENTS MADE BY THE SEANAD**

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# DÁIL ÉIREANN

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## AN BILLE AIRÍ AGUS RÚNAITHE (LEASÚ), 2011 [BILLE DÁIL ARNA LEASÚ AG AN SEANAD]

### MINISTERS AND SECRETARIES (AMENDMENT) BILL 2011 [DÁIL BILL AMENDED BY THE SEANAD]

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*Leasuithe a rinne an Seanad  
Amendments made by the Seanad*

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*[The page and line references in this list of amendments  
are to the text of the Bill as passed by Dáil Éireann]*

#### SECTION 2

1. In page 10, between lines 2 and 3, to insert the following:

““Act of 1939” means the Ministers and Secretaries (Amendment) Act 1939;”.

2. In page 10, to delete line 15 and substitute the following:

““Minister” has the meaning assigned to it by *subsection (2) of section 6*;”.

#### SECTION 3

3. In page 10, to delete lines 25 to 27, and substitute the following:

“3.—(1) For the purposes of this Act, each of the following is a public service body, and “public service” shall be construed accordingly:”.

#### SECTION 4

4. In page 12, before section 5, but in Part 1, to insert the following new section:

“Disapplication of  
section 7 of Official  
Languages Act  
2003.

5.—Section 7 of the Official Languages Act 2003 shall not apply to this Act.”.

#### SECTION 6

5. In page 12, lines 25 to 29, to delete subsection (2) and substitute the following:

“(2) The member of the Government who is in charge of the Department of Public Expenditure and Reform—

(a) shall be known, in the Irish language, as an tAire Caiteachais Phoiblí agus Athchóirithe or, in the English language, as the Minister for Public Expenditure and Reform, and

(b) is, in this Act, referred to as the “Minister”.”.

6. In page 12, subsection (4), lines 35 and 36, to delete “Ministers and Secretaries (Amendment) Act 1939” and substitute “Act of 1939”.

[ SECTION 11 ]

SECTION 11

7. In page 15, lines 19 to 24, to delete section 11 and substitute the following:

“Pending legal proceedings.

11.—Where, immediately before the appointed day, any legal proceedings are pending to which the Minister for Finance is a party and the proceedings have reference to functions transferred by this Act, the name of the Minister shall, to the extent that they have such reference, be substituted for the Minister for Finance in those proceedings and the proceedings shall not abate by reason of such substitution.”.

SECTION 15

8. In page 16, subsection (4)(a), line 25, to delete “public body” and substitute “public service body”.

9. In page 16, subsection (4)(c)(iii), line 44, to delete “, 7C, 7E or 7G”.

SECTION 17

10. In page 18, lines 20 to 37, to delete subsections (3) and (4) and substitute the following:

“(3) The Minister for Finance shall not, without the approval of the Minister, perform a function consisting of the payment of moneys out of the Central Fund—

(a) under a provision specified in *Schedule 3*, or

(b) that is performable in accordance with, or for the purposes of, such a provision.

(4) The Minister for Finance shall not, without the approval of the Minister, perform a function consisting of the payment of moneys out of the Central Fund for the purposes of, or in connection with, the superannuation or remuneration (including emoluments and allowances) of any person to which the Presidential Establishment Acts 1938 to 1991 apply.”.

SECTION 18

11. In page 19, subsection (1), line 2, to delete “in addition to” and substitute “as well as”.

SECTION 22

12. In page 20, subsection (1), lines 15 and 16, to delete all words from and including “had” in line 15 down to and including “Act” in line 16 and substitute “vested in the Minister for Finance”.

13. In page 20, subsection (3)(a), line 25, to delete “*section 8*, or” and substitute “*section 8*.”.

14. In page 20, subsection (3)(b), line 27, to delete “applies.” and substitute the following:

“applies, or

(c) a function transferred to the Minister by order under section 6(1) of the Act of 1939.”.

[ SECTION 53 ]

SECTION 53

15. In page 26, lines 30 to 32, to delete paragraph (c).

SECTION 59

16. In page 29, paragraph (j), line 4, to delete “of subsection (1)”.

SCHEDULE 2

17. In page 44, to delete lines 3 to 4.

18. In page 44, between lines 40 and 41, to insert the following:

“

No. 1 of 2001	Aviation Regulation Act 2001	Section 25
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”.

*[Note: A printer error has led to incorrect line references in page 44 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 44 of the Bill.]*

19. In page 44, to delete line 43.

*[Note: A printer error has led to incorrect line references in page 44 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 44 of the Bill.]*

SCHEDULE 3

20. In page 46, to delete lines 34 to 48.