



An Bille um Thuarascáil Seirbhíse Soláthair Chaipitiúil agus Críche, 2023
Capital Supply Service and Purpose Report Bill 2023

Mar a tionscnaíodh

As initiated



**AN BILLE UM THUARASCÁIL SEIRBHÍSE SOLÁTHAIR CHAIPITIÚIL AGUS
CRÍCHE, 2023
CAPITAL SUPPLY SERVICE AND PURPOSE REPORT BILL 2023**

*Mar a tionscnaíodh
As initiated*

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ACTS REFERRED TO

Companies Act 2014 (No. 38)

Exchequer and Audit Departments Act 1866

Local Government Act 2001 (No. 37)

Local Government Reform Act 2014 (No. 1)



AN BILLE UM THUARASCÁIL SEIRBHÍSE SOLÁTHAIR CHAIPITIÚIL AGUS
CRÍCHE, 2023
CAPITAL SUPPLY SERVICE AND PURPOSE REPORT BILL 2023

Bill

entitled

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An Act to require each Minister of the Government, with responsibility for a Department of State, to periodically prepare a capital supply service and purpose report to provide certain information on the assets that were allocated money from the vote for such Department in a relevant financial year and to provide for related matters.

Be it enacted by the Oireachtas as follows:

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Interpretation

1. In this Act—

“Act of 1866” means the Exchequer and Audit Departments Act 1866;

“administrative area”, in relation to local government, has the meaning given to it by section 2 of the Local Government Act 2001 (as amended by the Local Government Reform Act 2014);

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“appropriation accounts” means the accounts referred to in section 22 of the Act of 1866;

“asset”, in relation to a project of a Department but subject to *section 2(3)(b)*, means a project in respect of which the Department has spent a capital supply service and purpose allocation in excess of €500,000, including all money expended in the creation of such asset and reference to a project in the context of such an asset shall be read accordingly;

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“capital supply service and purpose” means a supply service voted by Dáil Éireann, the purpose of which is to create an asset intended for use on a continuing basis with an expected life of more than one year;

“commercially sensitive information” means information the disclosure of which could reasonably be expected to substantially prejudice or harm the interests of the State or a public body;

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“Department” means a Department of State and the other offices by or in respect of which appropriation accounts are required by the Act of 1866 to be prepared by such Department concerned;

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“Minister” means Minister for Public Expenditure, National Development Plan Delivery and Reform;

“prescribed” means prescribed by regulations made by the Minister under *section 3*.

“public body” means—

- (a) an entity established by or under any enactment, other than the Companies Act 2014, or
- (b) a company (within the meaning of the Companies Act 2014) a majority of the shares in which are held by or on behalf of a Minister of the Government;

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“relevant financial year” means the financial year ending 4 years prior to the current financial year;

“vote” means a coherent area of Government expenditure which is the responsibility of a single Government Department or office which is in turn accountable to the Dáil for the expenditure shown.

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Capital supply service and purpose report

2. (1) Subject to *subsection (2)*, each Minister of the Government with responsibility for a Department shall, on an annual basis by such date as may be specified by the Minister, prepare a capital supply service and purpose report for the relevant financial year and the Minister shall, as soon as practicable, cause copies of each report to be laid before each House of the Oireachtas. 15
- (2) Subject to *subsections (3) and (4)*, the capital supply service and purpose report shall, in relation to all assets for which a capital supply service and purpose has been provided for by or under any Act, include information in relation to each of the following: 20
- (a) the amount in euro of each capital supply service and purpose allocation expended by or on behalf of the relevant Department;
 - (b) the local government administrative area, or areas, in which each asset is located;
 - (c) such other information in such form as the Minister may prescribe.
- (3) Regulations under this section shall provide for the following matters: 25
- (a) the form of report to be prepared by each Minister;
 - (b) how to identify, analyse and classify an asset that is created in, or used by, more than one local government administrative area.
- (4) Where any Minister of the Government considers that any information to be provided in accordance with *subsection (2)* is commercially sensitive information, then that Minister may omit that information from the report, until such time as such information is no longer considered by such Minister to be commercially sensitive. 30
- (5) Where a Minister of the Government omits commercially sensitive information under *subsection (3)*, the Minister shall indicate in the report that such information has been omitted and the financial year in which the reporting of that information is expected to occur. 35

Regulations

3. (1) The Minister may, after consultation with such other Ministers of the Government as the Minister considers appropriate in the circumstances, make regulations prescribing

any matter or thing which is referred to in this Act as prescribed or to be prescribed.

(2) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulation.

(3) Every regulation under this Act shall be laid before the Houses of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder. 5

Short title

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4. This Act may be cited as Capital Supply Service and Purpose Report Act 2023.

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht dá cheangal ar gach Aire den Rialtas ar a bhfuil freagracht i leith Roinn Stáit tuarascáil seirbhíse soláthair chaipitiúil agus críche a ullmhú go tréimhsiúil chun faisnéis áirithe a sholáthar faoi na sócmhainní ar ar leithroinneadh airgead ón vóta don Roinn sin i mbliain airgeadais iomchuí agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An Teachta Maitiú Ó Seanacháin a thug isteach,
21 Samhain, 2023

BILL

(as initiated)

entitled

An Act to require each Minister of the Government, with responsibility for a Department of State, to periodically prepare a capital supply service and purpose report to provide certain information on the assets that were allocated money from the vote for such Department in a relevant financial year and to provide for related matters.

Introduced by Deputy Matt Shanahan,
21st November, 2023

BAILE ÁTHA CLIATH
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