



An Bille um Laethanta Saoire Poiblí (Lá na Poblachta), 2016
Public Holidays (Lá na Poblachta) Bill 2016

Mar a tionscnaíodh

As initiated



PUBLIC HOLIDAYS (LÁ NA POBLACHTA) BILL 2016

As initiated

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[No. 45 of 2016]



AN BILLE UM LAETHANTA SAOIRE POIBLÍ (LÁ NA POBLACHTA), 2016

Mar a tionscnaíodh

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[Uimh. 45 de 2016]

ACTS REFERRED TO

Holiday (Employees) Act 1973 (No. 25)

Organisation of Working Time Act 1997 (No. 20)

NA hACHTANNA DÁ dTAGRAÍTEAR

Acht um Laethanta Saoire (Fostaithe), 1973 (Uimh. 25)

Acht um Eagrú Ama Oibre, 1997 (Uimh. 20)



PUBLIC HOLIDAYS (LÁ NA POBLACHTA) BILL 2016

Bill

entitled

An Act to provide for the amendment of the Organisation of Working Time Act 1997 and establishment of a body to be known as Bord Lá na Poblachta and for related matters. 5

Be it enacted by the Oireachtas as follows:

PART 1

PRELIMINARY AND GENERAL

Short title 10

1. This Act may be cited as the Public Holidays (Lá na Poblachta) Act 2016.

Interpretation

2. In this Act—

“Minister” means the Minister for Regional Development, Rural Affairs, Arts and the Gaeltacht; 15

“public holiday” has the meaning assigned to it in the Holiday (Employees) Act 1973.

PART 2

LÁ NA POBLACHTA

Lá na Poblachta

3. That April 24th in each calendar year shall be a public holiday within the meaning of the Holiday (Employees) Act 1973. This public holiday shall be known and referred to as Lá na Poblachta. 20

In the event of that date falling on either a Saturday or Sunday that the succeeding Monday, be the public holiday, unless it is Easter Sunday and the preceding Saturday, in which case the public holiday shall be on the Friday preceding. 25



AN BILLE UM LAETHANTA SAOIRE POIBLÍ (LÁ NA POBLACHTA), 2016

Bille

dá ngairtear

Acht do dhéanamh socrú maidir leis an tAcht um Eagrú Ama Oibre, 1997 a leasú agus maidir le comhlacht a bhunú ar a dtabharfar Bord Lá na Poblachta agus i dtaobh nithe gaolmhara. 5

Achtaítear ag an Oireachtas mar a leanas:

CUID 1

RÉAMHRÁITEACH AGUS GINEARÁLTA

Gearrtheideal 10

1. Féadfar an tAcht um Laethanta Saoire Poiblí (Lá na Poblachta), 2016 a ghairm den Acht seo.

Léiriú

2. San Acht seo—
ciallaíonn “an tAire” an tAire Forbartha Réigiúnaí, Gnóthaí Tuaithe, Ealaíon agus Gaeltachta; 15
tá le “lá saoire poiblí” an bhrí a shanntar dó san Acht um Laethanta Saoire (Fostaithe), 1973.

CUID 2

LÁ NA POBLACHTA 20

Lá na Poblachta

3. Is lá saoire poiblí de réir bhrí an Achta um Laethanta Saoire (Fostaithe), 1973 an 24 Aibreán i ngach bliain féilire. Tabharfar Lá na Poblachta ar an tsaoire phoiblí sin agus gairfear Lá na Poblachta di.
I gcás go dtiteann an dáta sin ar Shatharn nó ar Dhomhnach is ar an Luan ina dhiaidh a bheidh an lá saoire poiblí, mura Domhnach Cásca agus an Satharn roimhe a bheidh i gceist, agus sa chás sin is ar an Aoine roimhe a bheidh an lá saoire poiblí. 25

PART 3

AMENDMENT TO THE ORGANISATION OF WORKING TIME ACT 1997

Amendment to the Organisation of Working Time Act 1997

4. The Organisation of Working Time Act 1997 is amended in paragraph 1 of the Second Schedule to that Act by the substitution of the following for subparagraph (g): 5
- “(g) that the 24th of April in each calendar year,
- (h) any other day or days prescribed for the purposes of this paragraph.”.

PART 4

BORD LÁ NA POBLACHTA AND CISTE LÁ NA POBLACHTA 10

Bord Lá na Poblachta-establishment, functions and funding

5. (1) There shall stand established, on the establishment day, a body to be known as Bord Lá na Poblachta, and in this Act referred to as “An Bord”, to perform the functions assigned to it by this Act.
- (2) The minister shall by order within a month from the passing of this Act appoint a day to be the establishment day for the purposes of this Act. 15
- (3) The function of An Bord shall be to annually promote, encourage, coordinate and fund a programme of events, in commemoration and appreciation of the contribution made to the Irish nation by those who, during the centuries of occupation of Ireland by a foreign power, gave their lives and liberty to pursue the freedom of the Irish nation. It shall also seek to raise awareness and promote discourse, analysis and understanding of the ideals and aspirations contained in the key revolutionary documents and events leading up to the declaration of the Irish Republic at the GPO on Monday 24th April, 1916. 20
- (4) This programme of events under *subsection (3)* shall take place primarily on Lá na Poblachta each year. 25
- (5) In promoting, encouraging, co-ordinating or funding the events referred to in *subsection (3)*, An Bord shall ensure that such programme of events will include events to take place in each county of the thirty-two counties of Ireland and shall have no cover charge. 30

Ciste Lá na Poblachta

6. (1) There shall be established by the minister, out of moneys provided by Oireachtas, a fund, to be known as Ciste Lá na Poblachta.
- (2) The functions of An Bord and the programme of events funded by An Bord shall be paid for out of Ciste Lá na Poblachta. 35

CUID 3

LEASÚ AR AN ACHT UM EAGRÚ AMA OIBRE, 1997

Leasú ar an Acht um Eagrú Ama Oibre, 1997

4. Leasaítear an tAcht um Eagrú Ama Oibre, 1977, i mír 1 den Dara Sceideal a ghabhann leis an Acht sin, tríd an méid seo a leanas a chur in ionad fhomhír (g): 5
- “(g) an 24 Aibreán i ngach bliain féilire,
- (h) aon lá nó laethanta eile a fhorordófar chun críocha na míre seo.”.

CUID 4

BORD LÁ NA POBLACHTA AGUS CISTE LÁ NA POBLACHTA

Bord Lá na Poblachta—bunú, feidhmeanna agus maoiniú 10

5. (1) Beidh arna bhunú, ar an lá bunaithe, comhlacht ar a dtabharfar Bord Lá na Poblachta, agus dá ngairtear “an Bord” san Acht seo, chun na feidhmeanna a shanntar dó leis Acht seo a chomhlíonadh.
- (2) Déanfaidh an tAire, le hordú, laistigh de mhí amháin tar éis an tAcht seo a rith, lá a cheapadh chun bheith ina lá bunaithe chun críocha an Achta seo. 15
- (3) Is é feidhm an Bhoird clár imeachtaí a chur cinn, a spreagadh, a chomhordú agus a mhaoiniú gach bliain, mar chomóradh ar a bhfuil déanta agus in ómós dá bhfuil déanta ar son náisiúin na hÉireann acu sin a chaill a mbeatha agus a saoirse féin ar son shaoirse an náisiúin Éireannaigh le linn na gcéadta bliain a raibh Éire faoi fhorghabháil ag cumhacht ghallda. Féachfar freisin le feasacht a fheabhsú agus le 20
- díospóireacht, le hanailís agus le tuiscint a chur chun cinn maidir leis na hidéil agus na hardmhianta atá sna doiciméid réabhlóideacha fhíorthábhachtacha agus a bhain leis na himeachtaí ar eascair forógra Phoblacht na hÉireann in Ard-Oifig an Phoist ar an Luan, an 24 Aibreán, 1916 astu.
- (4) Is ar Lá na Poblachta go príomha a tharlóidh an clár imeachtaí sin faoi *fho-alt (3)* gach bliain. 25
- (5) Le linn dó na himeachtaí dá dtagraítear i *bhfo-alt (3)* a chur chun cinn, a spreagadh, a chomhordú nó a mhaoiniú, cinnteoidh an Bord go gcuimseoidh an clár imeachtaí sin imeachtaí a tharlóidh i ngach contae den dá chontae is tríocha in Éirinn agus nach mbeidh táille iontrála i gceist. 30

Ciste Lá na Poblachta

6. (1) Bunóidh an tAire, as airgead a sholáthróidh an tOireachtas, ciste ar a dtabharfar Ciste Lá na Poblachta.
- (2) Déanfar na costais a bhaineann le feidhmeanna an Bhoird agus leis an gclár imeachtaí a mhaoiniú an Bord a íoc as Ciste Lá na Poblachta. 35

Membership of An Bord

7. (1) An Bord shall consist of the 12 members, who shall be appointed by the Minister, following on their nomination by the Oireachtas joint Committee on Regional Development, Rural Affairs, Arts and the Gaeltacht, having in its opinion a special interest and expertise in matters relating to the functions of An Bord. 5
- (2) The Minister shall appoint from amongst the 12 members referred to in *subsection (1)* a member to be Cathaoirleach of An Bord.
- (3) The term membership of An Bord shall be five years and every member of An Bord shall hold office for a period of five years from the date of their appointment.
- (4) On each expiration of a term of membership of An Bord, the Minister shall appoint 10 another 12 persons as per *subsection (1), (2) and (3)*.
- (5) An outgoing member of An Bord shall not be eligible for re-appointment to An Bord, but a person who has been a member of An Bord in the past, but not during the immediately preceding term of An Bord shall be eligible for appointment again as a member of An Bord. 15
- (6) A member of An Bord may resign from office by notice in writing given to the Minister, and the resignation shall take effect on the date on which the Minister receives the notice.
- (7) A member of An Bord shall, subject to the provisions of this Act, hold office upon such terms and conditions (including terms and conditions relating to remuneration and allowances) as may be determined by the Minister, in consultation with the Oireachtas Joint Committee on Regional Development, Rural Affairs, Arts and the Gaeltacht. 20
- (8) The Minister shall at any time, following a request from the Oireachtas Joint Committee on Regional Development, Rural Affairs, Arts and the Gaeltacht remove 25 from office a member of An Bord, for a stated breach of the terms and conditions in *subsection (7)* or for gross misconduct.
- (9) If a vacancy arises on An Bord, The Minister may, having consulted with the Oireachtas Joint Committee on the Regional Development, Rural Affairs, Arts and the Gaeltacht, appoint a person to be a member of An Bord to fill the vacancy so 30 occasioned by the resignation of a member as per *subsection (6)* or the removal of a member under the terms of *subsection (8)*.
- (10) A person appointed to be a member of An Bord pursuant to *subsection (9)* shall hold office for the period of the term of office of the member who occasioned the casual vacancy concerned that remains unexpired at the date of his or her appointment. A 35 member appointed under *subsection (9)* shall not be restricted by the provisions of *subsection (5)* if the remaining period is less three years.
- (11) An Cathaoirleach and each ordinary member of An Bord shall be reimbursed expenses expended in relation to their duties on behalf of An Bord and may receive an annual remuneration based on attendance at An Bord meetings in line with such 40 guidelines as set by the Minister, with the approval of the Minister for Finance, having consulted with the Oireachtas Joint Committee on Regional Development, Rural Affairs, Arts and the Gaeltacht.

Comhaltas an Bhoird

7. (1) 12 chomhalta arna gceapadh ag an Aire, tar éis don Chomhchoiste Oireachtais um Fhorbairt Réigiúnach, Gnóthaí Tuaithe, Ealaíona agus Gaeltacht iad a ainmniú, a bheidh ar an mBord, agus ar daoine iad ag a bhfuil, i dtuairim an Chomhchoiste, suim agus saineolas ar leith maidir le nithe a bhaineann le feidhmeanna an Bhoird. 5
- (2) Ceapfaidh an tAire comhalta chun bheith ina Chathaoirleach nó ina Cathaoirleach ar an mBord as measc an 12 chomhalta dá dtagraítear i *bhfo-alt (1)*.
- (3) Is é cúig bliana téarma comhaltais an Bhoird agus beidh gach comhalta den Bhord i seilbh oifige go ceann tréimhse cúig bliana ó dháta a cheapacháin nó a ceapacháin.
- (4) Gach tráth a rachaidh téarma comhaltais an Bhoird in éag, déanfaidh an tAire 12 dhuine eile a cheapadh de réir fhorálacha *fho-alt (1), (2)* agus *(3)*. 10
- (5) Ní bheidh comhalta den Bhord atá ag dul as oifig inathcheaptha don Bhord ach beidh duine a bhí mar chomhalta den Bhord roimhe sin, ach ní le linn théarma an Bhoird díreach roimhe sin, inathcheaptha arís mar chomhalta den Bhord.
- (6) Féadfaidh comhalta den Bhord éirí as oifig trí fhógra i scríbhinn arna thabhairt don Aire, agus beidh éifeacht leis an éirí as oifig an dáta a gheobhaidh an tAire an fógra. 15
- (7) Beidh comhalta den Bhord, faoi réir fhorálacha an Achta seo, i seilbh oifige ar cibé téarmaí agus coinníollacha (lena n-áirítear téarmaí agus coinníollacha a bhaineann le luach saothair agus liúntais) a chinnfidh an tAire i gcomhairle leis an gComhchoiste Oireachtais um Fhorbairt Réigiúnach, Gnóthaí Tuaithe, Ealaíona agus Gaeltacht. 20
- (8) Déanfaidh an tAire, aon tráth, tar éis don Chomhchoiste Oireachtais um Fhorbairt Réigiúnach, Gnóthaí Tuaithe, Ealaíona agus Gaeltacht é a iarraidh comhalta den Bhord a chur as oifig mar gheall ar shárú ainmnithe ar na téarmaí agus na coinníollacha in *fho-alt (7)* nó mar gheall ar mhí-iompar tromchúiseach.
- (9) Má tharlaíonn folúntas ar an mBord, féadfaidh an tAire, tar éis dul i gcomhairle leis an gComhchoiste Oireachtais um Fhorbairt Réigiúnach, Gnóthaí Tuaithe, Ealaíona agus Gaeltacht, duine a cheapadh chun bheith ina chomhalta nó ina comhalta den Bhord chun an folúntas a tharla amhlaidh de dhroim comhalta d'éirí as faoi *fho-alt (6)* nó comhalta a chur as oifig faoi théarmaí *fho-alt (8)* a líonadh. 25
- (10) Beidh duine a cheapfar chun bheith ina chomhalta nó ina comhalta den Bhord de bhun *fho-alt (9)* i seilbh oifige go ceann na tréimhse a bheidh gan éag, ar dháta a cheapacháin nó a ceapacháin, de théarma oifige an chomhalta ba chúis leis an gcorrfholúntas lena mbaineann. Maidir le comhalta a cheapfar faoi *fho-alt (9)*, ní shrianfar é nó í le forálacha *fho-alt (5)* más tréimhse is giorra ná trí bliana an tréimhse a bheidh fágtha. 30 35
- (11) Aisíocfar leis an gCathaoirleach agus le gach gnáthchomhalta den Bhord caiteachais a chaithfidh siad i ndáil lena ndualgais thar ceann an Bhoird agus féadfaidh siad luach saothair bliantúil a fháil a bheidh bunaithe ar a dtinreamh ag cruinnithe den Bhord de réir cibé treoirlínte a bheidh leagtha amach ag an Aire, le ceadú an Aire Airgeadais, tar éis dul i gcomhairle leis an gComhchoiste Oireachtais um Fhorbairt Réigiúnach, Gnóthaí Tuaithe, Ealaíona agus Gaeltacht. 40

Meetings of An Bord

8. (1) An Bord shall hold such and so many meetings as may be necessary for the due fulfilment of its functions.
- (2) At a meeting of An Bord—
- (a) the chairperson of An Bord, shall if present, be the chairperson of the meeting, or 5
 - (b) if, and so long as the chairperson of An Bord is not present, or if that office is vacant, the members of An Bord who are present shall choose one of their number to be chairperson of the meeting.
- (3) Every question at a meeting shall be determined by a majority of the votes of the members of An Bord present and voting on the question and, in the case of an equal 10
division of votes, the chairperson of the meeting shall have a second or casting vote.
- (4) An Bord may act notwithstanding one or more vacancies among its members.
- (5) Subject to the provisions of this Act, An Bord shall regulate its procedures by rules or otherwise.
- (6) The quorum for a meeting of An Bord shall, unless the Minister otherwise directs, be 15
seven.

Disclosure of interests and confidentiality

9. (1) Where at a meeting of An Bord any of the following matters arise, namely—
- (a) an arrangement to which An Bord is a part or a proposed such arrangement, or
 - (b) a contract or other agreement with An Bord or a proposed such contract or other 20
agreement.
- then, any member of An Bord present at the meeting who otherwise than in his or her capacity as such a member has an interest in the matter shall—
- (i) at the meeting to disclose to An Bord the fact of such interest and the nature thereof, 25
 - (ii) neither influence nor seek to influence a decision to be made in relation to the matter,
 - (iii) absent himself or herself from the meeting or that part of the meeting during which the matter is discussed,
 - (iv) take no part in any deliberation of An Bord relating to the matter, and 30
 - (v) not vote on a decision relating to the matter.
- (2) Where an interest is disclosed pursuant to *subsection (1)*, the disclosure shall be recorded in the minutes of the meeting concerned and, for so long as the matter to which the disclosure relates is being dealt with by the meeting, the member by whom the disclosure is made shall not be counted in the quorum for the meeting. 35

Cruinnithe den Bhord

8. (1) Tionólfaidh an Bord cibé cruinnithe agus cibé líon cruinnithe is gá chun a fheidhmeanna a chomhlíonadh go cuí.
- (2) Ag cruinniú den Bhord—
- (a) is é nó is í cathaoirleach an Bhoird, má bhíonn sé nó sí i láthair, a bheidh mar chathaoirleach ar an gcruinniú, nó 5
- (b) mura mbeidh, agus fad nach mbeidh, cathaoirleach an Bhoird i láthair, nó má tá an oifig sin folamh, roghnóidh na comhaltaí den Bhord a bheidh i láthair duine dá líon chun bheith ina chathaoirleach nó ina cathaoirleach ar an gcruinniú.
- (3) Cinnfear gach ceist ag cruinniú le tromlach vótaí na gcomhaltaí den Bhord a bheidh i láthair agus a vótálfaidh ar an gceist agus, i gcás comhionannas vótaí, beidh an dara vóta nó vóta réitigh ag cathaoirleach an chruinnithe. 10
- (4) Féadfaidh an Bord gníomhú d'ainneoin folúntas nó folúntais i measc a chomhaltaí.
- (5) Faoi réir fhorálacha an Achta seo, rialálfaidh an Bord a nósanna imeachta le rialacha nó ar shlí eile. 15
- (6) Seachtar is córam do chruinniú den Bhord, mura n-ordóidh an tAire a mhalairt.

Nochtadh leasanna agus rúndacht

9. (1) I gcás go n-eascróidh aon cheann de na nithe seo a leanas ag cruinniú den Bhord, eadhon—
- (a) socrú ar páirtí ann an Bord nó socrú den sórt sin atá beartaithe, nó 20
- (b) conradh nó comhaontú eile leis an mBord nó conradh nó comhaontú eile den sórt sin atá beartaithe,
- ansin, maidir le haon chomhalta den Bhord a bheidh i láthair ag an gcruinniú agus a bhfuil leas aige nó aici sa ní ar shlí seachas ina cháil nó ina cáil mar chomhalta den sórt sin— 25
- (i) nochtfaidh sé nó sí don Bhord, ag an gcruinniú, go bhfuil an leas sin aige nó aici agus nochtfaidh sé nó sí cineál an leasa,
- (ii) ní imreoidh sé nó sí tionchar, ná ní fhéachfaidh sé nó sí le tionchar a imirt, ar chinneadh a bheidh le déanamh i ndáil leis an ní,
- (iii) fanfaidh sé nó sí as láthair ón gcruinniú nó ón gcuid sin den chruinniú ar lena linn a phléitear an ní, 30
- (iv) ní ghlacfaidh sé nó sí aon pháirt in aon bhreithniú a dhéanfaidh an Bord i ndáil leis an ní, agus
- (v) ní vótálfaidh sé nó sí ar chinneadh a bhaineann leis an ní.
- (2) I gcás go nochtfar leas de bhun *fho-alt (1)*, déanfar an nochtadh a thairfeadh i miontuairiscí an chruinnithe lena mbaineann agus fad a bheifear ag plé leis an ní lena mbaineann an nochtadh ag an gcruinniú, ní áireofar an comhalta a dhéanann an nochtadh sa chóram don chruinniú. 35

- (3) Where at a meeting of An Bord a question arises as to whether or not a course of conduct, if pursued by a member of An Bord, would constitute a failure by him or her to comply with the requirements of *subsection (1)*, the question may be determined by the chairperson of the meeting, whose decision shall be final, and where such a question is so determined, particulars of the determination shall be recoded in the minutes of the meeting. 5
- (4) Where the Minister is satisfied that a member of An Bord has contravened *subsection (1)*, the Minister may, if he or she thinks fit, remove that member from office and, in case a person is removed from office pursuant to this section, he or she shall thenceforth be disqualified for membership of An Bord. 10
- (5) Where a member of the staff of An Bord has an interest, otherwise than in his or her capacity as such a member of staff, in any contract, agreement or arrangement, or proposed contract, agreement or arrangement, to which An Bord is a part, that person shall—
- (a) disclose to An Bord his or her interest and the nature thereof, 15
- (b) take no part in the negotiation of the contract, agreement or arrangement or in any deliberation by An Bord or members of the staff of An Bord in relation thereto, and
- (c) neither influence nor seek to influence a decision to be made in the matter nor make any recommendation in relation to the contract, agreement or arrangement. 20
- (6) *Subsection (5)* shall not apply to contracts or proposed contracts of employment of members of the staff of An Bord with An Bord.
- (7) Where a person contravenes *subsection (5)*, An Bord may make such alterations to the person’s terms and conditions of employment as it considers appropriate or terminate the person’s contract of employment. 25
- (8) A person shall not disclose confidential information obtained by him or her while performing duties as a member of, or as a member of the staff of, or as an advisor or consultant to, An Bord unless he or she is duly authorised by An Bord to do so.
- (9) A person who contravenes *subsection (8)* shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,500 or to imprisonment for a term not exceeding 12 months or to both such fine and imprisonment. 30
- (10) In this section, “confidential information” includes—
- (a) information that is expressed by An Bord to be confidential either as regards particular information or as regards information of a particular class or description, and 35
- (b) proposals of a commercial nature or tenders submitted to An Bord by contractors, consultants or any other person.

Committees of An Bord

10. (1) An Bord shall establish committees to advise An Bord on the performance of its functions under *section 5(3)* and *(4)* in regard to, though not limited to, the following five areas of activity by An Bord— 40

- (3) I gcás go n-eascróidh ceist ag cruinniú den Bhord i dtaobh arbh ionann nó nárbh ionann iompar áirithe ag comhalta den Bhord, dá ndéanfadh sé nó sí dá réir, agus mainneachtain aige nó aici ceanglais *fo-alt (1)* a chomhlíonadh, féadfaidh cathaoirleach an chruinnithe an cheist a chinneadh, agus is cinneadh críochnaitheach a bheidh i gcinneadh an chathaoirligh, agus i gcás go gcinneadh ceist den sórt sin amhlaidh, déanfar sonraí an chinnidh a thairseadh i miontuairiscí an chruinnithe. 5
- (4) Más deimhin leis an Aire gur sháraigh comhalta den Bhord *fo-alt (1)*, féadfaidh an tAire, más cuí leis nó léi é, an comhalta sin a chur as oifig agus, i gcás go gcuirtear duine as oifig de bhun an ailt seo, beidh sé nó sí dícháilithe as sin amach chun bheith ina chomhalta nó ina comhalta den Bhord. 10
- (5) Más rud é, maidir le haon chomhalta d'fhoireann an Bhoird, go bhfuil leas aige nó aici, ar shlí seachas ina cháil nó ina cáil mar chomhalta foirne den sórt sin, in aon chonradh, comhaontú nó socrú, nó in aon chonradh, comhaontú nó socrú atá beartaithe, ar páirtí ann an Bord—
- (a) nochtfaidh an duine sin a leas, agus cineál an leasa, don Bhord, 15
- (b) ní ghlacfaidh an duine sin aon pháirt i gcaibidil an chonartha, an chomhaontaithe nó an tsocraithe ná in aon bhreithniú ag an mBord nó ag comhaltaí d'fhoireann an Bhoird i ndáil leis an gcéanna, agus
- (c) ní imreoidh an duine sin tionchar, ná fhéachfaidh sé nó sí le tionchar a imirt, ar chinneadh a bheidh le déanamh ar an ní ná ní dhéanfaidh sé nó sí aon mholadh i ndáil leis an gconradh, leis an gcomhaontú nó leis an socrú. 20
- (6) Ní bheidh feidhm ag *fo-alt (5)* maidir le conarthaí nó conarthaí beartaithe fostaíochta comhaltaí d'fhoireann an Bhoird leis an mBord.
- (7) Má sháraíonn duine *fo-alt (5)*, féadfaidh an Bord cibé athruithe is cuí leis a dhéanamh ar théarmaí agus coinníollacha fostaíochta an duine nó deireadh a chur le conradh fostaíochta an duine. 25
- (8) Ní dhéanfaidh aon duine faisnéis faoi rún a gheobhaidh sé nó sí le linn dó nó di dualgais a chomhlíonadh mar chomhalta den Bhord nó mar chomhalta d'fhoireann an Bhoird, nó mar chomhairleoir nó sainchomhairleoir leis an mBord, a nochtadh mura rud é go mbeidh sé nó sí údaraithe go cuí ag an mBord chun déanamh amhlaidh. 30
- (9) Aon duine a sháróidh *fo-alt (8)*, beidh sé nó sí ciontach i gcion agus dlífear, ar é nó í a chiontú go hachomair, fineáil nach mó ná €1,500, nó príosúnacht ar feadh téarma nach faide ná 12 mhí, nó an fhíneáil sin agus an phríosúnacht sin araon, a chur air nó uirthi.
- (10) San alt seo, folaíonn “faisnéis faoi rún”—
- (a) faisnéis a mbeidh sé ráite ag an mBord ina leith go bhfuil sí faoi rún, maidir le faisnéis áirithe nó maidir le faisnéis d'aicme nó de thairisc áirithe agus, 35
- (b) tograí de chineál tráchtála nó tairiscintí a bheidh curtha faoi bhráid an Bhoird ag conraitheoirí, ag sainchomhairleoirí nó ag aon duine eile.

Coistí den Bhord

10. (1) Bunóidh an Bord coistí chun comhairle a thabhairt don Bhord maidir le comhlíonadh a fheidhmeanna faoi *alt 5(3)* agus *(4)* i ndáil leis na cúig réimse seo a leanas de chuid an Bhoird, ach gan bheith teoranta dóibh— 40

- (a) the Community;
- (b) education;
- (c) culture;
- (d) citizenship; and
- (e) tourism.

5

An Bord may at any stage agree to set up additional committees under this provision with a stated specific field to advise An Bord on.

- (2) All committees established under *subsection (1)* shall prepare an annual report to An Bord to be included in An Bord's annual report and accounts as per *section 11(1)*.
- (3) An Bord shall determine the terms of reference and regulate the procedure of the committees established under *subsection (1)*. 10
- (4) A committee established under *subsection (1)* shall include persons who are not members of An Bord and persons who are members of An Bord but such a committee shall include at least one person who is a member of An Bord.
- (5) All members of An Bord shall be entitled to attend any or all meetings of a committee or of committees established under *subsection (1)* but only those who are committee members shall be entitled to vote in a division. 15
- (6) A member of a committee established under this section may be removed from office at any time by An Bord.
- (7) An Bord may at any time replace any or all of the members of a committee established under this section. 20
- (8) An Bord shall appoint a person to be chairperson of a committee established under this section.
- (9) There may be paid by An Bord to members of a committee established under *subsection (1)* such allowances or expenses (if any) incurred by them as members of such committee in line with the provisions of *section 7(11)*. 25

Annual reports and accounts of An Bord

- 11. (1) In June each year, An Bord shall issue a report on the performance of its functions during the previous year, including an account of the operation of Ciste Lá na Poblachta, and the Minister shall cause a copy of the annual report to be laid before each House of the Oireachtas, and the chairperson of An Bord shall attend before the Oireachtas joint Committee on Regional Development, Rural Affairs, Arts and the Gaeltacht, if so requested by that Committee, to discuss the annual report and accounts. 30
- (2) The Minister shall cause a copy of an abstract of the audited accounts of Ciste Lá na Poblachta, together with a copy of any auditor's report thereon, to be laid before each House of the Oireachtas. 35

- (a) an pobal;
 - (b) oideachas;
 - (c) cultúr;
 - (d) saoránacht; agus
 - (e) turasóireacht. 5
- Féadfaidh an Bord, aon tráth, a chomhaontú coistí breise a bhunú faoin bhforáil seo chun comhairle maidir le réimse sonracha ainmnithe a chur ar an mBord.
- (2) Déanfaidh gach ceann de na coistí a bhunófar faoi *fho-alt (1)* tuarascáil bhliantúil a ullmhú don Bhord agus cuirfear ag gabháil í le tuarascáil bhliantúil agus cuntais an Bhoird a chuirfear ar fáil de réir *alt 11(1)*. 10
 - (3) Déanfaidh an Bord téarmaí tagartha na gcoistí a bhunófar faoi *fho-alt (1)* a chinneadh agus a nós imeachta a rialáil.
 - (4) Beidh daoine nach comhaltaí den Bhord agus daoine is comhaltaí den Bhord ar choiste arna bhunú faoi *fho-alt (1)*, ach beidh ar choiste den sórt sin duine amháin ar a laghad is comhalta den Bhord. 15
 - (5) Beidh comhaltaí uile an Bhoird i dteideal freastal ar aon chruinniú nó ar gach cruinniú de choiste nó de choistí a bhunófar faoi *fho-alt (1)*, ach is ag comhaltaí an choiste amháin a bheidh teidlíocht chun vótáil tráth vótála.
 - (6) Féadfaidh an Bord, aon tráth, comhalta de choiste arna bhunú faoin alt seo a chur as oifig. 20
 - (7) Féadfaidh an Bord, aon tráth, aon chomhalta nó gach comhalta de choiste arna bhunú faoin alt seo a ionadú.
 - (8) Déanfaidh an Bord duine a cheapadh chun bheith ina chathaoirleach nó ina cathaoirleach ar choiste a bhunófar faoin alt seo.
 - (9) Féadfaidh an Bord, de réir fhorálacha *alt 7(11)*, cibé liúntais nó caiteachais (más ann) arna dtabhú acu mar chomhaltaí den choiste a íoc le comhaltaí de choiste arna bhunú faoi *fho-alt (1)*. 25

Tuarascálacha bliantúla agus cuntais an Bhoird

- 11. (1) Déanfaidh an Bord, i mí an Mheithimh gach bliain, tuarascáil a eisiúint ar chomhlíonadh a fheidhmeanna le linn na bliana roimhe sin, lena n-áirítear cuntas ar oibriú Chiste Lá na Poblachta, agus cuirfidh an tAire faoi deara cóip den tuarascáil bhliantúil a leagan faoi bhráid gach Tí den Oireachtas, agus láithreoidh Cathaoirleach an Bhoird os comhair an Chomhchoiste Oireachtais um Fhorbairt Réigiúnach, Gnóthaí Tuaithe, Ealaíona agus Gaeltacht, má iarrann an Comhchoiste sin air nó uirthi déanamh amhlaidh, chun an tuarascáil bhliantúil agus na cuntais a phlé. 30
- (2) Cuirfidh an tAire faoi deara cóip d'achomaireacht de chuntais iniúchta Chiste Lá na Poblachta, mar aon le cóip d'aon tuarascáil iniúcháir ar na cuntais sin, a leagan faoi bhráid gach Tí den Oireachtas. 35

Expenses of Minister

12. 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 for by the Oireachtas.

Caiteachais an Aire

- 12.** Déanfar na caiteachais a thabhóidh an tAire ag riaradh an Achta seo a íoc, a mhéid a cheadóidh an tAire Airgeadais é, as airgead as sholáthróidh an tOireachtas.

Public Holidays (Lá na Poblachta) Bill 2016

An Bille um Laethanta Saoire Poiblí (Lá na Poblachta), 2016

BILL

(as initiated)

entitled

An Act to provide for the amendment of the Organisation of Working Time Act 1997 and establishment of a body to be known as Bord Lá na Poblachta and for related matters.

*Introduced by Deputy Aengus Ó Snodaigh,
9th June, 2016*

BILLE

(mar a tionscnaíodh)

dá ngairtear

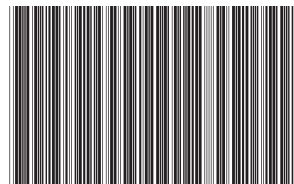
Acht do dhéanamh socrú maidir leis an Acht um Eagrú Ama Oibre, 1997 a leasú agus maidir le comhlacht a bhunú ar a dtabharfar Bord Lá na Poblachta agus i dtaobh nithe gaolmhara.

*An Teachta Aengus Ó Snodaigh a thug isteach,
9 Meitheamh, 2016*

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