



An Bille um Chomhar Creidmheasa (Leasú), 2019
Credit Union (Amendment) Bill 2019

Meabhrán Mínitheach
Explanatory Memorandum



**AN BILLE UM CHOMHAR CREIDMHEASA (LEASÚ), 2019
CREDIT UNION (AMENDMENT) BILL 2019**

EXPLANATORY MEMORANDUM

Purposes of the Bill

The purpose of the Bill is to provide an appeals mechanism for Credit Unions or groups of Credit Unions to appeal decisions made by the Central Bank. The Bill will establish a Credit Union Appeals Committee which will direct the Registrar of the Irish Financial Services Appeals Tribunal in cases where the complainant was a credit union or group of credit unions.

The Credit Union and Co-Operation with Overseas Regulators Act 2012 restricts the number of decisions in which credit unions can appeal. This Bill will remove these restrictions and state that any decision made by the Central Bank is an appealable one when it relates to credit unions.

Provisions of the Bill

Section 1 provides a definition for the Bill. The “Act of 2012” is the Credit Union and Co-operation with Overseas Regulators Act 2012. The “Minister” means the Minister for Finance.

Section 2 replaces Section 14 of the Act of 2012 with a new provision. Section 14 of the Act of 2012 amends Section 52 of the Credit Union Act 1997. Section 52 (1) states that a decision made by the bank (Central Bank of Ireland) with regard to the regulation of credit unions is an appealable decision for the purposes of the Central Bank Act 1942. Section 52 (2) establishes a Credit Union Appeals Committee which will direct the Registrar (Registrar of the Irish Financial Services Appeals Tribunal) in relation to appeals received by a credit union or a group of credit unions. Section 52 (3) states that the Credit Union Appeals Committee shall consist of not more than seven people. They shall be appointed for a period the Minister sees appropriate. Each person appointed to the Committee must have a knowledge pertaining to credit unions, be capable of giving substantial practical assistance to the Committee, and have financial expertise. Section 52 (4) disqualifies a member of the Oireachtas from being on the Committee. Section 52 (5) states that if a member of the Committee becomes a member of the Oireachtas then they shall cease to be a member of the Committee. Section 52 (6) enables the Minister to nominate one member to act as chairman. Section 52 (7) enables the Minister to decide the remuneration levels for the members of the Committee.

Section 3 empowers the Minister for Finance to make regulations for the general purpose of this Act. The regulation must be laid before both Houses of the Oireachtas.

Section 4 of the Bill states that the Act may be cited as the Credit Union (Amendment) Act 2019. It also inserts an enabling provision for the Minister for Finance.

*Deputy Michael McGrath,
March, 2019.*

