DÁIL ÉIREANN

AN BILLE UM FHEIDHMEANNACHT NA SEIRBHÍSE SLÁINTE (RIALACHAS), 2012
HEALTH SERVICE EXECUTIVE (GOVERNANCE) BILL 2012

LEASUITHE TUARASCÁLA
REPORT AMENDMENTS

[No. 65c of 2012]  [22 May, 2013]
1. In page 5, between lines 8 and 9, to insert the following:

“(3) Before specifying priorities or performance targets under this section the
Minister shall consult with the Joint Oireachtas Committee on Health and
Children.”.

—Caoimhghín Ó Caoláin.

2. In page 6, line 26, after “Act” to insert the following:

“, one of whom shall be a Director of Mental Health”.

—Caoimhghín Ó Caoláin.

3. In page 6, line 30, to delete “greater than 6” and substitute “greater than 8”.

—An tAire Sláinte.

4. In page 6, to delete lines 31 to 36.

—Caoimhghín Ó Caoláin.

5. In page 6, line 41, after “determine” to insert the following:

“but the total annual remuneration for each director shall be no more than
€100,000”.

—Caoimhghín Ó Caoláin.

6. In page 8, to delete lines 1 to 3.

—An tAire Sláinte.

7. In page 8, line 4, to delete “(e) has been convicted” and substitute “(c) has
been convicted”.

—An tAire Sláinte.

8. In page 8, line 6, to delete “(f) has been convicted” and substitute “(d) has
been convicted”.

—An tAire Sláinte.

9. In page 8, to delete lines 20 to 22.

—An tAire Sláinte.

10. In page 8, line 23, to delete “(g) is convicted on” and substitute “(e) is
convicted on”.

—An tAire Sláinte.

11. In page 8, line 25, to delete “(h) is convicted of” and substitute “(f) is
convicted of”.

[No. 65c of 2012] [22 May, 2013]
12. In page 9, line 24, after “determine” to insert the following:
“but the total annual remuneration of the Director General shall be no more than €100,000”.
—Caoimhghín Ó Caoláin.

13. In page 9, to delete lines 37 to 39.
—An tAire Sláinte.

14. In page 9, line 40, to delete “(f) has been convicted” and substitute “(d) has been convicted”.
—An tAire Sláinte.

15. In page 9, line 42, to delete “(g) has been convicted” and substitute “(e) has been convicted”.
—An tAire Sláinte.

16. In page 10, to delete lines 8 to 10.
—An tAire Sláinte.

17. In page 10, line 11, to delete “(g) is convicted on” and substitute “(e) is convicted on”.
—An tAire Sláinte.

18. In page 10, line 13, to delete “(h) is convicted of” and substitute “(f) is convicted of”.
—An tAire Sláinte.

19. In page 11, to delete lines 22 to 40 and substitute the following:
“(4) Where the Director General is absent the functions of the Director General referred to in subsection (1) may be performed by such appointed director as may be designated by the Director General from time to time, with the consent of the Minister, and where no such delegation has been made, and the Director General is unable by reason of his or her ill health to make such a delegation, by the Minister.

(5) If the office of Director General is vacant, the functions of the Director General referred to in subsection (1) may be performed by such appointed director as may be designated by the Minister for the purposes of this subsection.

(6) For the purposes of subsections (4) and (5), where in this Act or in any other enactment functions are assigned to the Director General or provision is made in this Act or in such enactment as to the manner in which a function so assigned is to be performed by the Director General any such reference to the Director General shall be construed as including a reference to the appointed director designated by the Director General or the Minister under subsection (4) or, as the case may be, the Minister under subsection (5) for so long as that appointed director stands so designated and entitled to perform the functions of the Director General.

(7) Where the Director General resumes duty the person designated under subsection (4) shall cease to perform the functions of the Director General.”.
—An tAire Sláinte.

20. In page 15, to delete lines 3 to 11 and substitute the following:
“(b) if and for so long as the Director General is not present, or if that office is vacant, the appointed director designated by the Director General or the Minister under section 16G(4) or, as the case may be, the appointed director designated by the Minister for the purposes of section 16G(5) shall, if present, chair the meeting, or”.

—An tAire Sláinte.

21. In page 19, line 45, after “Executive” to insert the following:

“and the Joint Oireachtas Committee on Health and Children”.

—Caoimhghín Ó Caoláin.

22. In page 26, to delete lines 10 to 26 and substitute the following:

“(2) In any legal proceedings, a certificate that—

(a) states that a specified function was on a specified day delegated or subdelegated to an employee of the Executive,

(b) states that the delegation or subdelegation of the function concerned remained in force on a specified day,

(c) specifies the limitations, if any, imposed on the delegation or subdelegation of the function concerned, and

(d) is signed by the Director General or an employee of the Executive who has subdelegated a specified function of the Executive delegated or subdelegated to him or her under section 16H,

shall, unless the contrary is proved, be evidence of the matters stated in the certificate.”.

—An tAire Sláinte.