



SEANAD ÉIREANN

AN BILLE UM ATHCHÓIRIÚ RIALTAIS ÁITIÚIL, 2013 LOCAL GOVERNMENT REFORM BILL 2013

*ATHRAITHE Ó
CHANGED FROM*

*AN BILLE RIALTAIS ÁITIÚIL, 2013
LOCAL GOVERNMENT BILL 2013*

LEASUITHE TUARASCÁLA REPORT AMENDMENTS

SEANAD ÉIREANN

AN BILLE UM ATHCHÓIRIÚ RIALTAIS ÁITIÚIL, 2013 —AN TUARASCÁIL

LOCAL GOVERNMENT REFORM BILL 2013 —REPORT

*athraithe ó
changed from*

AN BILLE RIALTAIS ÁITIÚIL, 2013
LOCAL GOVERNMENT BILL 2013

*Leasuithe
Amendments*

**Government amendments are denoted by an asterisk*

[Note: The page and line references in this list of amendments refer to the line numbers as printed in the Bill as amended in the Select sub-Committee on Environment, Community and Local Government.]

*1. In page 12, between lines 37 and 38, to insert the following:

“(12) This subsection, the amendments to the Education and Training Boards Act 2013 provided for in *section 5(6)* and *Part 6* of *Schedule 2* and that Act may be cited together as the Education and Training Boards Acts 2013 and 2014.”.

*2. In page 12, line 41, to delete “This subsection and” and substitute “This subsection,”.

*3. In page 12, line 42, after “*Schedule 2*” to insert “and the Health Acts 1947 to 2013”.

4. In page 14, line 8, to delete “difficulty” and substitute “insuperable problem or problems”.

—*Senators David Norris, Sean D. Barrett.*

5. In page 14, line 10, to delete “appears to him or her to be necessary or expedient” and substitute “which is necessary”.

—*Senators David Norris, Sean D. Barrett.*

6. In page 14, line 13, to delete “or expedient”.

—*Senators David Norris, Sean D. Barrett.*

7. In page 14, line 18, after “Oireachtas” to insert “with provision made for debate”.

—*Senators David Norris, Sean D. Barrett.*

8. In page 17, to delete lines 3 to 38, to delete pages 18 to 24, and in page 25, to delete lines 1 to 37 and substitute the following:

“8. The Minister proposes to hold a plebiscite in each of the following local authorities:

Limerick City Council, Limerick County Council, Waterford City Council, Waterford County Council, North Tipperary County Council and South Tipperary County Council.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

9. In page 17, to delete lines 6 to 38, and in page 18, to delete lines 1 to 10.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

10. In page 23, between lines 13 and 14, to insert the following:

“(d) a local authority, to be known as Connemara District Council, shall stand established which shall be the local authority for the local government area of Connemara.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

11. In page 25, between lines 37 and 38, to insert the following:

“Holding a plebiscite

9. (1) Where a resolution has been adopted by each of the said local authorities on the proposed amalgamation of their respective councils—

- (a) Limerick City Council and Limerick County Council,
- (b) Waterford City Council and Waterford County Council, and
- (c) North Tipperary County Council and South Tipperary County Council,

a plebiscite shall be held whether legislation should be brought forward to proceed with amalgamation.

- (2) The plebiscite referred to in *subsection (1)* shall—

- (a) be held in conjunction with and at time duly fixed by the Minister for the 2014 local elections, and
- (b) put a proposal for a decision of those entitled to vote at the 2014 local elections in Limerick City Council and Limerick County Council, Waterford City Council and Waterford County Council, and North Tipperary County Council and South Tipperary County Council for amalgamation of—
 - (i) Limerick City Council and Limerick County Council,
 - (ii) Waterford City Council and Waterford County Council, and
 - (iii) North Tipperary County Council and South Tipperary County Council.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

12. In page 26, to delete lines 20 to 45 and substitute the following:

“

Carlow	18
Cavan	19
Clare	30
Cork	55
Donegal	41
Dun Laoghaire-Rathdown	52
Fingal	69
Galway	44
Kerry	37
Kildare	53
Kilkenny	24
Laois	23
Limerick	34
Leitrim	18
Longford	18
Louth	31
Mayo	33
Meath	47
Monaghan	18
Offaly	20
Roscommon	18
Sligo	18
South Dublin	67
North Tipperary	18
South Tipperary	23
Waterford	18
Westmeath	22
Wexford	37
Wicklow	37

”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

13. In page 27, between lines 5 and 6, to insert the following:

“

Limerick	18
Waterford	18

”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

14. In page 27, to delete lines 6 to 42, and in page 28, to delete lines 1 to 36.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

15. In page 28, to delete lines 5 to 28.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

16. In page 29, line 12, to delete “districts” and substitute “district councils”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

17. In page 29, line 13, after “district” to insert “council”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

18. In page 29, line 14, after “districts” to insert “or as municipal district councils”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

19. In page 31, to delete lines 1 to 33.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

20. In page 34, to delete lines 36 to 42, and in page 35, to delete lines 1 to 39.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

21. In page 36, to delete lines 3 to 6.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

22. In page 36, to delete lines 7 to 20.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

23. In page 36, to delete lines 21 to 37, and in page 37, to delete lines 1 to 19.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

24. In page 40, between lines 16 and 17, to insert the following:

“(2) Each municipal district council may in respect of that district, vary the commercial rate and Local Property Tax within the district from the amount applicable to the county council or city and county council concerned.”

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

25. In page 40, between lines 16 and 17, to insert the following:

“(2) Each municipal district may, in respect of that district, vary the commercial rate within the district from the amount applicable to the county council or city council concerned.”

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

26. In page 40, between lines 16 and 17, to insert the following:

“(2) Each municipal district may, in respect of that district, set an additional commercial rate for premises occupied by large commercial entities which exceed such thresholds as to turnover or other economic activity as may be prescribed.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

27. In page 40, to delete lines 17 to 19 and substitute the following:

“(2) The base year adjustment shall be determined in accordance with *subsections (3) and (4)* by a rating authority, with agreement of the members of the Municipal District Area where the base year adjustment will apply, in respect of each year of the adjustment period for each of the specified areas of the rating authority.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

28. In page 41, to delete lines 26 to 32.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

***29.** In page 45, line 1, to delete “relates.” and substitute the following:

“relates.

(8) Section 45 shall not apply to meetings of the Committee.”.

***30.** In page 45, between lines 12 and 13, to insert the following:

“ ‘community elements of the Plan’ means those parts of a local economic and community plan relating to the local and community development of the functional area of the Committee pursuant to section 66B;

‘economic elements of the Plan’ means those parts of a local economic and community plan relating to the promotion of economic development of the administrative area of the local authority pursuant to section 66B;”.

***31.** In page 46, line 23, to delete “the Plan” and substitute “the community elements of the Plan”.

***32.** In page 46, line 25, to delete “the Plan” and substitute “those elements of the Plan”.

33. In page 46, line 27, to delete “local and” and substitute “the”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

***34.** In page 46, line 35, to delete “the Plan” and substitute “the community elements of the Plan”.

35. In page 46, line 37, to delete “local and”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

36. In page 47, line 1, to delete “all local and”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

37. In page 48, line 16, after “inclusion” to insert “and address causes of social exclusion”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

38. In page 48, between lines 16 and 17, to insert the following:

“(g) the allocation of resources to areas of most social and economic disadvantage.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

39. In page 48, between lines 16 and 17, to insert the following:

“(g) the specific needs of minority groups and hard to reach groups in relation to social inclusion.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

40. In page 49, line 23, before “members” to insert “at least 3”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

41. In page 49, line 29, after “authorities” to insert “and statutory agencies”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

42. In page 49, between lines 35 and 36, to insert the following:

“(f) representatives of social partners,”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

43. In page 49, between lines 35 and 36, to insert the following:

“(f) communities of interest,”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

44. In page 49, line 37, after “promoting” to insert “social inclusion and”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

45. In page 49, line 42, after “nominees” to insert “, excepting the elected members of the local authority,”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

46. In page 50, between lines 5 and 6, to insert the following:

“(b) The elected members nominated to the Committee shall have been elected by the local authority.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

47. In page 50, line 19, after “chairperson” to insert “who should be a member of the local authority”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

48. In page 50, line 37, after “may” to insert “not”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

49. In page 50, line 37, after “authorities” to insert “and NGOs, community groups and communities of interest”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

50. In page 50, line 38, to delete “as he or she considers appropriate”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

51. In page 50, line 41, after “may” to insert “not”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

52. In page 51, line 21, after “engagement” to insert “and consultation”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

53. In page 51, line 21, after “community” to insert “and communities of interest”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

54. In page 51, line 31, after “may” to insert “not”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

55. In page 51, line 36, after “may” to insert “not”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

56. In page 52, between lines 26 and 27, to insert the following:

- “(5) The Minister may not include any recommendations or proposals from the report of the Working Group on Active Citizenship without—
- (a) prior scrutiny and debate in both the Dáil and the Seanad;
 - (b) prior consultation with community groups, NGOs, and Communities of Interest.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Jillian van Turnhout, Fiach Mac Conghail.*

57. In page 52, line 34, after “Schedule 16” to insert the following:

“and the National Traveller Partnership, the National Collective of Community-based Women’s Networks, the National Women’s Council, The Community Workers Co-operative, Pavee Point, and the National Traveller Women’s Forum”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Jillian van Turnhout, Fiach Mac Conghail.*

58. In page 54, to delete lines 34 to 39, and in page 55, to delete lines 1 to 4.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

59. In page 56, line 16, after “council” to insert “or a county council”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

60. In page 58, line 1, after “matters” to insert “, and the chairperson of such committee will be a member of the relevant Local Enterprise Office”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, David Cullinane, Trevor Ó Clochartaigh.*

***61.** To amend the text inserted by amendment 89 in Committee by deleting the inserted section 66H.(2)(i) and substituting the following:

“(i) the procedures and processes to ensure consistency with the regional spatial and economic strategy and any regional planning guidelines referred to in subsections (2)(c)(ii), (3)(c)(ii) and (4)(a)(ii) of section 66C for the purposes of Chapter III of Part II of the Act of 2000.”.

[*Note: For the information of Senators, the text referred to above is shown as no. 53 in the list of committee amendments made by the Seanad.*]

62. In page 67, to delete lines 31 to 41, and in page 68, to delete lines 1 to 8.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

63. In page 71, between lines 29 and 30, to insert the following:

“(7) The chief executive will refer the establishment of all new Local Authority committees to the approval of a full meeting of the council.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

64. In page 78, between lines 31 and 32, to insert the following:

“53. Section 183(1) of the Principal Act is amended by substituting the following paragraph for paragraph (b):

“(b) at the first meeting of the local authority held after the expiration of 10 days after the day on which such notices are sent or delivered, the local authority may resolve (by a majority of its members

present and voting, including a majority of those members present and voting who were elected in the municipal district where the land is situate) that the disposal shall not be carried out or that it shall be carried out in accordance with terms specified in the resolution;”.”.

—*Senators Thomas Byrne, Diarmuid Wilson.*

65. In page 83, between lines 17 and 18, to insert the following:

“(f) A county council or a city and county council is required to ensure that income redistributed to a municipal district will be on a fair and equitable basis, and reasonably proportional to the income directly generated within that municipal district.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh.*

66. In page 86, between lines 2 and 3, to insert the following:

***57.** The position of a local government regulator shall be established and he or she shall be responsible for maintaining a system that would constantly review the local government system by—

- (a) providing independent metric comparisons,
- (b) providing comparisons of service between local authorities based on nationally agreed metrics,
- (c) ensuring best practice is exchanged between other local authorities, and
- (d) reporting to national government on the impact of the changes to local government as a result of the enactment of this Act and making recommendations on said changes.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

***67.** In page 92, line 22, to delete “section 126I(8)” and substitute “section 126I(7)”.

***68.** In page 93, lines 10 and 11, to delete “adopt or not adopt a report under section 126D(3) of a report with respect to a local authority or a regional assembly” and substitute the following:

“adopt or not adopt a report under section 126C(1)(i) or section 126D in respect of a local authority or regional assembly”.

69. In page 118, between lines 10 and 11, to insert the following:

***61.** (1) There shall be a directly elected Lord Mayor in each city in the State and he or she shall hold the role of Chief Executive of the relevant Local Authority.

(2) The election of Lord Mayor shall take place every 5 years and shall be on the same day as the Local and European Elections.

(3) The first election of the Lord Mayor shall be on the date of the Local and European Elections due to take place in 2019.”.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

70. In page 118, between lines 10 and 11, to insert the following:

“62. The Lord Mayor as elected shall be the executive leader of a Council cabinet as set out in *section 63#* and he or she shall—

- (a) be accountable to the Council for all matters agreed at cabinet,
- (b) be chief ambassador for his or her city at home and abroad, and
- (c) head the relevant Transport Authority in his or her city.”

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

#This is a reference to a section proposed to be inserted by amendment No. 71.

71. In page 118, between lines 10 and 11, to insert the following:

- “63. (1) There shall be an executive made up of local ministers, such ministers shall be appointed by the Council and shall be drawn, on a pro rata basis, from each party grouping in accordance with party strength.
- (2) Each minister shall have as his or her area of responsibility, those existing areas covered by the Strategic Policy Committee system as established under section 48 of the Principal Act.
- (3) Each minister shall be accountable to the relevant city council and any decisions passed shall be by way of resolution of the council.”

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

72. In page 118, to delete lines 11 to 21.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

73. In page 118, to delete lines 22 to 38, and in page 119, to delete lines 1 to 6.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

74. In page 119, between lines 6 and 7, to insert the following:

- “63. (1) The position of each existing City Manager shall, on the date of the election of the first directly elected Lord Mayor, be transferred to an equivalent position to that of Secretary General to a Government Department and shall be remunerated accordingly.
- (2) Each such secretary general shall be accountable to the Lord Mayor and the council.”

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

75. In page 119, to delete lines 7 to 41, and in page 120, to delete lines 1 and 2.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

76. In page 120, to delete lines 3 to 41, and in page 121, to delete lines 1 to 24.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

77. In page 121, to delete lines 25 to 29.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

78. In page 121, to delete lines 30 to 38, and in page 122, to delete lines 1 and 2.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

79. In page 122, to delete lines 3 to 9.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

80. In page 122, to delete lines 10 to 37.

—*Senators Diarmuid Wilson, Brian Ó Domhnaill, Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Darragh O'Brien, Denis O'Donovan, Labhrás Ó Murchú, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White.*

*81. In the new section 72 inserted by amendment 125 in Committee, to substitute the following for subsection (6):

“(6) (a) In this section a reference to “grant of representation” is, where 2 or more such grants are issued to the estate of a deceased person, a reference to the first of such grants to issue.

(b) In this section a reference to “late payment fee” includes reference to the 50 per cent increase provided for under *section 71(3)#*.”.

[#This is a reference to the section inserted by amendment 124 in Committee; it is shown as no. 78 in the list of committee amendments made by the Seanad.]

[Note: For the information of Senators, the text referred to above is shown as no. 79 in the list of committee amendments made by the Seanad.]

*82. In page 174, between lines 15 and 16, to insert the following:

“

No. 25 of 1988	Data Protection Act 1988	Section 1 Definition of “local authority”	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.
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”

*83. In page 177, between lines 25 and 26, to insert the following:

“

No. 11 of 2013	Education and Training Boards Act 2013	Schedule 2	In column (2)— substitute: “Limerick City and County and County Clare” for “City of Limerick, County Limerick and County Clare”,
		Schedule 4	Substitute: “County Tipperary” for “Tipperary North and Tipperary South”, and Substitute: “Waterford City and County” for “City of Waterford, County Waterford”. In column (2)— substitute: “Limerick City and County Council” for: “Limerick City Council Limerick County Council”, substitute: “Tipperary County Council” for “Tipperary South County Council

No. 35 of 1995	Energy (Miscellaneous Provisions) Act 1995	Section 10(12) Definition of “local authority”	Tipperary North County Council”, and Substitute: “Waterford City and County Council” for “Waterford City Council Waterford County Council”. Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.
No. 40 of 2006	Energy (Miscellaneous Provisions) Act 2006	Section 23 Definition of “local authority”	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.

”.

*84. In page 177, between lines 43 and 44, to insert the following:

“

No. 23 of 1997	Fisheries (Amendment) Act 1997	Section 3 Definition of “local authority”	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.
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”.

***85.** In page 178, between lines 13 and 14, to insert the following:

“

No. 30 of 1976	Gas Act 1976	Section 2 Definition of “local authority” Section 27	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”. Substitute for subsection (6): “(6) In this section ‘road authority’ means a local authority;”.
No. 16 of 1982	Gas Regulation Act 1982	Section 1 Definition of “local authority”	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.

”

***86.** In page 179, between lines 36 and 37, to insert the following:

“

No. 14 of 1999	National Disability Authority Act 1999	Section 2(1) Definition of “local authority”	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.
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”

***87.** In page 181, between lines 38 and 39, to insert the following:

“

No. 14 of 1993	Roads Act 1993	Section 2 Definition of “local authority”	Substitute: “ ‘local authority’, except in section 73, means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.
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”

***88.** In page 182, between lines 13 and 14, to insert the following:

“

No. 26 of 1925	Shannon Electricity Act 1925	Section 1 Definition of “local authority”	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.
No. 4 of 2011	Student Support Act 2011	Section 2 Definition of “local authority”	Substitute: “ ‘local authority’ means a local authority for the purposes of the Local Government Act 2001 (as amended by the <i>Local Government Reform Act 2014</i>);”.

”

*89. In page 182, between lines 34 and 35, to insert the following:

“

No. 24 of 1997	Universities Act 1997	Section 16(5)(a)	In subparagraph (i) to substitute “by Dublin City Council” for “the Corporation of Dublin county borough”.
		Section 16(5)(b)	Substitute for subparagraph (ii): “(ii) the person holding the office of Cathaoirleach of a municipal district which contains the administrative area of the former Waterford City Council.”. Substitute for subparagraph (iv): “(iv) five persons elected by Cork County Council, Kerry County Council, Limerick City and County Council, Tipperary County Council and Waterford City and County Council.”.
		Section 16(5)(d)	In subparagraph (ii) to substitute “Galway City Council” for “Corporation of the County Borough of Galway”.
		Section 16(5)(g)	Substitute for subparagraphs (i) and (ii): “(i) the person holding the office of Cathaoirleach of Limerick City and County Council or a person nominated by him or her, (ii) the person holding the office of Cathaoirleach of a municipal district which contains the administrative area of the former Limerick City Council, and”.

”

***90.** In page 193, between lines 8 and 9, to insert the following:

“

5	Deciding to fix the day or days for the first meetings of the municipal district members for each of the municipal districts within the functional area of the local authority.	Paragraph 4 Schedule 10 (as amended by <i>section 54</i> of the <i>Local Government Reform Act 2014</i>).
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