Uimhir 3 *de* 2013
Number 3 *of* 2013

AN tACHT UM CHOIMISIÚN THITHE AN OIREACHTAIS (LEASÚ), 2013
HOUSES OF THE OIREACHTAS COMMISSION (AMENDMENT) ACT 2013

Number 3 *of* 2013

HOUSES OF THE OIREACHTAS COMMISSION (AMENDMENT) ACT 2013

ARRANGEMENT OF SECTIONS

Section

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2. Amendment of section 2 of Principal Act.
3. Amendment of section 4 of Principal Act.
4. Amendment of section 10A of Principal Act.
5. Short title, collective citation and commencement.

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AN tACHT UM CHOIMISIÚN THITHE AN OIREACHTAIS (LEASÚ), 2013

RIAR NA nALT

Alt

1. Míniú.
2. Leasú ar alt 2 den Phríomh-Acht.
3. Leasú ar alt 4 den Phríomh-Acht.
4. Leasú ar alt 10A den Phríomh-Acht.
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Acts Referred to

Houses of the Oireachtas Commission Act 2003	2003, No. 28
Houses of the Oireachtas Commission Acts 2003 to 2012	

Na hAchtanna dá dTagraítear

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Number 3 *of* 2013

HOUSES OF THE OIREACHTAS COMMISSION (AMENDMENT) ACT 2013

AN ACT TO AMEND THE HOUSES OF THE OIREACHTAS COMMISSION ACT 2003 TO CONFER ADDITIONAL FUNCTIONS ON THE HOUSES OF THE OIREACHTAS COMMISSION; AND TO PROVIDE FOR RELATED MATTERS.

[26*th February*, 2013]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definition.

1.—In this Act, "Principal Act" means the Houses of the Oireachtas Commission Act 2003.

Amendment of section 2 of Principal Act.

2.—Section 2 of the Principal Act is amended by the insertion of the following definitions:

" 'An Caighdeán Oifigiúil' means the official standard of the Irish language, prepared by the Houses of the Oireachtas and published under Government copyright, to be used in primary and secondary legislation and as the guide for writing in the Irish language;

'statutory instrument' means an order, regulation, rule, scheme or bye-law made under a power conferred by statute.".

Amendment of section 4 of Principal Act.

3.—Section 4 of the Principal Act is amended by the insertion of the following subsections after subsection (2A):

"(2B) It shall be a function of the Commission to provide, whenever it is requested to do so by a Minister of the Government, translation services from one official language into the other in respect of—

(*a*) statutory instruments made by that Minister of the Government,

(*b*) statutory instruments made by another person in relation to the making of which that Minister of the Government is, pursuant to the statutory power

Uimhir 3 *de* 2013

AN tACHT UM CHOIMISIÚN THITHE AN OIREACHTAIS (LEASÚ), 2013

ACHT DO LEASÚ AN ACHTA UM CHOIMISIÚN THITHE AN OIREACHTAIS, 2003 CHUN FEIDHMEANNA BREISE A THABHAIRT DO CHOIMISIÚN THITHE AN OIREACHTAIS; AGUS DO DHÉANAMH SOCRÚ I dTAOBH NITHE GAOLMHARA.

[26 *Feabhra*, 2013]

ACHTAÍTEAR AG AN OIREACHTAS MAR A LEANAS:

Míniú.

1.—San Acht seo, ciallaíonn "Príomh-Acht" an tAcht um Choimisiún Thithe an Oireachtais, 2003.

Leasú ar alt 2 den Phríomh-Acht.

2.—Leasaítear alt 2 den Phríomh-Acht trí na mínithe seo a leanas a chur isteach:

"ciallaíonn 'An Caighdeán Oifigiúil' caighdeán oifigiúil na Gaeilge, arna ullmhú ag Tithe an Oireachtais agus arna fhoilsiú faoi chóipcheart Rialtais, atá le húsáid sa reachtaíocht phríomha agus sa reachtaíocht thánaisteach agus mar an treoir le haghaidh scríbhneoireacht sa Ghaeilge;

ciallaíonn 'ionstraim reachtúil' ordú, rialachán, riail, scéim nó fodhlí arna dhéanamh nó arna déanamh faoi chumhacht a thugtar le reacht.".

Leasú ar alt 4 den Phríomh-Acht.

3.—Leasaítear alt 4 den Phríomh-Acht trí na fo-ailt seo a leanas a chur isteach i ndiaidh fho-alt (2A):

"(2B) Is feidhm de chuid an Choimisiúin, aon uair a iarrfaidh Aire den Rialtas air déanamh amhlaidh, seirbhísí aistriúcháin a sholáthar ó theanga oifigiúil amháin go dtí an teanga oifigiúil eile i leith na nithe seo a leanas—

(*a*) ionstraimí reachtúla arna ndéanamh ag an Aire sin den Rialtas,

(*b*) ionstraimí reachtúla arna ndéanamh ag duine eile agus a gceanglaítear, de bhun na cumhachta reachtúla faoina ndéantar na hionstraimí sin, go rachfar i gcomhairle leis an Aire sin den Rialtas nó

under which those instruments are made, required to be consulted or to give his or her consent or approval howsoever described, and

(*c*) statutory instruments made by another person—

(i) in respect of whom that Minister of the Government performs any function pursuant to statute or otherwise, or

(ii) to whom any monies are advanced, out of monies provided by the Oireachtas, by that Minister of the Government for the purposes of the performance by that person of the person's functions.

(2C) The Commission may, subject to such terms and conditions as it considers appropriate, arrange for persons other than members of the staff of the Commission to assist it in the performance of its functions under subsections (2A) and (2B).

(2D) Nothing in subsection (2B) shall prevent a Minister of the Government or any other person referred to in that subsection from arranging for the translation from one official language into the other by a person other than the Commission of a statutory instrument to which that subsection applies.

(2E) Notwithstanding section 5, the Commission may charge a Minister of the Government to whom it provides a service under subsection (2B) a fee of such amount as may be determined by the Commission for that service.

(2F) It shall be a function of the Commission to review An Caighdeán Oifigiúil from time to time as it considers appropriate, but not less than once every 7 years, and to revise and publish it in such manner as it considers appropriate following each such review.

(2G) The Commission shall, for the purposes of conducting a review of An Caighdeán Oifigiúil under subsection (2F), consult with—

(*a*) the following Ministers of the Government, namely—

(i) the Minister for Arts, Heritage and the Gaeltacht,

(ii) the Minister for Education and Skills, and

(iii) the Minister for Justice and Equality,

(*b*) such persons who have an interest in An Caighdeán Oifigiúil as the Commission considers appropriate, and

(*c*) members of the public generally,

and the Commission shall have regard to any submissions made to it arising from such consultation.

go dtabharfaidh sé nó sí a thoiliú nó a toiliú nó a cheadú nó a ceadú, cibé slí ar a dtuairiscítear é, i ndáil lena ndéanamh, agus

(*c*) ionstraimí reachtúla arna ndéanamh ag duine eile—

(i) a gcomhlíonann an tAire sin den Rialtas aon fheidhm ina leith de bhun reachta nó ar shlí eile, nó

(ii) dá ndéanann an tAire sin den Rialtas aon airgead a airleacan, as airgead a sholáthraíonn an tOireachtas, chun críocha chomhlíonadh fheidhmeanna an duine ag an duine sin.

(2C) Féadfaidh an Coimisiún, faoi réir cibé téarmaí agus coinníollacha is cuí leis, socrú a dhéanamh maidir le daoine seachas comhaltaí d'fhoireann an Choimisiúin do chuidiú leis i gcomhlíonadh a fheidhmeanna faoi fho-ailt (2A) agus (2B).

(2D) Ní choiscfear le haon ní i bhfo-alt (2B) ar Aire den Rialtas ná ar aon duine eile dá dtagraítear san fho-alt sin socrú a dhéanamh maidir le duine seachas an Coimisiún d'aistriú ionstraim reachtúil lena mbaineann an fo-alt sin ó theanga oifigiúil amháin go dtí an teanga oifigiúil eile.

(2E) D'ainneoin alt 5, féadfaidh an Coimisiún táille de cibé méid a chinnfidh an Coimisiún a ghearradh ar Aire den Rialtas, dá soláthraíonn sé seirbhís faoi fho-alt (2B), as an tseirbhís sin.

(2F) Is feidhm de chuid an Choimisiúin an Caighdeán Oifigiúil a athbhreithniú ó am go ham de réir mar is cuí leis, ach uair amháin gach 7 mbliana ar a laghad, agus é a athleasú agus a fhoilsiú ar cibé modh is cuí leis i ndiaidh gach athbhreithnithe den sórt sin.

(2G) D'fhonn athbhreithniú ar an gCaighdeán Oifigiúil a sheoladh faoi fho-alt (2F), rachaidh an Coimisiún i gcomhairle—

(*a*) leis na hAirí seo a leanas den Rialtas, eadhon—

(i) an tAire Ealaíon, Oidhreachta agus Gaeltachta,

(ii) an tAire Oideachais agus Scileanna, agus

(iii) an tAire Dlí agus Cirt agus Comhionannais,

(*b*) le cibé daoine ag a bhfuil spéis sa Chaighdeán Oifigiúil agus is cuí leis an gCoimisiún, agus

(*c*) le daoine den phobal i gcoitinne,

agus beidh aird ag an gCoimisiún ar aon aighneachtaí a dhéanfar chuige agus a thig as an gcomhchomhairliúchán sin.

(2H) The references in subsections (2F) and (2G) to An Caighdeán Oifigiúil shall be construed as references to An Caighdeán Oifigiúil as it was last previously revised and published.”.

Amendment of section 10A of Principal Act.

4.—Section 10A of the Principal Act is amended—

(*a*) by designating it as subsection (1), and

(*b*) by the addition of the following subsection:

“(2) The Commission may, for the purposes of the performance of its functions under subsections (2F) to (2H) of section 4, appoint to a committee established by it under subsection (1) in connection with those functions such persons, who are not members of the Commission or members of the staff of the Commission, as it considers appropriate who have suitable expertise and experience.”.

Short title, collective citation and commencement.

5.—(1) This Act may be cited as the Houses of the Oireachtas Commission (Amendment) Act 2013.

(2) The Houses of the Oireachtas Commission Acts 2003 to 2012 and this Act may be cited together as the Houses of the Oireachtas Commission Acts 2003 to 2013.

(3) This Act shall come into operation on such day or days as the Minister for Public Expenditure and Reform may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.

(2H) Déanfar na tagairtí i bhfo-ailt (2F) agus (2G) don Chaighdeán Oifigiúil a fhorléiriú mar thagairtí don Chaighdeán Oifigiúil mar a athleasaíodh agus mar a foilsíodh go deireanach roimhe seo é.”.

Leasú ar alt 10A den Phríomh-Acht.

4.—Leasaítear alt 10A den Phríomh-Acht—

(*a*) trína ainmniú mar fho-alt (1), agus

(*b*) tríd an bhfo-alt seo a leanas a chur leis:

“(2) Féadfaidh an Coimisiún, chun a fheidhmeanna a chomhlíonadh faoi fho-ailt (2F) go (2H) d'alt 4, cibé daoine is cuí leis, nach comhaltaí den Choimisiún ná comhaltaí d'fhoireann an Choimisiúin agus a bhfuil saineolas agus taithí oiriúnach acu, a cheapadh chun coiste arna bhunú aige faoi fho-alt (1) i dtaca leis na feidhmeanna sin.”.

Gearrtheideal, comhlua agus tosach feidhme.

5.—(1) Féadfar an tAcht um Choimisiún Thithe an Oireachtais (Leasú), 2013 a ghairm den Acht seo.

(2) Féadfar na hAchtanna um Choimisiún Thithe an Oireachtais, 2003 go 2013 a ghairm de na hAchtanna um Choimisiún Thithe an Oireachtais, 2003 go 2012 agus den Acht seo le chéile.

(3) Tiocfaidh an tAcht seo i ngníomh cibé lá nó laethanta a cheapfaidh an tAire Caiteachais Phoiblí agus Athchóirithe le hordú nó le horduithe i gcoitinne nó faoi threoir aon chríoch nó foráil áirithe agus féadfar laethanta éagsúla a cheapadh amhlaidh chun críoch éagsúil nó le haghaidh forálacha éagsúla.