



An Bille Caidrimh Thionscail (Comhaltaí an Gharda Síochána agus Óglaigh na hÉireann), 2015

**Industrial Relations (Members of the Garda Síochána and the Defence Forces)
Bill 2015**

Mar a tionscnaíodh

As initiated



**AN BILLE CAIDRIMH THIONSCAIL (COMHALTAÍ AN GHARDA SÍOCHÁNA AGUS
ÓGLAIGH NA hÉIREANN), 2015
INDUSTRIAL RELATIONS (MEMBERS OF THE GARDA SÍOCHÁNA AND THE
DEFENCE FORCES) BILL 2015**

Mar a tionscnaíodh

As initiated

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ACTS REFERRED TO

Defence (Amendment) Act 1990 (No. 6)

Garda Síochána Act 1924 (No. 25)

Garda Síochána Act 2005 (No. 20)

Industrial Relations Act 1990 (No. 19)

Personal Insolvency Act 2012 (No. 44)

Trade Union Act 1941 (No. 22)



**AN BILLE CAIDRIMH THIONSCAIL (COMHALTAÍ AN GHARDA SÍOCHÁNA AGUS
ÓGLAIGH NA hÉIREANN), 2015
INDUSTRIAL RELATIONS (MEMBERS OF THE GARDA SÍOCHÁNA AND THE
DEFENCE FORCES) BILL 2015**

Bill

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entitled

An Act to provide for the right of representative associations established under the Garda Síochána Act 2005, the Garda Síochána Act 1924 or the Defence (Amendment) Act 1990, to carry on negotiations for the fixing of pay or other conditions of employment of their members and to join national umbrella organisation of employees, to remove the interdiction of the right to strike by members of the Garda Síochána, to clarify that a member of the Garda Síochána who becomes a party to the insolvency arrangement or applies to become a party to an insolvency arrangement shall not be deemed to be failing wilfully and without good and sufficient cause to pay a lawful debt in such circumstances as to be liable to affect his or her ability to discharge the duty of a member, and to provide for related matters.

Be it enacted by the Oireachtas as follows:

Short title

1. This Act may be cited as the Industrial Relations (Members of the Garda Síochána and the Defence Forces) Act 2015. 20

Amendment of section 6 of the Trade Union Act 1941

2. In section 6 of the Trade Union Act 1941, the expression “excepted body” shall include an association established under section 18 of the Garda Síochána Act 2005, section 13 of the Garda Síochána Act 1924 or section 2 of the Defence (Amendment) Act 1990.

Amendment of section 18(2) of the Garda Síochána Act 2005

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3. Section 18(2) of the Garda Síochána Act 2005, is amended by the insertion of the words “(other than a national umbrella organisation of employees, including the Irish Congress of Trade Unions)” after the words “outside the Garda Síochána”.

Amendment of section 2(3) of the Defence (Amendment) Act 1990

4. Section 2(3) of the Defence (Amendment) Act 1990 is amended by the insertion of the 30

words “(other than a national umbrella organisation of employees, including the Irish Congress of Trade Unions)” after the words “any other body”.

Amendment of section 8 of the Industrial Relations Act 1990

5. Section 8 of the Industrial Relations Act 1990 is amended by the deletion of “or of the Garda Síochána” after the words “a member of the Defence Forces”. 5

Amendment of section 11(3) of the Industrial Relations Act 1990

6. Section 11(3) of the Industrial Relations Act 1990 is amended by the insertion of the words “or by a member of the Garda Síochána while on duty” after the words “life-preserving services”.

Miscellaneous provisions

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7. (1) In this section, “insolvency arrangement” has the meaning given to it by section 2 of the Personal Insolvency Act 2012.
- (2) Notwithstanding any provision of Schedule 5 of section 82 of the Garda Síochána Act 2005 a member who becomes a party to an insolvency arrangement or applies to become a party to an insolvency arrangement shall not be deemed to be failing wilfully and without good and sufficient cause to pay a lawful debt in such circumstances as to be liable to affect his or her ability to discharge the duty of a member or as to be liable to compromise other members. 15

An Bille Caidrimh Thionscail (Comhaltaí an
Gharda Síochána agus Óglaigh na hÉireann),
2015

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú maidir le ceart comhlachas ionadaíoch arna mbunú faoi Acht an Gharda Síochána, 2005, faoi Acht an Ghárda Síochána, 1924 nó faoin Acht Cosanta (Leasú), 1990 caibidlí a sheoladh chun pá nó coinníollacha eile fostaíochta a gcuid comhaltaí a shocrú agus chun bheith ina gcomhaltaí de bhrateagraíochtaí náisiúnta fostaithe, do chur deireadh leis an toirmeasc dlí ar cheart chomhaltaí an Gharda Síochána chun dul ar stailc, do shoiléiriú, maidir le comhalta den Gharda Síochána a thagann chun bheith ina pháirtí nó ina páirtí i gcomhshocraíocht dócmhainneachta nó a dhéanann iarratas chun teacht chun bheith ina pháirtí nó ina páirtí i gcomhshocraíocht dócmhainneachta, nach measfar go bhfuil sé nó sí ag mainneachtain go toiliúil agus gan cúis mhaith dhóthanach fiach dleathach a íoc in imthosca ar dóigh dóibh difear a dhéanamh dá chumas nó dá cumas dualgas comhalta a urscaoileadh, agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An Teachta Micheál Mac Conmara a thug isteach,

11 Feabhra, 2015

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Síochána and the Defence Forces) Bill 2015

BILL

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Introduced by Deputy Michael McNamara,

11th February, 2015

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ó

FOILSEACHÁIN RIALTAIS,

52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2.

(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)

nó trí aon díoltóir leabhar.

DUBLIN

PUBLISHED BY THE STATIONERY OFFICE

To be purchased from

GOVERNMENT PUBLICATIONS,

52 ST. STEPHEN'S GREEN, DUBLIN 2.

(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)

or through any bookseller.

€1.27

ISBN 978-1-4468-0948-8



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