



TITHE AN OIREACHTAIS

**AN COMHCHOISTE UM AIRGEADAS, CAITEACHAS POIBLÍ AGUS
ATHCHÓIRIÚ**

TUARASCÁIL BHLIANTÚIL 2012

HOUSES OF THE OIREACHTAS

**JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND
REFORM**

ANNUAL REPORT 2012

31/FPER/036

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1. Content and Format of Report

This report has been prepared pursuant to Standing Order 86 (3), (4), (5) and (6) (Dáil Éireann) and Standing Order 75 (3), (4), (5) and (6) (Seanad Éireann) which provide for the Joint Committee to-

- undertake a review of its procedure and its role generally;
- prepare an annual work programme;
- lay minutes of its proceedings before both Houses;
- make an annual report to both Houses.

At its meeting on 16 December 2015, the Joint Committee agreed that all these items should be included in this report covering the period from 1 January to 31 December 2012.

2. Establishment and Functions

2.1. Establishment of Select Committee.

The Dáil Select Committee was established by Order of Dáil Éireann of the 8 June 2011, to consider Bills, Estimates for Public Services, Motions, and the terms of any international agreement involving a charge on public funds, which come within the aegis of the Department of Finance, Department of Public Expenditure and Reform and the Department of the Taoiseach.

The Select Committee may also consider Annual Output Statements, Value for Money Reviews and Policy Reviews prepared by the relevant Government Department.

2.2. Establishment of Select Sub-Committees.

Because the Select Committee has more than one Government Department within its remit, a sub-Committee was established in respect of each Department to consider the matters outlined at section 2.1 above.

2.3. Establishment of Joint Committee.

The Dáil Select Committee, under the same Order, was enjoined with a Select Committee of Seanad Éireann, established by Order of Seanad Éireann of the 16 June 2011, to form the Joint Committee on Finance, Public Expenditure and Reform.

2.4 Functions of Joint Committee

Among the principal functions of the Joint Committee are to consider—

- public affairs administered by the Department of the Taoiseach, Department of Finance and the Department of Public Expenditure and Reform;
- matters of policy for which the Taoiseach, Minister for Finance and the Minister for Public Expenditure and Reform are responsible;
- legislative and expenditure proposals of the Departments;
- EU legislative proposals;
- certain matters relating to bodies under the aegis of the Department of the Taoiseach, Department of Finance and the Department of Public Expenditure and Reform.

The Orders of Reference of the Dáil Select Committee and the Joint Committee are set out at *Appendix 1*.

2.5 Establishment of Joint sub-Committee

Standing Order 83 (3) (Dáil) and Standing Order 71 (3) (Seanad) confer on Committees the power to appoint Joint sub-Committees and to refer to such sub-Committees any matter covered by its orders of reference and to delegate any of its powers to such Joint sub-Committees, including power to report directly to the Dáil and Seanad.

The Joint Committee agreed at its meeting on 30 November 2011, to establish a sub-Committee on EU Scrutiny-Finance and Public Expenditure to examine matters relating to EU legislative proposals. It was also

agreed that the sub-Committee would consist of 9 Members, 7 from the Dáil and 2 from the Seanad.

3. Chairman, Vice-Chairman, Convenors and Membership

Deputy Alex White was elected as Chairman of the Joint Committee on the 23 June 2011. Deputy Liam Twomey was elected as Vice-Chairman of the Joint Committee on the same day. Deputy Ciarán Lynch was elected Chairman on 10 October 2012.

The Chairman of the Joint Committee is also Chairman of the Dáil Select Committee and the various Dáil Select Sub-Committees.

Deputy Alex White was appointed as Chairman of the Joint sub-Committee on EU Scrutiny-Finance and Public Expenditure on 8 December 2011. Deputy Liam Twomey was elected as Vice-Chairman on the same day. Deputy Ciarán Lynch was elected Chairman on 10 October 2012.

Membership of the Committees, including all internal changes within the reported period, is listed at *Appendix 2*.

4. Meetings, Attendance and Recording

Meetings of the Joint Committee, Select Committee and Select sub-Committees and Joint sub-Committees took place in the Committee rooms in Leinster House 2000. Meetings were in public unless otherwise ordered by the Committee.

Televised coverage of public meetings of the Committee was broadcast live within the Leinster House complex and was available for subsequent public broadcasting by RTE and TV3. It was also webcast making it available worldwide on the internet. Since the pilot launch of the Oireachtas TV channel in November 2011, the proceedings of committees in public session, typically recorded but occasionally live, are now broadcast on UPC channel 801.

An Official Report (Parliamentary Debates) of the public meetings of the Committee may be viewed on the Houses of the Oireachtas website at www.oireachtas.ie.

Copies of other reports published by the Joint Committee are also available on the Oireachtas Committee website pages at www.oireachtas.ie. A list of these reports is set out at paragraph 7.

5. Number and Duration of Meetings

5.1 Joint Committee

The Joint Committee met on 42 occasions during the period under report. The number of hours of discussion involved in these meetings was in excess of 110 hours.

The subject matter of each meeting of the Joint Committee, including the groups, organisations or individuals who attended the meetings, is detailed in *Appendix 3*. The Minutes of Proceedings of the Joint Committee in public session are attached at *Appendix 4*.

5.2 Select Committee

The Dáil Select Committee did not meet during the period under report.

5.3 Dáil Select sub-Committee on Finance

The Select sub-Committee on Finance met 8 times during the period under report and the number of hours of discussion involved in these meetings was 8 hours.

5.4 Dáil Select sub-Committee on Public Expenditure and Reform

The Select sub-Committee on Public Expenditure and Reform met 4 times during the period under report and the number of hours of discussion involved in these meetings was 13 hours.

5.5 Dáil Select sub-Committee on the Department of the Taoiseach

The Select sub-Committee on the Department of the Taoiseach met 1 time during the period under report and the number of hours of discussion involved in these meetings was 1 hour.

The subject matter of the meetings of the 3 Select sub-Committees, including the groups, organisations or individuals who attended the meetings, is detailed in *Appendix 5*. The proceedings (Imeachtaí) of these Select sub-Committee meetings are attached at *Appendix 6*.

5.6 Joint sub-Committee on EU Scrutiny-Finance and Public Expenditure

The Joint sub-Committee on EU Scrutiny-Finance and Public Expenditure met 7 times during the period under report and the number of hours discussion involved in these meetings was 1 hour. The subject matter of the meetings of the Joint sub-Committee, including the groups, organisations or individuals who attended the meetings, is detailed in *Appendix 7*. The Minutes of Proceedings are attached at *Appendix 8*.

6. Witnesses attending before the Committee(s)

During the period, the number of speaking witnesses for each of the Committees was as follows:

COMMITTEE NAME	NUMBER OF WITNESSES
Joint Committee	166
Select Committee	0
Select sub-Committee on Finance	0
Select sub-Committee on Public Expenditure and Reform	0
Select sub-Committee on the Department of the Taoiseach	0

7. Committee Reports Published

During the period under report, the Joint Committee published the following reports:

- Report on CRD IV legislation on prudential capital banking requirements under Basel III
- Work Programme 2012
- Report on data exchange between the Department of Social Protection and the Office of the Revenue Commissioners
- Report on hearings in relation to the General Scheme of the Protected Disclosures in the Public Interest Bill 2012
- Report on the Principle of Acceptance by Public Bodies of Recommendations of the Ombudsman
- Report on hearings on the Credit Union Bill 2012
- Report on 2013 Pre-budget submissions;

8. Travel.

The Joint Committee undertook the following travel in accordance with its Orders of Reference in connection with its Work Programme.

1. Purpose of travel: Visit to the Budget Committee and European Affairs Committee of the Bundestag of the Federal Republic of Germany
Date and Destination: Wednesday, 25 January to Friday, 27 January 2012, Bundestag, Berlin, Germany
Members travelling: Deputy Alex White (Chairman), Deputy Liam Twomey (Vice-Chair), Deputy Michael McGrath, Deputy Pearse Doherty and Deputy Richard Boyd Barrett
Accompanying Official: Ronan Lenihan (Committee Secretariat)

2. Purpose of travel: Invitation to Interparliamentary Committee Meeting on the European Semester for Economic Policy Coordination
Date and Destination: Monday, 27 February and Tuesday, 28 February, 2012, European Parliament, Brussels, Belgium
Members travelling: Deputy Alex White (Chairman), Deputy Jim Daly and Senator Thomas Byrne
Accompanying Official: John Hamilton (Committee Secretariat)

3. Purpose of travel: Invitation to Meeting of Chairpersons of Finance and Fiscal Affairs Committees
Date and Destination: Monday, 19 March and Tuesday, 20 March 2012, Danish Folketinget, Copenhagen, Denmark
Members travelling: Deputy Alex White (Chairman)
Accompanying Official: Eoin Hartnett (Committee Secretariat)

4. Purpose of travel: Invitation to EU Multiannual Financial Framework and Own Resources 2nd High-Level Conference with National Parliaments co-sponsored by the European Parliament, the Danish Presidency and the European Commission
Date and Destination: Thursday, 21 March and Friday, 22 March 2012, European Parliament, Brussels, Belgium
Members travelling: Deputy Alex White (Chairman)
Accompanying Official: Eoin Hartnett (Committee Secretariat)

5. Purpose of travel: Invitation to Meetings of European Parliament ECON and ECOFI Committees
Date and Destination: Tuesday, 25 September, Wednesday 26 September and Thursday, 27 September 2012, European Parliament, Brussels, Belgium
Members travelling: Deputy Alex White (Chairman)
Accompanying Official: Ronan Lenihan (Committee Secretariat)

6. Purpose of travel: Invitation to REGI 4th Interparliamentary Meeting with National Parliaments – Towards a Common Strategic Framework and Partnership Contracts in the context of the Future Cohesion Policy
Date and Destination: Thursday, 12 October 2012, European Parliament, Brussels, Belgium
Members travelling: Deputy Liam Twomey (Vice-Chairman)
Accompanying Official: Eoin Hartnett (Committee Secretariat)

7. Purpose of travel: Invitation to the Annual Kenmare Conference (Dublin Economic Workshop) – The IMF bailout of Ireland and the future of the Eurozone
Date and Destination: Saturday, 13 October and Sunday, 14 October 2012, Ardilaun Hotel, Galway, Ireland
Members travelling: Deputy Stephen S. Donnelly and Deputy Peter Mathews
Accompanying Official: Ronan Lenihan (Committee Secretariat)
8. Purpose of travel: Invitation to Interparliamentary Meeting of Chairpersons of Finance Committees
Date and Destination: Sunday, 25 November and Monday, 26 November 2012, Cypriot Parliament, Nicosia, Cyprus
Members travelling: Deputy Ciarán Lynch (Chairman)
Accompanying Official: Ronan Lenihan (Committee Secretariat)

9. EU Mainstreaming

From January to December 2012, the Joint Committee considered EU matters at 7 meetings involving consideration of some 98 legislative proposals, of which further action or scrutiny was taken on the following 10 proposals:

PROPOSAL NO.	PROPOSAL TITLE
COM(2011)398	Proposal for a Council Regulation laying down the multiannual financial framework for the years 2014-2020.
COM(2011)746	Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/65/EC on the coordination of laws, regulations and administrative provisions relating to undertakings of collective investment in transferable securities (UCITS) and Directive 2011/61/EU on Alternative Investment Funds Managers in respect of the excessive reliance on credit ratings.
COM(2011)747	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1060/2009 on credit rating agencies.

COM(2011)819	Proposal for a Regulation on the strengthening of economic and budgetary surveillance of Member States experiencing or threatened with serious difficulties with respect to their financial stability in the euro area.
COM(2011)821	Proposal for a Regulation on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area.
COM(2012)360	Proposal for a Directive of the European Parliament and of the Council on insurance mediation.
COM(2012)381	Proposal for a Directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles.
COM(2012)511	Proposal for a Council Regulation conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions.

COM(2012)512	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority) as regards its interaction with Council Regulation (EU) No.../... conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions.
COM(2012)631	Proposal for a Council Decision authorising enhanced cooperation in the area of financial transaction tax.

1 EU Scrutiny committee report was laid during this period as follows:

[CRD IV legislation on prudential capital banking requirements under Basel III (February 2012)]

10. Report on Functions and Powers

The Joint Committee is currently satisfied with its present procedures and role.

Liam Twomey T.D.

Chairman

16 December 2015

APPENDIX 1: Orders of Reference

a. Functions of the Committee – derived from Standing Orders [DSO 82A; SSO 70A]

- (1) The Select Committee shall consider and report to the Dáil on—
 - (a) such aspects of the expenditure, administration and policy of the relevant Government Department or Departments and associated public bodies as the Committee may select, and
 - (b) European Union matters within the remit of the relevant Department or Departments.
- (2) The Select Committee may be joined with a Select Committee appointed by Seanad Éireann to form a Joint Committee for the purposes of the functions set out below, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.
- (3) Without prejudice to the generality of paragraph (1), the Select Committee shall consider, in respect of the relevant Department or Departments, such—
 - (a) Bills,
 - (b) proposals contained in any motion, including any motion within the meaning of Standing Order 164,
 - (c) Estimates for Public Services, and
 - (d) other mattersas shall be referred to the Select Committee by the Dáil, and
 - (e) Annual Output Statements, and
 - (f) such Value for Money and Policy Reviews as the Select Committee may select.
- (4) The Joint Committee may consider the following matters in respect of the relevant Department or Departments and associated public bodies, and report thereon to both Houses of the Oireachtas:

- (a) matters of policy for which the Minister is officially responsible,
 - (b) public affairs administered by the Department,
 - (c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,
 - (d) Government policy in respect of bodies under the aegis of the Department,
 - (e) policy issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,
 - (f) the general scheme or draft heads of any Bill published by the Minister,
 - (g) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,
 - (h) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,
 - (i) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in paragraph (4)(d) and (e) and the overall operational results, statements of strategy and corporate plans of such bodies, and
 - (j) such other matters as may be referred to it by the Dáil and/or Seanad from time to time.
- (5) Without prejudice to the generality of paragraph (1), the Joint Committee shall consider, in respect of the relevant Department or Departments—
- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 105, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,

- (c) non-legislative documents published by any EU institution in relation to EU policy matters, and
 - (d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.
- (6) A sub-Committee stands established in respect of each Department within the remit of the Select Committee to consider the matters outlined in paragraph (3), and the following arrangements apply to such sub-Committees:
- (a) the matters outlined in paragraph (3) which require referral to the Select Committee by the Dáil may be referred directly to such sub-Committees, and
 - (b) each such sub-Committee has the powers defined in Standing Order 83(1) and (2) and may report directly to the Dáil, including by way of Message under Standing Order 87.
- (7) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be the Chairman of the Select Committee and of any sub-Committee or Committees standing established in respect of the Select Committee.
- (8) The following may attend meetings of the Select or Joint Committee, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:
- (a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,
 - (b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (c) at the invitation of the Committee, other Members of the European Parliament.
- b. Scope and Context of Activities (derived from Standing Orders [DSO 82; SSO 70]*
- (1) The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders.

- (2) Such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil and/or Seanad.
- (3) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee, waives this instruction on motion made by the Taoiseach pursuant to Dáil Standing Order 26. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.
- (4) The Joint Committee shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Dáil Standing Order 163 and/or the Comptroller and Auditor General (Amendment) Act 1993.
- (5) The Joint Committee shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (a) a member of the Government or a Minister of State, or
 - (b) the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:

Provided that the Chairman may appeal any such request made to the Ceann Comhairle / Cathaoirleach whose decision shall be final.

c. *Orders of Reference of the Joint sub-Committee on European Scrutiny-Finance and Public Expenditure*

- (1) That a sub-Committee (to be called the sub-Committee on European Scrutiny-Finance and Public Expenditure) be established pursuant to Standing Order 83(3). The sub-Committee shall examine, scrutinise and consider in regard to EU

- draft legislative acts and proposals;
- non-legislative documents;

and shall report thereon to the Joint Committee on Finance Public Expenditure and Reform at regular intervals, but not less than quarterly.

- (2) The sub-Committee shall have the powers defined in Standing Order 83(1), (2), (4) and (7) (Dáil) and 71(1), (2), (4) and (7) (Seanad).
- (3) The sub-Committee shall consist of 9 Members of whom 7 shall be Members of Dáil Éireann and 2 shall be Members of Seanad Éireann;
- (4) The quorum of the sub-Committee shall be 3, of whom at least 1 shall be a Member of Dáil Éireann and 1 a Member of Seanad Éireann.
- (5) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the sub-Committee.

APPENDIX 2: Membership

List of Members (Joint Committee)

Chairman:	Liam Twomey (FG) (Chair) ¹³
Deputies:	Richard Boyd Barrett (PBP) Tom Barry (FG) ¹⁵ Ciaran Cannon (FG) ¹⁶ Ciara Conway (LAB) ¹² Michael Creed (FG) Pearse Doherty (SF) Regina Doherty (FG) ³ Stephen S. Donnelly (IND) Timmy Dooley (FF) ⁵ Alan Farrell (FG) ⁴ Seán Fleming (FF) Ciarán Lynch (LAB) ¹³ Mary Lou McDonald (SF) Michael McGrath (FF) Paul Murphy (SP) ¹⁴ Kieran O'Donnell (FG) Pat Rabbitte (LAB) ⁷ Arthur Spring (LAB) Peadar Toibín (SF) ¹⁸ Brian Walsh (FG) ¹⁷
Senators:	Seán D. Barrett (IND) Paul Coghlan (FG) ¹¹ Michael D'Arcy (FG) Aideen Hayden (LAB) (Vice-Chair) ¹³ Marc MacSharry (FF) ¹⁹ Tom Sheahan (FG)

Notes:

1. Deputies appointed to the Committee by order of the Dáil on 9 June 2011; Senators appointed to the Committee by order of the Seanad on 16 June 2011. Deputy Alex White elected as Chairman on 23 June 2011; Deputy Liam Twomey elected as Vice-Chairman on 23 June 2011.
2. Deputy Alex White promoted to Minister of State on 2 October 2012; Deputy Ciarán Lynch replaced Deputy White by order of the Dáil on 10 October 2012 and was elected Chairman on 10 October 2012.
3. Deputy Regina Doherty appointed on 3 July 2013 in place of Deputy Peter Mathews.
4. Deputy Pascal Donohoe appointed on 3 July 2013 in place of Deputy Billy Timmins and discharged on his appointment as Minister of State 12 July 2013 being replaced by Deputy Alan Farrell by order of the Dáil on 18 July 2013.
5. Deputy Timmy Dooley appointed on 21 June 2011 in place of Deputy Seán Ó Fearghail.
6. Deputy Simon Harris appointed on 28 November 2012 in place of Deputy Jim Daly.
7. Deputy Kevin Humphreys promoted to Minister of State on 15 July 2014. Deputy Pat Rabbitte replaced Deputy Humphreys by order of the Dáil on 17 July 2014.
8. Deputy Dara Murphy appointed on 19 July 2012 in place of Deputy Olivia Mitchell.
9. Deputy Aodhán Ó Riordáin appointed on 28 November 2012 in place of Deputy Michael McNamara who was appointed on 8 December 2011 in place of Deputy Thomas P. Broughan.
10. Deputy Brian Stanley appointed on 25 September 2012 in place of Deputy Pádraig Mac Lochlainn who was appointed on 14 December 2011 in place of Deputy Jonathan O'Brien.
11. Senator Paul Coghlan appointed on 14 June 2012 in place of Senator Denis O'Donovan who was appointed on 10 May 2012 in place of Senator Katherine Zappone.
12. Deputy Ciara Conway appointed on 24 September 2014 in place of Deputy Aodhán Ó Riordáin following his appointment as Minister of State.
13. Deputy Liam Twomey was elected chairman on 7 Oct 2014 on resignation of Deputy Ciarán Lynch as Chairman. Senator Aideen Hayden was elected vice-chairman on 7 Oct 2014 following election of Deputy Liam Twomey as Chairman.
14. Deputy Paul Murphy appointed on 23 October 2014 in place of Deputy Joe Higgins.
15. Deputy Tom Barry replaced Deputy Dara Murphy by Order of the Dáil on 18 November 2014.
16. Deputy Ciaran Cannon replaced Deputy Heather Humphreys by Order of the Dáil on 18 November 2014.
17. Deputy Brian Walsh replaced Deputy Simon Harris by Order of the Dáil on 18 November 2014.
18. Deputy Peadar Toibín replaced Deputy Brian Stanley by Order of the Dáil on 18 December 2014.
19. Senator Marc MacSharry replaced Senator Thomas Byrne on 12 March 2015.

List of Members (Select Committee)

Chairman:	Liam Twomey (FG) (Chair) ¹²
Deputies:	Richard Boyd Barrett (PBP)
	Tom Barry (FG) ¹⁴
	Ciaran Cannon (FG) ¹⁵
	Ciara Conway (LAB) ¹¹
	Michael Creed (FG)
	Pearse Doherty (SF)
	Regina Doherty (FG) ³
	Stephen S. Donnelly (IND)
	Timmy Dooley (FF) ⁵
	Alan Farrell (FG) ⁴
	Seán Fleming (FF)
	Ciarán Lynch (LAB) ¹²
	Mary Lou McDonald (SF)
	Michael McGrath (FF)
	Paul Murphy (SP) ¹³
	Kieran O'Donnell (FG)
	Pat Rabbitte (LAB) ⁷
	Arthur Spring (LAB)
	Peadar Toibín (SF) ¹⁷
	Brian Walsh (FG) ¹⁶

Notes:

1. Deputies appointed to the Committee by order of the Dáil on 9 June 2011; Senators appointed to the Committee by order of the Seanad on 16 June 2011. Deputy Alex White elected as Chairman on 23 June 2011; Deputy Liam Twomey elected as Vice-Chairman on 23 June 2011.
2. Deputy Alex White promoted to Minister of State on 2 October 2012; Deputy Ciarán Lynch replaced Deputy White by order of the Dáil on 10 October 2012 and was elected Chairman on 10 October 2012.
3. Deputy Regina Doherty appointed on 3 July 2013 in place of Deputy Peter Mathews.
4. Deputy Pascal Donohoe appointed on 3 July 2013 in place of Deputy Billy Timmins and discharged on his appointment as Minister of State 12 July 2013 being replaced by Deputy Alan Farrell by order of the Dáil on 18 July 2013.
5. Deputy Timmy Dooley appointed on 21 June 2011 in place of Deputy Seán Ó Fearghail.
6. Deputy Simon Harris appointed on 28 November 2012 in place of Deputy Jim Daly.
7. Deputy Kevin Humphreys promoted to Minister of State on 15 July 2014. Deputy Pat Rabbitte replaced Deputy Humphreys by order of the Dáil on 17 July 2014.
8. Deputy Dara Murphy appointed on 19 July 2012 in place of Deputy Olivia Mitchell.
9. Deputy Aodhán Ó Riordáin appointed on 28 November 2012 in place of Deputy Michael McNamara who was appointed on 8 December 2011 in place of Deputy Thomas P. Broughan.
10. Deputy Brian Stanley appointed on 25 September 2012 in place of Deputy Pádraig Mac Lochlainn who was appointed on 14 December 2011 in place of Deputy Jonathan O'Brien.
11. Deputy Ciara Conway appointed on 24 September 2014 in place of Deputy Aodhán Ó Riordáin following his appointment as Minister of State.
12. Deputy Liam Twomey was elected chairman on 7 Oct 2014 on resignation of Deputy Ciarán Lynch as Chairman.
13. Deputy Paul Murphy appointed on 23 October 2014 in place of Deputy Joe Higgins.
14. Deputy Tom Barry replaced Deputy Dara Murphy by Order of the Dáil on 18 November 2014.
15. Deputy Ciaran Cannon replaced Deputy Heather Humphreys by Order of the Dáil on 18 November 2014.
16. Deputy Brian Walsh replaced Deputy Simon Harris by Order of the Dáil on 18 November 2014.
17. Deputy Peadar Toibín replaced Deputy Brian Stanley by Order of the Dáil on 18 December 2014.

List of Members (Select sub-Committee on Finance)

Chairman:	Liam Twomey (FG) ⁷
Deputies:	Richard Boyd Barrett (PBP) Ciara Conway (LAB) ⁶ Pearse Doherty (SF) Alan Farrell (FG) ⁵ Ciarán Lynch (LAB) ⁷ Michael McGrath (FF) Kieran O'Donnell (FG) Brian Walsh (FG) ⁸

Notes:

1. Deputies appointed to the Committee by order of the Dáil on 9 June 2011
2. Deputy Alex White elected as Chairman on 23 June 2011
3. Deputy Liam Twomey elected as Vice Chairperson on 23 June 2011
4. Deputy Alex White promoted to Minister of State on 2 October 2012; Deputy Ciarán Lynch replaced Deputy White by order of the Dáil on 10 October 2012 and was elected Chairman on 10 October 2012.
5. Deputy Pascal Donohoe appointed on 3 July 2013 in place of Deputy Billy Timmins and discharged on his appointment as Minister of State 12 July 2013 being replaced by Deputy Alan Farrell by order of the Dáil on 18 July 2013.
6. Deputy Ciara Conway appointed on 24 September 2014 in place of Deputy Aodhán Ó Ríordáin following his appointment as Minister of State.
7. Deputy Liam Twomey was elected chairman on 7 Oct 2014 on resignation of Deputy Ciarán Lynch as Chairman.
8. Deputy Brian Walsh replaced Deputy Simon Harris by Order of the Dáil on 18 November 2014.

List of Members (Select sub-Committee on Public Expenditure and Reform)

Chairman:	Liam Twomey (FG) ⁶
Deputies:	Tom Barry (FG) ⁷ Ciaran Cannon (FG) ⁸ Michael Creed (FG) Regina Doherty (FG) ⁵ Stephen S. Donnelly (IND) Seán Fleming (FF) Mary Lou McDonald (SF) Arthur Spring (LAB)

Notes:

1. Deputies appointed to the Committee by order of the Dáil on 9 June 2011
2. Deputy Alex White elected as Chairman on 23 June 2011
3. Deputy Liam Twomey elected as Vice Chairperson on 23 June 2011
4. Deputy Alex White promoted to Minister of State on 2 October 2012; Deputy Ciarán Lynch replaced Deputy White by order of the Dáil on 10 October 2012 and was elected Chairman on 10 October 2012.
5. Deputy Regina Doherty appointed on 3 July 2013 in place of Deputy Peter Mathews.
6. Deputy Liam Twomey was elected chairman on 7 Oct 2014 on resignation of Deputy Ciarán Lynch as Chairman
7. Deputy Tom Barry replaced Deputy Dara Murphy by Order of the Dáil on 18 November 2014.
8. Deputy Ciaran Cannon replaced Deputy Heather Humphreys by Order of the Dáil on 18 November 2014.

List of Members (Select sub-Committee on The Department of the Taoiseach)

Chairman: Liam Twomey (FG)⁶

Deputies: Tom Barry (FG)⁸
Ciaran Cannon (FG)⁹
Seán Fleming (FF)
Ciarán Lynch (LAB)⁶
Paul Murphy (SP)⁷
Pat Rabbitte (LAB)⁵
Peadar Toibín (SF)¹¹
Brian Walsh (FG)¹⁰

Notes:

1. Deputies appointed to the Committee by order of the Dáil on 9 June 2011
2. Deputy Alex White elected as Chairman on 23 June 2011
3. Deputy Liam Twomey elected as Vice Chairperson on 23 June 2011
4. Deputy Alex White promoted to Minister of State on 2 October 2012; Deputy Ciarán Lynch replaced Deputy White by order of the Dáil on 10 October 2012 and was elected Chairman on 10 October 2012.
5. Deputy Kevin Humphreys promoted to Minister of State on 15 July 2014. Deputy Pat Rabbitte replaced Deputy Humphreys by order of the Dáil on 17 July 2014.
6. Deputy Liam Twomey was elected chairman on 7 Oct 2014 on resignation of Deputy Ciarán Lynch as Chairman
7. Deputy Paul Murphy appointed on 23 October 2014 in place of Deputy Joe Higgins
8. Deputy Tom Barry replaced Deputy Dara Murphy by Order of the Dáil on 18 November 2014.
9. Deputy Ciaran Cannon replaced Deputy Heather Humphreys by Order of the Dáil on 18 November 2014.
10. Deputy Brian Walsh replaced Deputy Simon Harris by Order of the Dáil on 18 November 2014.
11. Deputy Peadar Toibín replaced Deputy Brian Stanley by Order of the Dáil on 18 December 2014.

List of Members (Joint sub-Committee on EU Scrutiny-Finance and Public Expenditure)

Chairman: Liam Twomey (FG)⁶

Deputies: Ciara Conway (LAB)⁵
Pearse Doherty (SF)
Ciaran Lynch (LAB)⁶
Michael McGrath (FF)
Paul Murphy (SP)⁷
Brian Walsh (FG)⁸

Senators: Marc MacSharry (FF)⁹
Tom Sheahan (FG)

Notes:

1. Deputies appointed to the Committee by order of the Dáil on 30 November 2011
2. Deputy Alex White elected as Chairman on 8 December 2011
3. Deputy Liam Twomey elected as Vice Chairperson on 8 December 2011
4. Deputy Alex White promoted to Minister of State on 2 October 2012; Deputy Ciarán Lynch replaced Deputy White by order of the Dáil on 10 October 2012 and was elected Chairman on 10 October 2012.
5. Deputy Liam Twomey was elected chairman on 7 Oct 2014 on resignation of Deputy Ciarán Lynch as Chairman
6. Deputy Paul Murphy appointed on 23 October 2014 in place of Deputy Joe Higgins
7. Deputy Brian Walsh replaced Deputy Simon Harris by Order of the Dáil on 18 November 2014.
8. Senator Marc MacSharry replaced Senator Thomas Byrne on 12 March 2015.

APPENDIX 3: Meetings of the Joint Committee

The following are the details, in date order, of the scheduled meetings of the Joint Committee which took place during the period under report.

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J21	11/1/2012	Matters relating to pensions and potential tax liabilities	<p><i>Office of the Revenue Commissioners</i></p> <ul style="list-style-type: none"> • Ms. Josephine Feehily, Chairman • Mr. Niall Cody, Assistant Secretary, Planning Division • Mr. Declan Rigney, Principal Officer, Planning Division <p><i>Department of Social Protection</i></p> <ul style="list-style-type: none"> • Ms. Anne Vaughan, Deputy Secretary General • Ms. Patricia Molloy, Principal Officer, Control Division
J22	18/1/2012	Private Meeting	
J23	31/1/2012	Matters relating to cigarette smuggling	<p><i>Retailers Against Smuggling</i></p> <ul style="list-style-type: none"> • Mr. Benny Gilsenan, Spokesperson, • Mr. William Hanley, Spokesperson
J24	08/02/2012	Overview of Statistics on Personal Non-mortgage Debt	<p><i>Central Bank of Ireland</i></p> <ul style="list-style-type: none"> • Mr. Joe McNeill, Head of Statistics Division • Mr. Martin O'Brien, Statistics Division • Ms. Mary Cussen, Statistics Division
J25	15/02/2012	Repayment of the Exceptional Liquidity Assistance and the IBRC Promissory Note	<ul style="list-style-type: none"> • Prof. Karl Whelan , University College Dublin • Prof. Brian Lucey, Trinity College Dublin • Dr. Stephen Kinsella, University of Limerick

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J26	22/02/2012	Matters relating to the Public Service Pensions [Single Scheme] and Remuneration Bill 2011	<i>Irish Congress of Trade Unions (ICTU)</i> <ul style="list-style-type: none"> • Mr. Shay Cody, Impact • Mr. Billy Hannigan, PSEU • Mr. Noel Ward, INTO • Ms. Phil Ní Sheaghda, INMO • Ms. Louise O' Reilly, SIPTU • Mr. Jim Mitchell, POA
J27	07/03/2012	Matters relating to non-financial corporate debt	<i>Central Bank of Ireland</i> <ul style="list-style-type: none"> • Mr. Joe McNeill, Head of Statistics Division • Mr. Martin O'Brien, Statistics Division • Mr. Fergal McCann, Head of Statistics Division <i>Central Statistics Office</i> <ul style="list-style-type: none"> • Mr. Michael Connolly, Head of Integration and Large Cases Division, National Accounts
J28	14/03/2012	Overview of operations and functioning of NAMA	<i>National Asset Management Agency (NAMA)</i> <ul style="list-style-type: none"> • Mr. Frank Daly, Chairman • Mr. Brendan McDonagh, Chief Executive Officer • Mr. John Mulcahy, Head of Asset Management
J29	21/03/2012	Matters relating to the Implementation Body for the Public Service Agreement 2010-2014	<i>Irish Congress of Trade Unions Public Services Committee</i> <ul style="list-style-type: none"> • Mr. Shay Cody, IMPACT • Mr. Tom Geraghty, PSEU • Ms. Patricia King, SIPTU • Ms. Sheila Nunan, INTO

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J30	27/03/2012	Matters relating to the ELA funding and the repayment of the IBRC promissory notes	<i>Central Bank of Ireland</i> <ul style="list-style-type: none"> • Professor Patrick Honohan, Governor, • Mr. Maurice McGuire, Director of Financial Operations
J31	18/04/2012	(1) Scrutiny of SI 28 of 2012 Oireachtas (Allowances) (Certain Ministers of State) Order and SI 37 of 2012 – Oireachtas (Allowances) (Amendment) Order 2012, (2) Pre Legislative Scrutiny on Draft General Scheme of Protected Disclosure in the Public Interest Bill, 2012 (proposed whistle-blowers legislation)	<ul style="list-style-type: none"> • Mr. Brendan Howlin, T.D., Minister for Public Expenditure and Reform • Ms. Oonagh Buckley, Principal Officer, • Ms. Sighle de Barra, Assistant Principal, • Mr. Nicholas Meehan, Assistant Principal • Mr. William Beausang, Assistant Secretary, • Mr. Finbarr Kelly, Principal Officer • Mr. Noel Tallon, Assistant Principal
J32	26/04/2012	Overview of the Fiscal Assessment Report (April 2012)	<i>Irish Fiscal Advisory Council</i> <ul style="list-style-type: none"> • Prof. John McHale, Chairman • Prof. Alan Barrett, Council Member • Mr. Sebastian Barnes, Council Member • Dr. Donal Donovan, Council Member • Mr. Diarmaid Smyth, Chief Economist • Ms. Eimear Leahy, Economist
J33	09/05/2012	Private Meeting	

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J34	16/05/2012	An Audit of Irish Debt	<i>University of Limerick</i> <ul style="list-style-type: none"> • Dr. Sheila Killian, • Dr. John Garvey, • Ms. Frances Shaw,
J35	23/05/2012	Pre Legislative Scrutiny on Draft General Scheme of Protected Disclosures in the Public Interest Bill 2012 – Exchange of views with the Irish Congress of Trade Unions (ICTU) and National Union of Journalists	<i>Irish Congress of Trade Unions</i> <ul style="list-style-type: none"> • Ms. Esther Lynch, ICTU • Ms. Phil Ní Sheaghdha, INMO • Mr. Matt Staunton, IMPACT • Mr. Seamus Shields, IBOA <i>National Union of Journalists</i> <ul style="list-style-type: none"> • Mr. Gerry Curran, Cathaoirleach • Mr. Seamus Dooley, National Secretary
J36	05/06/2012	Pre Legislative Scrutiny on Draft General Scheme of Protected Disclosures in the Public Interest Bill 2012 – Exchange of views with Mr. Paul Egan, Partner, Mason Hayes & Curran, and author on company law and corporate governance	<ul style="list-style-type: none"> • Mr. Paul Egan, Partner, Mason Hayes & Curran

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J37	06/06/2012	Pre Legislative Scrutiny on Draft General Scheme of Protected Disclosures in the Public Interest Bill 2012 – Exchange of views with Dr. Elaine Byrne, Lecturer, Trinity College Dublin.	<ul style="list-style-type: none"> • Dr. Elaine Byrne, Lecturer, Trinity College Dublin
J38	12/06/2012	Pre Legislative Scrutiny on Draft General Scheme of Protected Disclosures in the Public Interest Bill 2012 – Exchange of views with Mr. Kennan Furlong, Partner, A&L Goodbody; and Mr. Eugene McErlean former AIB internal auditor.	<ul style="list-style-type: none"> • Mr. Kenan Furlong, Partner, A&L Goodbody • Mr. Eugene McErlean, former AIB internal auditor
J39	13/06/2012	Pre Legislative Scrutiny on Draft General Scheme of Protected Disclosures in the Public Interest Bill 2012 – Exchange of views with Mr. Brendan Butler, IBEC; and Mr. John Devitt Transparency International Ireland.	<p><i>Irish Business and Employers Confederation</i></p> <ul style="list-style-type: none"> • Mr. Brendan Butler, Director of Policy and International Affairs • Ms. Siobhan Masterson, Head of Public Services Organisation • Ms. Aoife Newton, Solicitor <p><i>Transparency International Ireland</i></p> <ul style="list-style-type: none"> • Mr. John Devitt, Chief Executive • Ms. Lauren Kieran, Advisor to Mr. Devitt

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J40	19/06/2012	Pre ECOFIN Council briefing	<ul style="list-style-type: none"> • Mr. Michael Noonan, T.D., Minister for Finance
J41	04/07/2012	The safeguards in place to mitigate technical difficulties in the Irish Financial Services Sector	<i>Central Bank of Ireland</i> <ul style="list-style-type: none"> • Mr. Bernard Sheridan, Director, Consumer Protection • Mr. Paul Molumby, Head of Payments and Securities Settlement Division • Mr. Shane O'Neill, Head of Banking Supervision Division
J42	05/07/2012	Technical difficulties within Ulster Bank	<i>Ulster Bank</i> <ul style="list-style-type: none"> • Mr. Jim Brown, Chief Executive Officer, Ulster Bank • Mr. Chris Sullivan, Chief Executive Officer, UK Corporate Banking, Royal Bank of Scotland • Mr. Jim Ryan, Managing Director Branch Banking, Ulster bank
J43	11/07/2012	Private Meeting	
J44	12/07/2012	Private Meeting	
J45	18/07/2012	Matters relating to mortgage interest rates, restructuring plan submitted to the European Commission and general related financial issues	<i>Permanent TSB</i> <ul style="list-style-type: none"> • Mr. Jeremy Masding, Chief Executive Officer, • Mr. Niall O'Grady, General Manager, Marketing • Mr. Ian Diley, Head of Treasury Finance and Management Reporting

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J46	19/09/2012	Pre Legislative Scrutiny on Draft General Scheme of the Credit Union Bill 2012	<i>Irish League of Credit Unions</i> <ul style="list-style-type: none"> • Mr. Kieron Brennan, Chief Executive Officer, • Mr. Jimmy Johnson, President, • Ms. Fiona Cullen, Head of Legal Department, • Mr. Michael Edwards, Vice-President, Advocacy, World Council of Credit Unions (WOCCU), • Mr. John Knox, Research Department

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J47	20/09/2012	Public Consultation on the Draft General Scheme of the Credit Union Bill 2012	<p><i>MABS ndl</i></p> <ul style="list-style-type: none"> • Ms. Anne-Marie O'Connor, Business Manager, • Ms. Eileen Fitzgerald, Senior Manager <p><i>Irish Banking Federation</i></p> <ul style="list-style-type: none"> • Ms. Eimer O'Rourke, Director-Retail, • Mr. Felix O'Regan, Director of Public Affairs <p><i>FMB Chartered Accountants</i></p> <ul style="list-style-type: none"> • Mr. Kevin Morris, • Mr. Tom Fitzpatrick <p><i>Dundrum Credit Union</i></p> <ul style="list-style-type: none"> • Mr. Gerard McConville, Manager, • Ms Michele Brady, • Ms. Pauline Hayden, • Ms. Gretta Fletcher, • Mr. Frank Nolan <p><i>Gurranabraher Credit Union</i></p> <ul style="list-style-type: none"> • Mr. Philip Hosford, Manager <p><i>St. Mary's Parish Credit Union</i></p> <ul style="list-style-type: none"> • Mr. Pat Owens, Manager, • Mr. Bobby O'Halloran, Chairperson, • Mr. John Hennessy, Treasurer <p><i>Motherway Consulting</i></p> <ul style="list-style-type: none"> • Ms. Carmel Motherway, Consultant, • Mr. Donal Motherway <p><i>Enterprise IT</i></p> <ul style="list-style-type: none"> • Mr. Eoin O'Sullivan <p><i>Des Gunning</i></p> <ul style="list-style-type: none"> • Mr. Des Gunning

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
			<p><i>UCC Centre for Co-Operative Studies</i></p> <ul style="list-style-type: none"> • Ms. Noreen Byrne, • Mr. Ted O’Sullivan <p><i>National Supervisors Forum</i></p> <ul style="list-style-type: none"> • Mr. Joe Mulvey, • Mr. Frank Nolan, • Mr. Donal Murphy <p><i>Credit Union Development Association</i></p> <ul style="list-style-type: none"> • Mr. Kevin Johnson, Chief Executive Officer, • Ms. Elaine Larke, Head of Legal and Compliance <p><i>Credit Union Managers’ Association</i></p> <ul style="list-style-type: none"> • Mr. John Hickey, Chairman • Mr. Paul Ryan, Vice-Chairman • Ms. Selina Gilleece, Secretary • Ms. Lisa Stapleton, Executive Officer <p><i>Credit Union Advisory Committee</i></p> <ul style="list-style-type: none"> • Mr. Pádraig Ó Cearbhaill, Chairman

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J48	27/09/2012	Overview of the Fiscal Assessment Report (September 2012)	<i>Irish Fiscal Advisory Council</i> <ul style="list-style-type: none"> • Prof. John McHale, Chairman • Prof. Alan Barrett, Council Member • Mr. Sebastian Barnes, Council Member • Dr. Donal Donovan, Council Member • Mr. Diarmaid Smyth, Chief Economist
J49	10/10/2012	Quinn Insurance and the States' Insurance Compensation Fund	<i>Central Bank of Ireland</i> <ul style="list-style-type: none"> • Mr. Domhnall Cullinan, Head of General Insurance Division • Mr. Faheem Mirza, Deputy Head of General Insurance Division • Mr. Tom Cleary, General Insurance Division <i>Department of Finance</i> <ul style="list-style-type: none"> • Mr. Aidan Carrigan, Assistant Secretary, • Mr. Pat Casey, Principal Officer, • Mr. Cathal Sheridan, Principal Officer <i>Grant Thornton</i> <ul style="list-style-type: none"> • Mr. Michael McAteer, Joint Administrator, • Mr. Patrick Dillon, Advisory Services Partner • Mr. Aidan Cassells, QIL CEO • Mr. Aidan Sherry, QIL

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J50	17/10/2012	2013 Allocations for Public Expenditure	<p><i>Finance Vote</i></p> <ul style="list-style-type: none"> • Mr. Michael Noonan TD, Minister for Finance <p><i>Public Expenditure and Reform Vote</i></p> <ul style="list-style-type: none"> • Mr. Brendan Howlin TD, Minister for Public Expenditure and Reform <p><i>Office of Public Works Vote</i></p> <ul style="list-style-type: none"> • Mr. Brian Hayes TD, Minister of State with special responsibility for Public Service Reform and the OPW
J51	24/10/2012	Overview of operations and functioning of NAMA	<p><i>National Asset Management Agency</i></p> <ul style="list-style-type: none"> • Mr. Frank Daly, Chairman • Mr. Brendan McDonagh, Chief Executive Officer • Mr. Donal Rooney, Chief Financial Officer • Mr Ronnie Hanna, Head of Asset Recovery • Mr. John Mulcahy, Head of Asset Management

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J52	31/10/2012	Overview of operations and functioning of Irish Bank Resolution Corporation Limited and Allied Irish Banks Limited	<p><i>Irish Bank Resolution Corporation Limited</i></p> <ul style="list-style-type: none"> • Mr. Alan Dukes, Chairman • Mr. Mike Aynsley, Chief Executive Officer • Mr. Jim Bradley, Chief Financial Officer • Mr. Richard Woodhouse, Group Executive-Head of specialised Asset Management <p><i>Allied Irish Banks Limited</i></p> <ul style="list-style-type: none"> • Mr. David Duffy, Chief Executive • Mr. Bernard Byrne, Director of Personal, Business and Corporate Banking • Mr. Fergus Murphy, Director of Products • Mr. Paul Stanley, Acting Chief Financial Officer • Mr. Enda Johnson, Head of Corporate Affairs and Strategy
J53	01/11/2012	Overview of operations and functioning of Bank of Ireland	<p><i>Bank of Ireland</i></p> <ul style="list-style-type: none"> • Mr. Richie Boucher, Chief Executive Officer • Mr. Liam McLoughlin, Chief Executive Retail Ireland • Ms. Linda Carragher, Head of Credit (MARS)
J54	07/11/2012	Review of the Department of Finance Statement of Strategy 2011-2014 (2012 Revision)	<p><i>Department of Finance</i></p> <ul style="list-style-type: none"> • Mr. John A. Moran, Secretary General • Mr. Gary Comiskey • Dr. Nicholas O'Brien • Ms. Valerie Robinson, • Mr. John Hogan, • Mr. Colm Forde

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J55	08/11/2012	Pre-Ecofin Council briefing	<p><i>Department of Finance</i></p> <ul style="list-style-type: none"> • Mr. Michael Noonan TD, Minister for Finance
		Overview of 2013 Pre-budget Submissions	<p><i>Drinks Industry Group of Ireland (DIGI)</i></p> <ul style="list-style-type: none"> • Mr. Donall O' Keeffe, Board Member • Mr. Peter O'Brien, Board Member • Mr. Tony Foley, Economist <p><i>National off-Licence Association (NOffLA)</i></p> <ul style="list-style-type: none"> • Ms. Evelyn Jones, Chairperson <p><i>Irish Heart Foundation (IHF) and Irish Cancer Society (ICS)</i></p> <ul style="list-style-type: none"> • Mr. Chris Macey, Head of Advocacy • Ms. Kathleen O'Meara, Head of Advocacy and Communications <p><i>Smart Taxes Network</i></p> <ul style="list-style-type: none"> • Mr. Ronan Lyons <p><i>Retail Excellence Ireland (REI)</i></p> <ul style="list-style-type: none"> • Mr. David Fitsimons, Chief Executive Officer • Ms. Aoife Sweeney, Head of Communications <p><i>Small Firms Association (SFA)</i></p> <ul style="list-style-type: none"> • Ms. Patricia Callan, Director <p><i>Social Justice Ireland (SJI)</i></p> <ul style="list-style-type: none"> • Dr. Seán Healy, Director

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Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
			<p><i>Think Action for Social Change (TASC)</i></p> <ul style="list-style-type: none"> • Mr. Tom McDonnell, Economist <p><i>Irish Business and Employers Confederation (IBEC)</i></p> <ul style="list-style-type: none"> • Mr. Fergal O' Brien, Chief Economist <p><i>Irish Congress of Trade Unions (ICTU)</i></p> <ul style="list-style-type: none"> • Mr. Paul Sweeney, ICTU • Mr. Tom Geraghty, PSEU <p><i>Society of Chartered Surveyors Ireland (SCSI)</i></p> <ul style="list-style-type: none"> • Mr. Roland O'Connell, President

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J56	09/11/2012	Overview of 2013 Pre-budget Submissions (resumed)	<p><i>Disability Federation of Ireland (DFI)</i></p> <ul style="list-style-type: none"> • Mr. John Dolan, Chief Executive Officer <p><i>Mental Health Reform (MHR)</i></p> <ul style="list-style-type: none"> • Dr. Shari McDaid, Policy Officer <p><i>The Carers' Association</i></p> <ul style="list-style-type: none"> • Mr. John Dunne, Acting Chief Executive Officer, <p><i>Society of St. Vincent de Paul (SVP)</i></p> <ul style="list-style-type: none"> • Mr. John-Mark McCafferty, Head of Social Justice and Policy <p><i>The Alzheimer Society of Ireland</i></p> <ul style="list-style-type: none"> • Mr. Maurice O'Connell, Chief Executive Officer <p><i>Irish Medical Organisation (IMO)</i></p> <ul style="list-style-type: none"> • Professor Sean Tierney, former President <p><i>Barnardos</i></p> <ul style="list-style-type: none"> • Ms. Catherine Joyce, Head of Advocacy <p><i>Respond! Housing Association</i></p> <ul style="list-style-type: none"> • Mr. Ned Brennan, Chief Operations Officer <p><i>Focus Ireland</i></p> <ul style="list-style-type: none"> • Mr. Mike Allen, Director of Advocacy <p><i>Threshold National Housing Charity</i></p> <ul style="list-style-type: none"> • Mr. Bob Jordan, Director <p><i>Focus Ireland</i></p> <ul style="list-style-type: none"> • Mr. Mike Allen, Director of Advocacy

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
			<p><i>Community Platform</i></p> <ul style="list-style-type: none"> • Mr. Paul Ginnell, Policy Officer <p><i>National Women's Council of Ireland (NWCi)</i></p> <ul style="list-style-type: none"> • Ms. Orla O'Connor, Director <p><i>Irish National Organisation of the Unemployed (INOUE)</i></p> <ul style="list-style-type: none"> • Ms. Bríd O'Brien, Head of Policy and Media • Mr. Brendan Sherlock, National Executive Committee member
J57	13/11/2012	Private Meeting	

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
J58	14/11/2012	Scrutiny of COM(2011)819 and COM(2011)821 [Two Pack Regulations]	<i>Officials from the Department of Finance and Office of the Revenue Commissioners</i> <ul style="list-style-type: none"> • Mr. Tony Gallagher, EU and International Division • Ms. Alice Smith, EU and International Division • Mr. Fergal Ó Brolcháin, Principal Officer • Mr. John Palmer, Principal Officer
		Scrutiny of COM(2011)594 [Financial Transaction Tax]	<ul style="list-style-type: none"> • Ms. Brenda McVeigh, Principal Officer, Indirect Tax • Ms. Martina Shaughnessy, Administrative Officer, Fiscal Policy • Ms. Iona McElroy, Specialist, Fiscal Policy • Mr. Jim Byrne, Principal Officer, Revenue
		Scrutiny of COM(2011)121/4 [Common Consolidated Corporate Tax Base]	<ul style="list-style-type: none"> • Mr. Gary Tobin, Principal Officer, Business Taxation • Ms. Fay Kearney, Revenue • Mr. John Fanning, Revenue
J59	15/11/2012	Meeting Cancelled	
J60	22/11/2012	Progress on the Implementation of the Government's Public Service Reform Plan	<i>Department of Public Expenditure and Reform</i> <ul style="list-style-type: none"> • Mr. Brendan Howlin TD, Minister for Public Expenditure and Reform • Mr. Paul Reid, Assistant Secretary • Mr. David Feeney, Principal Officer

APPENDIX 4: Minutes of Proceedings of the Joint Committee

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM MINUTES OF MEETING OF WEDNESDAY 11 JANUARY 2012

The Joint Committee met at 14.03 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Jim Daly, Pearse Doherty, Stephen Donnelly, Timmy Dooley, Sean Fleming, Joe Higgins, Heather Humphreys, Kevin Humphreys Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Tom Hayes*, Kieran O'Donnell, Arthur Spring, Billy Timmins, Liam Twomey and Alex White (*in the chair*).

Senators: Sean D Barrett, Thomas Byrne, Michael D'Arcy, Aideen Hayden and Katherine Zappone.

Apologies: Olivia Mitchell.

* In substitution for Deputy Olivia Mitchell.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

4. MATTERS RELATING TO PENSIONS AND POTENTIAL TAX LIABILITIES

Ms. Josephine Feehily, Chairman, Office of the Revenue Commissioners and Ms. Anne Vaughan, Deputy Secretary, Department of Social Protection, made a presentation which was followed by a question and answer session.

5. ADJOURNMENT

The meeting adjourned *Sine Die* at 17:05

Alex White, T.D.

Chairman

18 January 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 18 JANUARY 2012

The Joint Committee met at 14.06 in Committee Room 3, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd Barrett, Michael Creed, Jim Daly, Pearse Doherty, Stephen Donnelly, Timmy Dooley, Sean Fleming, Heather Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Olivia Mitchell, Kieran O'Donnell, Arthur Spring and Alex White (*in the chair*).

Senators: Thomas Byrne, Michael D'Arcy, Aideen Hayden and Katherine Zappone.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ADJOURNMENT

The meeting adjourned *Sine Die* at 16.15.

Alex White, T.D.
Chairman
31 January 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 31 JANUARY 2012

The Joint Committee met at 14.34 in Committee Room 2, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Pearse Doherty, Sean Fleming, Kevin Humphreys Peter Mathews, Mary Lou McDonald, Michael McGrath, Olivia Mitchell, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Thomas Byrne, Aideen Hayden.

Apologies: Deputy Heather Humphries and Senator Katherine Zappone.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

8. MATTERS RELATING TO CIGARETTE SMUGGLING

Mr. Benny Gilsenan and Mr. William Hanley, both of Retailers Against Smuggling, made a presentation which was followed by a question and answer session.

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 15.27.

Alex White, T.D.

Chairman

8 February 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 8 FEBRUARY 2012

The Joint Committee met at 14.05 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Jim Daly, Pearse Doherty, Stephen Donnelly, Timmy Dooley, Sean Fleming, Heather Humphreys, Kevin Humphreys Peter Mathews, Michael McGrath, Michael McNamara, Kieran O'Donnell, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Thomas Byrne, Michael D'Arcy, Aideen Hayden and Katherine Zappone.

Apologies: Deputy Olivia Mitchell.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

9. REVIEW OF STATISTICS ON PERSONAL NON-MORTGAGE DEBT

Mr. Joe McNeill, Head of Statistics Division, Central Bank of Ireland, accompanied by Mr. Martin O'Brien and Ms. Mary Cussen, made a presentation which was followed by a question and answer session. It was agreed to publish on the Committee's web page the opening statement and the presentation received.

10. ADJOURNMENT

The meeting adjourned *Sine Die* at 16.40.

Alex White, T.D.
Chairman
15 February 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 15 FEBRUARY 2012

The Joint Committee met at 14.08 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Jim Daly, Pearse Doherty, Stephen Donnelly, Timmy Dooley, Joe Higgins, Heather Humphreys, Kevin Humphreys Peter Mathews, Mary Lou McDonald, Michael McGrath, Pádraig Mac Lochlainn, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Sean D Barrett, Thomas Byrne, Michael D'Arcy, Aideen Hayden and Katherine Zappone.

Other Members Attending: Senator John Gilroy.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

9. REPAYMENT OF THE EXCEPTIONAL LIQUIDITY ASSISTANCE AND THE IBRC

Professor Karl Whelan, University College Dublin, Professor Brian Lucey, Trinity College Dublin and Dr. Stephen Kinsella made a presentation which was followed by a question and answer session. It was agreed to publish on the Committee's web page the opening statements and the presentations received.

10. ADJOURNMENT

The meeting adjourned *Sine Die* at 17:10.

Alex White, T.D.
Chairman
22 February 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 22 FEBRUARY 2012

The Joint Committee met at 16.04 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Jim Daly, Pearse Doherty, Sean Fleming Joe Higgins, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Billy Timmins and Alex White (*in the chair*).

Senators: Ivana Bacik* and Sean D Barrett.

Apologies: Deputies Stephen Donnelly and Arthur Spring.

*In substitution for Senator Aideen Hayden.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

8. MATTERS RELATING TO THE PUBLIC SERVICE PENSIONS (SINGLE SCHEME) AND REMUNERATION BILL 2011

Mr. Shay Cody, IMPACT, accompanied by Mr. Billy Hannigan, PSEU, Mr. Noel Ward, INTO, Ms. Phil Ni Sheaghdha, INMO, Ms. Louise O'Reilly, SIPTU and Mr. Jim Mitchell, POA made a presentation which was followed by a question and answer session.

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 17:41.

Alex White, T.D.
Chairman
7 March 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 7 MARCH 2012

The Joint Committee met at 16.05 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Pearse Doherty, Timmy Dooley, Heather Humphreys, Kevin Humphreys, Peter Mathews, Michael McGrath, Michael McNamara, Olivia Mitchell, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Sean D. Barrett, Thomas Byrne, Denis Landy* and Katherine Zappone.

Apologies: Deputy Pádraig Mac Lochlainn.

*In substitution for Senator Aideen Hayden.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

7. MATTERS RELATING TO NON-FINANCIAL CORPORATE DEBT

Mr. Joe McNeill, Head of Statistics Division, accompanied by Mr. Martin O'Brien, and Mr. Fergal McCann, Central Bank of Ireland and Mr. Michael Connolly, Central Statistics Office made a presentation which was followed by a question and answer session.

8. ADJOURNMENT

The meeting adjourned *Sine Die* at 17.48.

Alex White, T.D.
Chairman
14 March 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 14 MARCH 2012

The Joint Committee met at 14.05 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Jim Daly, Pearse Doherty, Stephen Donnelly, Timmy Dooley, Robert Troy*, Joe Higgins, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Sean Crowe**, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring, Billy Timmins, Liam Twomey and Alex White (*in the chair*).

Senators: Sean D Barrett, Thomas Byrne, Michael D'Arcy, Aideen Hayden and Tom Sheahan.

*In substitution for Deputy Seán Fleming.

**In substitution for Deputy Pádraig Mac Lochlainn.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. MATTERS RELATING TO NON-FINANCIAL CORPORATE DEBT

Mr. Frank Daly, Chairman and Mr. Brendan McDonagh, Chief Executive National Asset Management Agency accompanied by Mr. John Mulcahy, Head of Asset Management made a presentation which was followed by a question and answer session.

The meeting suspended at 18:08 and resumed in Private Session at 18:19

In Private Session

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 19:03.

Alex White, T.D.

Chairman

21 March 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 21 MARCH 2012

The Joint Committee met at 14.14 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Jim Daly, Timmy Dooley, Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring and Liam Twomey (*in the chair*).

Senators: Tom Sheahan and Lorraine Higgins*.

*In substitution for Senator Michael D'Arcy.

Apologies: Deputy Alex White.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

8. Matters relating to the Public Service Agreement 2010-2014 [Representatives of ICTU Public Services Committee]

Mr. Shay Cody (IMPACT) and Chair of the ICTU Public Services Committee; Mr. Tom Geraghty (PSEU) and Secretary of the ICTU Public Services Committee; Ms. Patricia King (SIPTU) and Ms. Sheila Nunan (INTO) attended. Mr. Cody made a presentation which was followed by a question and answer session.

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 17.06.

Alex White, T.D.
Chairman
27 March 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 27 MARCH 2012

The Joint Committee met at 14.31 in Committee Room 1, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Jim Daly, Pearse Doherty, Stephen Donnelly, Timmy Dooley, Joe Higgins, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring, Billy Timmins, Liam Twomey and Alex White (*in the chair*).

Senators: Sean D. Barrett, Thomas Byrne, Michael Darcy, Aideen Hayden, and Katherine Zappone

Other Members: Deputy Paschal Donohoe and Senator John Gilroy

Apologies: Deputy Pádraig Mac Lochlainn

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

6. Matters relating to the ELA funding and the repayment of the IBRC promissory notes [Professor Patrick Honohan, Governor of the Central Bank of Ireland]

Governor Honohan, accompanied by Mr. Maurice McGuire, Director of Financial Relations, made a presentation which was followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned *Sine Die* at 17:44.

Alex White, T.D.
Chairman
18 April 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 18 APRIL 2012

The Joint Committee met at 16.38 in Committee Room 1, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Timmy Dooley, Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Mark Daly* Thomas Byrne, Michael D'Arcy and Aideen Hayden.

Apologies: Deputies Pearse Doherty and Joe Higgins.

*In part substitution for Senator Thomas Byrne.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

8. SCRUTINY OF STATUTORY INSTRUMENTS 28 AND 37 OF 2012

Minister Howlin made some opening remarks which were followed by a question and answer session.

9. CONSIDERATION OF GENERAL SCHEME OF PROTECTED DISCLOSURE IN THE PUBLIC INTEREST BILL, 2012 (PROPOSED WHISTLE-BLOWERS LEGISLATION)

Minister Howlin made some opening remarks which was followed by a question and answer session. It was agreed that the matter be listed as a formal item on the next Joint Committee agenda so that members could decide on how to progress its further consideration.

10. ADJOURNMENT

The meeting adjourned *Sine Die* at 18:19.

Alex White, T.D.

Chairman

26 April 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 26 APRIL 2012

The Joint Committee met at 14.11 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Stephen Donnelly, Timmy Dooley, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Sean Kenny*, Olivia Mitchell, Kieran O'Donnell, Arthur Spring (*in the chair*).

Senators: Sean D. Barrett and Aideen Hayden.

Apologies: Deputies Pearse Doherty, Heather Humphreys, Michael McNamara and Alex White.

*In substitution for Deputy Michael McNamara.

In Private Session

On the nomination of Deputy Kevin Humphreys, Deputy Arthur Spring took the chair.

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

7. REVIEW OF THE FISCAL ASSESSMENT REPORT APRIL 2012

Professor John McHale, Chairman of the Irish Fiscal Advisory Council made some opening remarks which were followed by a question and answer session.

8. ADJOURNMENT

The meeting adjourned *Sine Die* at 17.38.

Alex White, T.D.
Chairman
9 May 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 9 MAY 2012

The Joint Committee met at 14.09 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd Barrett, Jim Daly, Pearse Doherty, Timmy Dooley, Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Olivia Mitchell, Arthur Spring, Billy Timmins, Liam Twomey and Alex White (*in the chair*).

Senators: Sean D. Barrett and Marc MacSharry*.

*In substitution for Senator Thomas Byrne.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 15:27.

Alex White, T.D.
Chairman
16 May 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 16 MAY 2012

The Joint Committee met at 15.07 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Jim Daly, Pearse Doherty, Sean Fleming, Joe Higgins, Kevin Humphreys, Heather Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Michael D'Arcy and Aideen Hayden.

Apologies: Deputy Stephen Donnelly and Senator Thomas Byrne.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. AN AUDIT OF IRISH DEBT

Dr. Sheila Killian, Dr. John Garvey and Ms. Frances Shaw, University of Limerick, made some opening remarks which was followed by a question and answer session.

6. ADJOURNMENT

The meeting adjourned *Sine Die* at 17:08.

Alex White, T.D.
Chairman
23 May 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 23 MAY 2012

The Joint Committee met at 15.08 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Ciara Conway*, Liam Twomey and Alex White (*in the chair*).

Senators: Aideen Hayden and Denis O'Donovan.

Apologies: Deputies Pearse Doherty, Timmy Dooley, Mary Lou McDonald, Michael McGrath and Olivia Mitchell.

*In substitution for Deputy Michael McNamara.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

7. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012-IRISH CONGRESS OF TRADE UNIONS (ICTU)

Ms. Esther Lynch, Mr. Matt Staunton, Ms. Phil Ní Sheaghdhá and Mr. Seamus Shields, Irish Congress of Trade Unions, made some opening remarks which were followed by a question and answer session.

8. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012-NATIONAL UNION OF JOURNALISTS (NUJ)

Mr. Gerry Curran and Mr. Seamus Dooley, National Union of Journalists, made some opening remarks which were followed by a question and answer session.

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 16.58.

Alex White, T.D.
Chairman
5 June 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 05 JUNE 2012

The Joint Committee met at 14.15 in Committee Room 2, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Jim Daly, Stephen Donnelly, Timmy Dooley, Sean Fleming, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Olivia Mitchell, Kieran O'Donnell, Billy Timmins, Liam Twomey and Alex White (*in the chair*).

Senators: Thomas Byrne, Michael D'Arcy and Cáit Keane.*

Apologies: Deputies Richard Boyd-Barrett, Pearse Doherty, Heather Humphreys, Michael McGrath, Pádraig Mac Lochlainn, Arthur Spring and Senators Sean D. Barrett, Aideen Hayden, Denis O' Donovan and Tom Sheahan.

*In substitution for Senator Michael D'Arcy.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

8. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012

Mr. Paul Egan, Partner-Mason Hayes & Curran, made a presentation which was followed by a question and answer session.

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 16:37.

Alex White, T.D.
Chairman
6 June 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 6 JUNE 2012

The Joint Committee met at 15.40 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Stephen Donnelly, Timmy Dooley, Sean Fleming, Joe Higgins, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Kieran O'Donnell, Arthur Spring and Alex White (*in the chair*).

Senators: Thomas Byrne.

Apologies: Deputy Olivia Mitchell and Senator Sean D. Barrett.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

7. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012

Dr. Elaine Byrne, Lecturer – Department of Political Science, Trinity College Dublin, made a presentation which was followed by a question and answer session.

8. ADJOURNMENT

The meeting adjourned *Sine Die* at 17.11.

Alex White, T.D.
Chairman
12 June 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 12 JUNE 2012

The Joint Committee met at 14.13 in Committee Room 2, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Jim Daly, Stephen Donnelly, Timmy Dooley, Heather Humphreys, Kevin Humphreys, Peter Mathews, Michael McGrath and Alex White (*in the chair*).

Senators: Thomas Byrne and Aideen Hayden.

Apologies: Deputies, Olivia Mitchell and Arthur Spring.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012

Mr. Kennan Furlong, Partner, A&L Goodbody, made a presentation which was followed by a question and answer session.

6. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012

Mr. Eugene McErlean former AIB internal auditor, made a presentation which was followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned *Sine Die* at 15.31.

Alex White, T.D.
Chairman
13 June 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 13 JUNE 2012

The Joint Committee met at 16.10 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Stephen Donnelly, Timmy Dooley, Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Liam Twomey and Alex White (*in the chair*).

Senators: Mark Daly* and Aileen Hayden.

*In substitution for Senator Thomas Byrne.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012

Mr. Brendan Butler, IBEC made a presentation which was followed by a question and answer session.

6. DRAFT HEADS OF THE GENERAL SCHEME OF PROTECTED DISCLOSURES IN THE PUBLIC INTEREST BILL 2012

Mr. John Devitt, Chief Executive, Transparency International Ireland made a presentation which was followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned *Sine Die* at 18.25.

Alex White, T.D.
Chairman
19 June 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 19 JUNE 2012

The Joint Committee met at 15.36 in Committee Room 3, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Jim Daly, Pearse Doherty, Stephen Donnelly, Timmy Dooley, Joe Higgins, Heather Humphreys, Kevin Humphreys, Peter Mathews, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Billy Timmins and Alex White (*in the chair*).

Senators: Sean D. Barrett, Thomas Byrne, Paul Coghlan*, Michael Darcy and Aideen Hayden.

*In substitution for Senator Tom Sheahan.

Apologies: Deputy Mary Lou McDonald.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. ECOFIN MEETING ON 22 JUNE 2012 [Mr. Michael Noonan, Minister for Finance]

Mr. Michael Noonan TD, Minister for Finance, made a presentation which was followed by a question and answer session.

6. ADJOURNMENT

The meeting adjourned *Sine Die* at 17.41.

Alex White, T.D.
Chairman
04 July 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 4 JULY 2012

The Joint Committee met at 14.07 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Michael Creed, Pearse Doherty, Timmy Dooley, Sean Fleming, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Billy Timmins, Liam Twomey and Alex White (*in the chair*).

Senators: Thomas Byrne, Paul Coghlan and Aideen Hayden.

Apologies: Deputies Stephen Donnelly, Heather Humphreys and Arthur Spring.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

4. THE SAFEGUARDS IN PLACE TO MITIGATE TECHNICAL DIFFICULTIES IN THE IRISH FINANCIAL SERVICES SECTOR - CENTRAL BANK OF IRELAND

Mr. Bernard Sheridan, Director, Consumer Affairs, Mr. Paul Molumby, Head of Payments and Securities Settlement Division and Mr. Shane O'Neill, Head of Banking Supervision Division made a presentation which was followed by a question and answer session.

The meeting suspended at 16:27 and resumed in Private Session at 16:31

In Private Session

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

9. ITEM DISCUSSED IN PRIVATE SESSION

10. ITEM DISCUSSED IN PRIVATE SESSION

11. ADJOURNMENT

The meeting adjourned *Sine Die* at 16:59.

Alex White, T.D.

Chairman

5 July 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY 05 JULY 2012

The Joint Committee met at 14.38 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Michael Creed, Pearse Doherty, Shane Ross,* Timmy Dooley, Peter Mathews, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Billy Timmins and Alex White (*in the chair*).

Senators: Paul Coghlan and Lorraine Higgins**.

Apologies: Deputies Stephen Donnelly, Heather Humphreys and Arthur Spring.

*In substitution for Deputy Stephen Donnelly.

**In substitution for Senator Aideen Hayden.

In Public Session

2. MINUTES

The minutes of the meeting of 4 July 2012 were agreed.

3. MATTERS ARISING

There were no matters arising.

The meeting suspended at 14:52 and resumed in Public Session at 15:08

4. TECHNICAL DIFFICULTIES WITHIN ULSTER BANK

Mr. Jim Brown, Chief Executive Officer, Ulster Bank, accompanied by Mr. Chris Sullivan, Chief Executive Officer, UK Corporate Banking, Royal Bank of Scotland and Mr. Jim Ryan, Managing Director Branch Banking, Ulster Bank, made some opening remarks which were followed by a question and answer session.

5. ADJOURNMENT

The meeting adjourned *Sine Die* at 17.03.

Alex White, T.D.
Chairman
11 July 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 11 JULY 2012

The Joint Committee met at 14.08 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd Barrett, Jim Daly, Pearse Doherty, Timmy Dooley, Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring and Alex White (*in the chair*).

Senators: Thomas Byrne and Paul Coghlan.

Apologies: Deputy Liam Twomey.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

9. ITEM DISCUSSED IN PRIVATE SESSION

10. ADJOURNMENT

The meeting adjourned *Sine Die* at 15:04.

Alex White, T.D.

Chairman

12 July 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY 12 JULY 2012

The Joint Committee met at 14.04 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd Barrett, Pearse Doherty, Stephen Donnelly, Joe Higgins, Heather Humphreys, Kevin Humphreys, Peter Mathews, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Ann Phelan*, Arthur Spring and Alex White (*in the chair*).

Senators: Sean D. Barrett, Thomas Byrne, Paul Coghlan and Michael D'Arcy.

Apologies: Deputy Liam Twomey.

*In part substitution for Deputy Olivia Mitchell.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ADJOURNMENT

The meeting adjourned *Sine Die* at 16.33.

Alex White, T.D.
Chairman
18 July 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 18 JULY 2012

The Joint Committee met at 14.12 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Pearse Doherty, Stephen Donnelly, Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Michael D'Arcy and Aideen Hayden.

Apologies: Deputy Mary Lou McDonald.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

6. PERMANENT TSB-MORTGAGE INTEREST RATES; RESTRUCTURING PLAN SUBMITTED TO THE EUROPEAN COMMISSION AND GENERAL FINANCIAL ISSUES

Mr. Jeremy Masding, Chief Executive Officer, accompanied by Mr. Niall O'Grady, General Manager, Marketing and Mr. Ian Dille, Head of Treasury Finance and Management Reporting, made some opening remarks which were followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned *Sine Die* at 17:07.

Alex White, T.D.
Chairman
19 September 2012

**JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 19 SEPTEMBER 2012**

The Joint Committee met at 14.36 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Jim Daly, Pearse Doherty, Timmy Dooley, Joe Higgins, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Dara Murphy, Arthur Spring, Liam Twomey and Alex White (*in the chair*).

Senators: Aileen Hayden.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

6. PUBLIC CONSULTATION ON THE DRAFT GENERAL SCHEME OF THE CREDIT UNION BILL 2012-IRISH LEAGUE OF CREDIT UNIONS

Mr. Kieron Brennan, Chief Executive Officer, accompanied by Mr. Jimmy Johnson, President, Ms. Fiona Cullen, Head of Legal Department, Mr. Michael Edwards, Vice President, WOCCU and Mr. John Knox, Research Department, made some opening remarks which were followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned at 17.26 until 10.00 a.m. on Thursday 20 September 2012.

Alex White, T.D.
Chairman
20 September 2012

**JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY, 20 SEPTEMBER 2012**

The Joint Committee met at 10:13 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Pearse Doherty, Timmy Dooley, Sean Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Michael McGrath, Michael McNamara, Dara Murphy, Kieran O'Donnell, Arthur Spring, Billy Timmins, Liam Twomey and Alex White (*in the chair*).

Senators: Thomas Byrne and Aileen Hayden.

Other Members: Deputy Paschal Donohoe.

Apologies: Deputy Mary Lou McDonald.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

**6. PUBLIC CONSULTATION ON THE DRAFT GENERAL SCHEME OF THE CREDIT UNION BILL
2012**

SESSION 1 - 10.00 - 11.30 - FINANCE, PROFESSIONAL AND ACCOUNTANCY BODIES

MABS ndl

Ms. Annmarie O'Connor, accompanied by Ms. Eileen Fitzgerald, discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

Irish Banking Federation

Ms. Eimer O'Rourke, Director - Retail, accompanied by Mr. Felix O'Regan, Director of Public Affairs discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

FMB Chartered Accountants

Mr. Kevin Morris, accompanied by Mr. Tom Fitzpatrick, discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

SESSION 2 - 11.30 - 13.00 - CREDIT UNIONS WHO MADE SUBMISSIONS**Dundrum Credit Union**

Mr. Gerard McConville, Manager-Dundrum Credit Union, accompanied by Ms. Michele Brady, Ms. Pauline Hayden, Ms. Gretta Fletcher and Mr. Frank Nolan discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

Gurranabraher Credit Union

Mr. Philip Hosford, Manager, Gurranabraher discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

St. Mary's Parish Credit Union

Mr. Pat Owens, Manager accompanied by Mr. Bobby O'Halloran, Chairperson and Mr. John Hennessy, Treasurer discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

The meeting suspended at 13.03 and resumed at 14.08 in Public Session**SESSION 3 - 14.00 - 15.30 - CONSULTANTS AND EXPERTS EXTERNAL TO THE CREDIT UNION MOVEMENT****Motherway Consulting**

Ms. Carmel Motherway, Consultant accompanied by Mr. Donal Motherway discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

Enterprise IT

Mr. Eoin O'Sullivan discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

Mr. Des Gunning

Mr. Des Gunning discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

UCC Centre for Co-operatives Studies

Ms. Noreen Byrne accompanied by Mr. Ted O’Sullivan discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

SESSION 4 - 15.30 - 18.00 - CREDIT UNION REPRESENTATIVE BODIES

National Supervisors Forum (NSF)

Mr. Joe Mulvey, accompanied by Mr. Frank Nolan and Mr. Donal Murphy discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

Credit Union Development Association (CUDA)

Mr. Kevin Johnson, Chief Executive Officer, accompanied by Ms. Elaine Larke, Head of Legal and Compliance discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

Credit Union Managers’ Association (CUMA)

Ms. Selina Gilleece accompanied by Mr. John Hickey, Ms. Lisa Stapleton and Mr. Paul Ryan discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

Credit Union Advisory Committee (CUAC)

Mr. Pdraig Ó’Cearbhaill discussed the submission on the Draft General Scheme of the Credit Union Bill 2012 made to the Department of Finance. This was followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned *Sine Die* at 17:24.

Liam Twomey, T.D.
Vice-Chairman
27 September 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY 27 SEPTEMBER 2012

The Joint Committee met at 14.15 in Committee Room 3, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Ciara Conway*, Jim Daly, Pearse Doherty, Sean Fleming, Joe Higgins, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Michael McGrath, Dara Murphy, Kieran O'Donnell, Arthur Spring and Liam Twomey (*in the chair*).

Senators: Thomas Byrne and Mary M. White**.

Apologies: Deputy Alex White.

* In substitution for Deputy Alex White.

**In part substitution for Senator Thomas Byrne.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

7. FISCAL ASSESSMENT REPORT – SEPTEMBER 2012

Professor John McHale, Chairman of the Irish Fiscal Advisory Council, accompanied by Professor Alan Barrett, Dr. Donal Donovan, Mr. Sebastian Barnes and Mr. Diarmaid Smyth made some opening remarks. This was followed by a question and answer session.

8. ADJOURNMENT

The meeting adjourned *Sine Die* at 16:44.

Ciarán Lynch
Chairman
10 October 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 10 OCTOBER 2012

The Joint Committee met at 14.01 in Committee Room 3, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Jim Daly, Pearse Doherty, Timmy Dooley, Joe Higgins, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the Chair*), Peter Mathews, Simon Harris*, Michael McGrath, Dara Murphy, Kieran O'Donnell, Arthur Spring, Brian Stanley, Billy Timmins and Terence Flanagan**.

Senators: Thomas Byrne, Paul Coghlan, Michael D'Arcy and Aideen Hayden.

Apologies: Deputy Liam Twomey.

* In part substitution for Deputy Peter Mathews.

** In substitution for Deputy Liam Twomey.

In Public Session

2. ELECTION OF CHAIRMAN

The Clerk invited nominations for the position of Chairman. Deputy Kevin Humphreys moved "That Deputy Ciarán Lynch be the Chairman of the Committee". The question was put by the Clerk and agreed to unanimously. Deputy Lynch took the Chair accordingly.

3. MINUTES

The minutes of the meeting of 27 September 2012 were agreed.

4. APOLOGIES

Apologies were received from Deputy Peter Mathews

5. QUINN INSURANCE (QIL) AND THE STATE'S INSURANCE COMPENSATION FUND

Mr. Michael McAteer, Joint Administrator, Grant Thornton accompanied by Mr. Patrick Dillon, Advisory Services Partner, Grant Thornton; Mr. Adian Cassells, QIL CEO and Mr. Aidan Sherry, QIL made a presentation. Mr. Domhnall Cullinan, Head of General Insurance Division, Central Bank of Ireland accompanied by Mr. Faheem Mirza, Deputy Head of General Insurance Division and Mr. Tom Cleary, General Insurance Division made a presentation. Mr. Aidan Carrigan, Department of Finance accompanied by Mr. Pat Casey and Mr. Cathal Sheridan made a presentation. The presentations were followed by a question and answer session.

In Private Session

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

9. ADJOURNMENT

The meeting adjourned *Sine Die* at 17.01.

Ciarán Lynch, T.D.
Chairman
17 October 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 17 OCTOBER 2012

The Joint Committee met at 14.08 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Michael Creed, Jim Daly, Stephen Donnelly, Timmy Dooley, Sean Fleming, Joe Higgins, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Mary Lou McDonald, Michael McGrath, Michael McNamara, Arthur Spring, Brian Stanley, Billy Timmins and Liam Twomey.

Senators: Paul Coghlan and Michael D'Arcy.

Apologies: Deputy Dara Murphy.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

7. 2013 ALLOCATIONS FOR PUBLIC EXPENDITURE-FINANCE VOTE GROUP

Mr. Michael Noonan TD, Minister for Finance, made some opening remarks. This was followed by a question and answer session.

8. 2013 ALLOCATIONS FOR PUBLIC EXPENDITURE-OFFICE OF PUBLIC WORKS (OPW) VOTE

Mr. Brian Hayes TD, Minister of State at the Departments of Finance and Public Expenditure and Reform, made some opening remarks. This was followed by a question and answer session.

9. 2013 ALLOCATIONS FOR PUBLIC EXPENDITURE-PUBLIC EXPENDITURE AND REFORM VOTE

Mr. Brendan Howlin TD, Minister for Public Expenditure and Reform, made some opening remarks. This was followed by a question and answer session.

10. ADJOURNMENT

The meeting adjourned *Sine Die* at 19.23.

Ciarán Lynch, T.D.
Chairman
24 October 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 24 OCTOBER 2012

The Joint Committee met at 14.08 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Pearse Doherty, Seán Fleming, Joe Higgins, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Michael McGrath, Michael McNamara, Dara Murphy, Kieran O'Donnell, Arthur Spring, Brian Stanley, Billy Timmins and Liam Twomey.

Senators: Paul Coghlan and Aileen Hayden.

Apologies: Deputy Mary Lou McDonald.

In Public Session

2. OVERVIEW OF OPERATIONS AND FUNCTIONING OF NAMA

Mr. Brendan McDonagh, Chief Executive and Mr. Frank Daly, Chairman, accompanied by Mr. Donal Rooney, Chief Financial Officer, Mr. Ronnie Hanna, Head of Asset Recovery and Mr. John Mulcahy, Head of Asset Management, NAMA made some opening remarks. This was followed by a question and answer session.

In Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ITEM DISCUSSED IN PRIVATE SESSION

9. ITEM DISCUSSED IN PRIVATE SESSION

10. ADJOURNMENT

The meeting adjourned *Sine Die* at 18:05.

Ciáran Lynch, T.D.
Chairman
31 October 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 31 OCTOBER 2012

The Joint Committee met at 10.15 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Pearse Doherty, Timmy Dooley, Joe Higgins, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Michael McGrath, Dara Murphy, Kieran O'Donnell, Arthur Spring, Brian Stanley, Billy Timmins and Liam Twomey.

Senators: Thomas Byrne, Paul Coghlan and Aideen Hayden.

Apologies: Deputies Jim Daly, Stephen Donnelly, Heather Humphreys and Mary Lou McDonald and Senator Seán D. Barrett.

In Public Session

2. OVERVIEW OF THE ISSUES FACING THE ECONOMY AND THE BANKS-IRISH BANK RESOLUTION CORPORATION LIMITED

Mr. Alan Dukes, Chairman, accompanied by Mr. Mike Aynsley, Chief Executive; Mr. Jim Bradley, Chief Financial Officer and Mr. Richard Woodhouse, Group Executive Head of Asset Management, Irish Bank Resolution Corporation Limited, made some opening remarks. This was followed by a question and answer session.

In Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

7. OVERVIEW OF THE ISSUES FACING THE ECONOMY AND THE BANKS- ALLIED IRISH BANKS LIMITED

Mr. David Duffy, Chief Executive Officer accompanied by Mr. Bernard Byrne, Director of Personal, Business and Corporate Banking; Mr. Fergus Murphy, Director of Products; Mr. Paul Stanley, Acting Chief Financial Officer and Mr. Enda Johnson, Head of Corporate Affairs and Strategy, Allied Irish Banks Limited, made some opening remarks. This was followed by a question and answer session.

8. ADJOURNMENT

The meeting adjourned at 17.29 until 10.30 a.m. on Thursday 1 November 2012.

Ciáran Lynch, T.D.
Chairman
1 November 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY 1 NOVEMBER 2012

The Joint Committee met at 10.35 in Committee Room 3, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Pearse Doherty, Stephen Donnelly, Joe Higgins, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Michael McNamara, Dara Murphy, Kieran O'Donnell, Patrick O'Donovan,* Arthur Spring and Billy Timmins.

Senators: Seán D. Barrett and Thomas Byrne.

Other Members: Deputy Shane Ross.

Apologies: Deputies Jim Daly, Heather Humphreys, Mary Lou McDonald and Michael McGrath.

* In substitution for Deputy Michael Creed.

In Public Session

2. MINUTES

The minutes of the meeting of 31st October 2012 were agreed.

3. MATTERS ARISING

There were no matters arising.

4. CORRESPONDENCE

It was agreed to defer consideration of correspondence to the next Joint Committee meeting.

5. OVERVIEW OF THE ISSUES FACING THE ECONOMY AND THE BANKS-BANK OF IRELAND

Mr. Richie Boucher, Chief Executive Officer accompanied by Mr. Liam McLoughlin, Chief Executive Retail Ireland and Ms. Lynda Carragher, Head of Credit, Bank of Ireland, made some opening remarks. This was followed by a question and answer session.

6. ADJOURNMENT

The meeting adjourned *Sine Die* at 13.15.

Ciarán Lynch, T.D.
Chairman
7 November 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 7 NOVEMBER 2012

The Joint Committee met at 14.07 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Pearse Doherty, Stephen Donnelly, Joe Higgins, Heather Humphreys Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Mary Lou McDonald, Michael McGrath, Dara Murphy, Kieran O'Donnell, Arthur Spring, Brian Stanley, Billy Timmins and Liam Twomey.

Senators: Paul Coghlan and Aideen Hayden.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ADJOURNMENT

The meeting adjourned at 16:02 to 9:30a.m.on Thursday 8 November.

Ciarán Lynch, T.D.
Chairman
8 November 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY 8 NOVEMBER 2012

The Joint Committee met at 9.37 in Committee Room 3, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Michael Colreavy,* Pearse Doherty, Stephen Donnelly, Timmy Dooley, Joe Higgins, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Mary Lou McDonald, Peadar Tóibín**, Michael McGrath, Dara Murphy, Kieran O'Donnell, Arthur Spring, and Liam Twomey.

Senators: Jillian van Turnhout***.

*In part substitution for Deputy Pearse Doherty

** In part substitution for Deputy Mary Lou McDonald

***In substitution for Senator Seán D. Barrett

Apologies: Deputies Pearse Doherty and Brian Stanley.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. ECOFIN MEETING ON 13 NOVEMBER 2012 [Mr. Michael Noonan TD, Minister for Finance]

Mr. Michael Noonan TD, Minister for Finance, made a presentation which was followed by a question and answer session.

The meeting suspended at 10.59 until 14.03

In Public Session

6. OVERVIEW OF 2013 PRE BUDGET SUBMISSIONS [Representatives from Civil Society/Focus Groups]

Session 1: 2.00-2.30 p.m.

Mr. Donall O'Keeffe, Mr. Peter O'Brien and Mr. Tony Foley, Drinks Industry Group of Ireland (DIGI) and Ms. Evelyn Jones, National Off-Licence Association (NOffLA) made a presentation which was followed by a question and answer session.

Session 2: 2.30-3.00 p.m.

Mr. Chris Macey, Irish Heart Foundation (IHF), Ms. Kathleen O'Meara, Irish Cancer Society (ICS) and Mr. Ronan Lyons, Smart Taxes Network made a presentation which was followed by a question and answer session.

Session 3: 3.00-3.45 p.m.

Mr. David Fitzsimons, Retail Excellence Ireland (REI) and Ms. Patricia Callan, Small Firms Association (SFA) made a presentation which was followed by a question and answer session.

Session 4: 4.00-4.45 p.m.

Dr. Seán Healy, Social Justice Ireland (SJI) and Mr. Tom McDonnell, TASC made a presentation which was followed by a question and answer session.

Session 5: 4.45-5.30 p.m.

Mr. Fergal O'Brien, Irish Business and Employer's Confederation (IBEC); Mr. Paul Sweeney, Irish Congress of Trade Unions (ICTU); Mr. Tom Geraghty, Public Service Executive Union (PSEU) and Mr. Roland O'Connell, Society of Chartered Surveyors Ireland (SCSI) made a presentation which was followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned at 18.24 until 10.00 a.m. on Friday 9th November 2012.

Ciarán Lynch, T.D.
Chairman
9 November 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF FRIDAY 9 NOVEMBER 2012

The Joint Committee met at 10.14 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Peter Fitzpatrick*, Pearse Doherty, Seán Fleming, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Robert Dowds**, Anthony Lawlor***, Kieran O'Donnell and Ciara Conway****, Brian Stanley.

Senators: Thomas Byrne and Aileen Hayden.

*In substitution for Deputy Jim Daly

** In part substitution for Deputy Michael McNamara

*** In substitution for Deputy Dara Murphy

**** In substitution for Deputy Arthur Spring

Apologies: Deputies Jim Daly, Joe Higgins, Mary Lou McDonald and Dara Murphy.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. OVERVIEW OF 2013 PRE BUDGET SUBMISSIONS (Resumed)

[Representatives from Civil Society/Focus Groups]

Session 1: 10.00 to 10.45 a.m.

Mr. John Dolan, Disability Federation of Ireland (DFI); Dr. Shari McDaid, Mental Health Reform (MHF) and Mr. John Dunne, The Carers Association made a presentation which was followed by a question and answer session.

Session 2: 10.45 a.m. to 11.45 a.m.

Mr. John-Mark McCafferty, Society of St. Vincent de Paul (SVP); Mr. Maurice O'Connell, The Alzheimer Society of Ireland; Professor Sean Tierney, Irish Medical Organisation (IMO) and Ms. Catherine Joyce, Barnardos made a presentation which was followed by a question and answer session.

Session 3: 11.45 a.m. to 12.30 p.m.

Mr. Ned Brennan, Respond! Housing Association; Mr. Mike Allen, Focus Ireland and Mr. Bob Jordan, Threshold National Housing Charity made a presentation which was followed by a question and answer session.

At 11.50 a.m., proposed by Deputy Ciarán Lynch, Senator Aideen Hayden took the Chair.

Session 4: 12.30 to 1.15 p.m.

Mr. Paul Ginnell, Community Platform; Ms. Orla O'Connor, National Women's Council of Ireland (NWCi); and Ms. Bríd O'Brien and Mr. Brendan Sherlock, Irish National Organisation of the Unemployed (INOUE) made a presentation which was followed by a question and answer session.

6. ADJOURNMENT

The meeting adjourned *sine die* at 13.36.

Ciarán Lynch, T.D.
Chairman
13 November 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF TUESDAY 13 NOVEMBER 2012

The Joint Committee met at 18.09 in Committee Room 2, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Michael Creed, Timmy Dooley, Seán Fleming, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Mary Lou McDonald, Dara Murphy, Kieran O'Donnell, Arthur Spring and Liam Twomey.

Senators: Paul Coughlan.

Apologies: Deputy Brian Stanley.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ADJOURNMENT

The meeting adjourned *sine die* at 20.03.

Ciarán Lynch, T.D.
Chairman
14 November 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 14 NOVEMBER 2012

The Joint Committee met at 15.15 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Pearse Doherty, Stephen Donnelly, Timmy Dooley, Robert Dowds*, Joe Higgins, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Mary Lou McDonald, Dara Murphy, Brian Stanley, Billy Timmins, Joanna Tuffy** and Liam Twomey.

Senators: Thomas Byrne and Tony Mulcahy***.

* In substitution for Deputy Michael McNamara

** In substitution for Deputy Arthur Spring

*** In substitution for Senator Paul Coghlan

Apologies: Senator Paul Coghlan.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. RECORDING OF DECISIONS TAKEN AT THE MEETING OF THE SUB-COMMITTEE ON EU SCRUTINY –FINANCE AND PUBLIC EXPENDITURE OF 14 NOVEMBER 2012

It was agreed to note in public the following decisions taken:

Proposal	Title	Decision
COM(2012)206	Proposal for a Council Directive amending Directive 2006/112 EC on the Common System of Value Added Tax as regards the treatment of vouchers	No Further Scrutiny
COM(2012)336	COM (2012) 336, proposal for a Council Regulation establishing a facility for providing financial assistance for member states whose currency is not the euro	No Further Scrutiny
COM(2012)340	COM (2012) 340, Draft Amending Budget No. 4 to the General Budget 2012 - general statement of revenue and statement of expenditure, Section III commission	No Further Scrutiny
COM(2012)352	COM (2012) 352, proposal for a regulation of the European Parliament and of the	No Further Scrutiny

	Council on key information documents for investment in products	
COM(2012)360	COM (2012) 360, proposal for a directive of the European Parliament and of the Council on insurance mediation,	Further Scrutiny Required
COM(2012)388	Amended proposal for the Council Regulation laying down the multi-annual financial framework for the years 2014 to 2020	No Further Scrutiny
COM(2012)180	Proposal for a Council Decision on the position to be taken by the European Union in the EEA joint committee concerning an amendment of Annex XXI statistics	Noted
COM(2012)291	Proposal for a Council implementing decision amending an implementation decision 2011/77 EU on the granting of EU financial assistance to Ireland and 2011/344 EU on the granting of EU financial assistance to Portugal.	Noted

6. SCRUTINY OF COM(2011)819 AND COM(2011)821 [TWO PACK REGULATIONS];

Officials from the Department of Finance made a short presentation which was followed by a question and answer session

7.SCRUTINY OF COM(2011)594 [FINANCIAL TRANSACTION TAX]

Officials from the Department of Finance made a short presentation which was followed by a question and answer session

8.SCRUTINY OF COM(2011)121/4 [COMMON CONSOLIDATED CORPORATE TAX BASE]

Officials from the Department of Finance made a short presentation which was followed by a question and answer session

9. ADJOURNMENT

The meeting adjourned *sine die* at 17.34.

Ciarán Lynch, T.D.
Chairman
22 November 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY 22 NOVEMBER 2012

The Joint Committee met at 9.43 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Stephen Donnelly, Timmy Dooley, Sean Fleming, Thomas Pringle*, Joe Higgins, Heather Humphreys, Dominic Hannigan**, Ciarán Lynch (*in the chair*), Peter Mathews, Mary Lou McDonald, Arthur Spring and Liam Twomey.

Senators: Jillian Van Turnhout***.

Apologies: Senator Paul Coghlan.

- * In part substitution for Deputy Joe Higgins
- ** In substitution for Deputy Kevin Humphreys
- *** In substitution for Senator Sean D. Barrett.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. PROGRESS ON THE IMPLEMENTATION OF THE GOVERNMENT'S PUBLIC SERVICE REFORM PLAN

Mr. Brendan Howlin TD, Minister for Public Expenditure and Reform, made a presentation which was followed by a question and answer session. The Chairman proposed that the Oireachtas undertake quarterly reviews of the Estimates for Public Expenditure across all line Departments. The Chairman noted deficiencies in the current system whereby cost over-runs or failures to make savings often only become apparent in the final quarter, leading to some departments seeking extra financing or having to make larger savings or a “balloon” saving in the final months or weeks of the year to meet targets. Reviewing targets on a quarterly basis has the potential to identify deviations between out turns and estimates and would, therefore, highlight the need for remedial action at a much earlier stage in the process. The members agreed the Chairman's proposal and it was further agreed that the Joint Committee would write to both Minister Howlin and Minister Noonan proposing the implementation of such a process.

6. ADJOURNMENT

The meeting adjourned *Sine Die* at 11:16.

Ciarán Lynch, T.D.
Chairman
12 December 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 12 DECEMBER 2012

The Joint Committee met at 3.09 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Pearse Doherty, Heather Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Michael McGrath, Dara Murphy, Aodhán Ó'Ríordáin, Arthur Spring and Liam Twomey.

Senators: Thomas Byrne and Aideen Hayden.

Apologies: Deputy Mary Lou McDonald.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

8. ADJOURNMENT

The meeting adjourned *Sine Die* at 3:36 pm.

Ciarán Lynch, T.D.
Chairman
19 December 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF WEDNESDAY 19 DECEMBER 2012

The Joint Committee met at 15.04 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Michael Creed, Pearse Doherty, Stephen Donnelly, Simon Harris, Joe Higgins, Heather Humphreys, Kevin Humphreys, Ciarán Lynch (*in the chair*), Peter Mathews, Mary Lou McDonald, Michael McGrath, Dara Murphy, Kieran O'Donnell, Aodhán O'Riordáin, Arthur Spring, Brian Stanley and Billy Timmins.

Senators: Paul Coghlan.

Other Members: Senator Martin Conway.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. THE ROLE AND FUNCTION OF PUBLIC INTEREST DIRECTORS IN FINANCIAL INSTITUTIONS

Mr. Ray MacSharry and Ms. Margaret Hayes-Public Interest Directors- (Permanent TSB) made some opening remarks. This was followed by a question and answer session.

6. ADJOURNMENT

The meeting adjourned at 17:36 until 9.30 a.m. on Thursday 20th December.

Ciarán Lynch, T.D.
Chairman
20 December 2012

JOINT COMMITTEE ON FINANCE, PUBLIC EXPENDITURE AND REFORM
MINUTES OF MEETING OF THURSDAY 20 DECEMBER 2012

The Joint Committee met at 9.35 in Committee Room 4, a quorum being present.

1. MEMBERS PRESENT

The following members were present:

Deputies: Richard Boyd-Barrett, Pearse Doherty, Stephen S. Donnelly, Shane Ross*, Timmy Dooley, Éamon Ó'Cuív**, Seán Fleming, Andrew Doyle***, Joe Higgins, Séamus Healy****, Heather Humphreys, Kevin Humphreys, Gerald Nash*****, Ciarán Lynch (*in the chair*), Peter Mathews, Dara Murphy, Kieran O'Donnell, Aodhán O'Riordáin and Arthur Spring.

Senators: Jillian van Turnout*****, Mary White***** and Eamonn Coghlan*****.

*In part substitution for Deputy Stephen S. Donnelly

** In part substitution for Deputy Timmy Dooley

***In substitution for Deputy Simon Harris

**** In part substitution for Deputy Joe Higgins

***** In part substitution for Deputy Kevin Humphreys

*****In substitution for Senator Seán D. Barrett

*****In substitution for Senator Thomas Byrne

*****In substitution for Senator Aideen Hayden

Apologies: Mary Lou McDonald.

In Private Session

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

In Public Session

5. THE ROLE AND CONTRIBUTION OF PUBLIC INTEREST DIRECTORS IN FINANCIAL INSTITUTIONS

Session 1: 9.30a.m. to 12.30 p.m.

Mr. Joe Walsh and Mr. Tom Considine, Public Interest Directors - Bank of Ireland made a presentation which was followed by a question and answer session.

Session 2: 12.30 p.m. to 2.30 p.m.

Mr. Dick Spring, Public Interest Director, Allied Irish Banks and Dr. Michael Somers, Government appointed nominee to Allied Irish Banks, made a presentation which was followed by a question and answer session.

6. SCRUTINY OF EU LEGISLATIVE PROPOSALS: COM (2012)510 FINAL; COM(2012)511 FINAL AND COM (2012)512 FINAL ON BANKING UNION

Mr. Pat Casey, Mr. Kevin Nolan and Mr. Liam Morris, Department of Finance and Ms. Mary Burke, Central Bank of Ireland accompanied Mr. Aidan Carrigan made a presentation which was followed by a question and answer session.

7. ADJOURNMENT

The meeting adjourned *sine die* at 16.04

Ciarán Lynch, T.D.
Chairman
10 January 2013

APPENDIX 5: Meetings of the Dáil Select and Select sub-Committees

The following are the details, in date order, of the scheduled meetings of the Select-sub Committee on Finance which took place during the period under report.

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
SSF04	24/01/2012	Committee Stage of Bretton Woods Agreements (Amendments)(No.2) Bill 2011	<ul style="list-style-type: none"> Mr. Brian Hayes TD, Minister of State with special responsibility for Public Service Reform and the OPW (Department of Public Expenditure and Reform) and with special responsibility for international tax issues and customs reform (Department of Finance)
SSF05	28/02/2012	Committee Stage of Finance Bill 2012	<ul style="list-style-type: none"> Mr. Brian Hayes TD, Minister of State with special responsibility for Public Service Reform and the OPW (Department of Public Expenditure and Reform) and with special responsibility for international tax issues and customs reform (Department of Finance)
SSF06	29/02/2012	Committee Stage of Finance Bill 2012 (Resumed)	<ul style="list-style-type: none"> Mr. Brian Hayes TD, Minister of State with special responsibility for Public Service Reform and the OPW (Department of Public Expenditure and Reform) and with special responsibility for international tax

			issues and customs reform (Department of Finance)
SSF07	25/04/2012	<p>Consideration of Estimates for the Public Service</p> <p>a. Vote 7, Office of the Minister for Finance</p> <p>b. Vote 8, Office of the Comptroller and Auditor General</p> <p>c. Vote 9, Office of the Revenue Commissioners</p> <p>d. Vote 10, Office of the Appeals Commissioner</p>	<ul style="list-style-type: none"> Mr. Michael Noonan TD, Minister for Finance
SSF08	14/06/2012	Committee Stage of European Stability Mechanism Bill 2012	<ul style="list-style-type: none"> Mr. Michael Noonan TD, Minister for Finance
SSF09	18/10/2012	Committee Stage of Fiscal Responsibility Bill 2012	<ul style="list-style-type: none"> Mr. Michael Noonan TD, Minister for Finance
SSF10	21/11/2012	Committee Stage of Credit Union Bill 2012	<ul style="list-style-type: none"> Mr. Michael Noonan TD, Minister for Finance
SSF11	12/12/2012	(i) Motion re. [3] Double Taxation Relief Agreements with the Republic of Uzbekistan, the	<ul style="list-style-type: none"> Mr. Brian Hayes TD, Minister of State with special responsibility for Public Service Reform and the OPW

		<p>State of Qatar and the Arab Republic of Egypt; and [1] Tax Information Exchange Agreement with San Marino</p> <p>(ii) Motion re. National Pensions Reserve Fund Act 2000 (Suspension of Exchequer Contributions) Order 2012</p>	<p>(Department of Public Expenditure and Reform) and with special responsibility for international tax issues and customs reform (Department of Finance)</p>
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The following are the details, in date order, of the scheduled meetings of the Select-sub Committee on Public Expenditure and Reform which took place during the period under report.

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
SSP03	02/05/2012	<p>Consideration of Estimates for the Public Service</p> <p>a. Vote 13, Office of Public Works</p> <p>b. Vote 11, Public Expenditure and Reform</p> <p>c. Vote 12, Superannuation and Retired Allowances</p> <p>d. Vote 14, State Laboratory</p> <p>e. Vote 15,</p>	<ul style="list-style-type: none"> • Mr. Brian Hayes TD, Minister of State with special responsibility for Public Service Reform and the OPW (Department of Public Expenditure and Reform) and with special responsibility for international tax issues and customs reform (Department of Finance) • Mr. Brendan Howlin TD, Minister for Public Expenditure and Reform

		<p>Secret Service</p> <p>f. Vote 16, Valuation Office</p> <p>g. Vote 17, Public Appointments Service</p> <p>h. Vote 18, Office of the Commission for Public Service Appointments</p> <p>i. Vote 19, Office of the Ombudsman</p>	
SSP04	21/06/2012	Committee stage of Public Service Pensions (Single Scheme) and Remuneration Bill 2011	<ul style="list-style-type: none"> Mr. Brendan Howlin T.D., Minister for Public Expenditure and Reform
SSP05	27/06/2012	Committee stage of Public Service Pensions (Single Scheme) and Remuneration Bill 2011 (Resumed)	<ul style="list-style-type: none"> Mr. Brendan Howlin T.D., Minister for Public Expenditure and Reform
SSP06	28/11/2012	Supplementary Estimate [Vote 12] – Department of Public Expenditure and Reform	<ul style="list-style-type: none"> Mr. Brian Hayes TD, Minister of State with special responsibility for Public Service Reform and the OPW (Department of Public Expenditure and Reform) and with special responsibility for international tax issues and customs reform (Department

			of Finance)
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The following are the details, in date order, of the scheduled meetings of the Select-sub Committee on the Department of the Taoiseach which took place during the period under report.

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
SST02	19/04/2012	<p>Consideration of Estimates for the Public Service</p> <ul style="list-style-type: none"> a. Vote 1, President's Establishment b. Vote 2, Department of the Taoiseach c. Vote 3, Office of the Attorney General d. Vote 4, Central Statistics Office e. Vote 5, Office of the Director of Public Prosecutions f. Vote 6, Office of the Chief State Solicitor 	<ul style="list-style-type: none"> • Mr. Enda Kenny T.D., An Taoiseach

APPENDIX 6: Proceedings of the Select Committee and Select sub-Committees (Imeachtaí)

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS

PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Dé Máirt, 24 Eanáir 2012

Tuesday, 24 January 2012

1. Chruinnigh an Coiste ar 3.35 p.m.

1. The Committee met at 3.35 p.m.

2. COMHALTAÍ I LÁTHAIR¹.

2. MEMBERS PRESENT².

An Teachta Liam Ó Tuama (*i gCeannas*),
An Teachta Brian Ó hAodha (*an tAire Stáit ag an Roinn Airgeadais*), na Teachtaí Risteard Buíd Bairéid, Séamus Ó Dálaigh agus Seán Ó Pléamonn.

Deputy Liam Twomey (*in the Chair*),
Deputy Brian Hayes (*Minister of State at the Department of Finance*), Deputies Richard Boyd-Barrett, Jim Daly and Seán Fleming.

3. BRETTON WOODS AGREEMENTS (AMENDMENT) (NO. 2) BILL 2011

3. BRETTON WOODS AGREEMENTS (AMENDMENT) (NO. 2) BILL 2011.

Chrom an Coiste ar an mBille a bhreithniú.

The Committee took the Bill into consideration.

(i) *Aontaíodh* ailt 1, 2 agus 3.

(i) Sections 1, 2 and 3 *agreed to*.

(ii) *Aontaíodh* an Sceideal 1.

(ii) Schedule 1 *agreed to*.

(iii) *Aontaíodh* an Teideal.

(iii) Title *agreed to*.

4. CRÍOCHNÚ AN GHNÓ.

4. CONCLUSION OF BUSINESS.

Chríochnaigh an Coiste a bhreithniú ar an mBille ar 3.55 p.m.

The Committee concluded its consideration of the Bill at 3.55 p.m.

5. TEACHTAIREACHT CHUIG DÁIL ÉIREANN.

5. MESSAGE TO DÁIL ÉIREANN.

Cuireadh teachtaireacht chun na Dála á

Message sent to the Dáil acquainting it

¹ Ghlac an Teachta Brian Ó hAodha (*an tAire Stáit ag an Roinn Airgeadais*) ionad an tAire Airgeadais [B.O. 92(1)].
Ghlac an Teachta Seán Ó Pléamonn ionad an Teachta Micheál Mac Craith [B.O. 92(2)].

² Deputy Brian Hayes (*Minister of State at the Department of Finance*) substituted for the Minister for Finance [S.O. 92(1)].
Deputy Seán Fleming substituted for Deputy Michael McGrath [S.O. 92(2)].

chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an mBille agus nach raibh aon leasú déanta aige air.

6. ATHLÁ.

Chuaigh an Coiste ar athló ar 3.55 p.m.
sine die.

that the Committee had completed its consideration of the Bill and had made no amendment thereto.

6. ADJOURNMENT.

The Committee adjourned at 3.55 p.m.
sine die.

Alex White, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Dé Máirt, 28 Feabhra 2012

Tuesday, 28 February, 2012

1. Chruinnigh an Coiste ar 2.35 p.m.

1. The Committee met at 2.35 p.m.

2. COMHALTAÍ I LÁTHAIR³.

2. MEMBERS PRESENT⁴.

An Teachta Liam Ó Tuama (i gCeannas),
An Teachta Brian Ó hAodha (*an tAire Stáit ag an Roinn Airgeadais*), na Teachtaí Risteard Buíd Bairéid, Piaras Ó Dochartaigh, Roibeard Ó Dubhda, Terence Flanagan, Seán Ó Pléamonn, Peadar Mac Mathúna, Micheál Mac Craith, Micheál Mac Conmara, Oilibhia Mistéil, Ciarán Ó Domhnaill agus Liam Ó Toimín.

Deputy Liam Twomey (in the Chair), Deputy Brian Hayes (*Minister of State at the Department of Finance*), Deputies Richard Boyd Barrett, Pearse Doherty, Robert Dowds, Terence Flanagan, Seán Fleming, Peter Mathews, Michael McGrath, Michael McNamara, Olivia Mitchell, Kieran O'Donnell and Billy Timmins.

3. AN BILLE AIRGEADAIS, 2012.

3. FINANCE BILL 2012.

Chrom an Coiste ar an mBille a bhreithniú.

The Committee took the Bill into consideration.

(i) *Aontaíodh* alt 1.

(i) Section 1 *agreed to*.

(ii) Ailt nua.

(ii) New sections.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

1. In page 11, between lines 18 and 19, to insert the following:

³ Ghlac an Teachta Brian Ó hAodha (*Aire Stáit ag an Roinn Airgeadais*) ionad an Aire Airgeadais [B.O. 92(1)].

Ghlac an Teachta Roibeard Ó Dubhda ionad an Teachta Alastair de Faoite [B.O. 92(2)].

Ghlac na Teachtaí Seán Ó Pléamonn agus Oilibhia Mistéil ionaid na dTeachtaí Micheál Mac Craith agus Ciarán Ó Domhnaill faoi seach (ar feadh cuid den chruinniú) [B.O. 92(2)].

Ghlac na Teachtaí Peadar Mac Mathúna agus Terence Flanagan ionaid an Teachta Séamus Ó Dálaigh gach re seal (ar feadh cuid den chruinniú) [B.O. 92(2)].

⁴ Deputy Brian Hayes (*Minister of State at the Department of Finance*) substituted for the Minister for Finance [S.O. 92(1)].

Deputy Robert Dowds substituted for Deputy Alex White [S.O. 92(2)].

Deputies Seán Fleming and Olivia Mitchell substituted for Deputies Michael McGrath and Kieran O'Donnell respectively (for part of the meeting) [S.O. 92(2)].

Deputies Peter Mathews and Terence Flanagan substituted alternately for Deputy Jim Daly (for part of the meeting) [S.O. 92(2)].

2.—The Minister shall within 3 months from the passing of this Act prepare and lay before Dáil Éireann a report on a cost-benefit analysis of tax expenditures provided for by this Act, setting out the costs of tax foregone, and the benefits in terms of job creation or otherwise.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

4. In page 11, before section 2, but in Chapter 1, to insert the following new section:

2.—The Minister shall within six months from the passing of this Act prepare and lay before Dáil Éireann a report detailing the financial impact of all measures contained in this Act on the general population by income group broken down by decile including all categories of earners including PAYE, self-employed and social welfare recipients and by household income type broken down by decile based on gross household income.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

(iii) Alt 2.

(iii) Section 2.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

8. In page 12, subsection (2), line 29, to delete “€10,036” and substitute “€17,000”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

10. In page 13, to delete lines 3 to 10 and substitute the following:

“(a) notwithstanding subsection (1) and the Table to this section, the individual shall be charged to universal social charge for the tax year in which the income tax is charged on the full amount so charged to income tax at the rate of 4 per cent, and”.

Ar vótáil a éileamh, cuireadh tógáil na vótála siar de réir Ordú a rinne an Dáil an 23 Feabhra 2012.

A division having been demanded, the taking of it was postponed in accordance with an Order of the Dáil of 23 February

2012.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

11. In page 16, subsection (13), line 1, to delete “*Subsection (1)(l)*” and substitute “*Subsection (2)*”.

Aontaíodh an leasú.

Amendment agreed to.

(iv) Alt 3.

(iv) Section 3.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

14. In page 17, to delete lines 37 to 45 and substitute the following:

“(a)section 485C(3) and Schedule 25C (as if the references to the tax years 2006 and 2007 in that Schedule were references to the tax years 2011 and 2012, respectively) shall apply in determining the amount of any specified property relief to be carried forward from any tax year to each subsequent tax year, and”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(v) *Aontaíodh ailt 4 agus 5.*

(v) *Sections 4 and 5 agreed to.*

(vi) Alt 6.

(vi) Section 6.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

15. In page 20, column 2, line 26, to delete “€900.00” and substitute “€950.00”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

16. In page 20, column 2, line 33, to delete “€900.00” and substitute “€950.00”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(vii) Aontaíodh alt 7.

(vii) Section 7 agreed to.

(viii) Alt 8.

(viii) Section 8.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

17. In page 21, line 17, to delete “and systems” and substitute “or systems”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

18. In page 21, line 19, to delete “75 per cent of” and substitute “75 per cent or more of”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

19. In page 21, after line 47, to insert the following:

“(c)Notwithstanding that, for the tax year for which a claim is made under this section, an employee is no longer a key employee of the company that surrendered an amount referred to in paragraph (a) but is an employee of that company, then he or she shall be entitled to have the income tax charged on emoluments from that company for that tax year reduced by the amount so referred to, or the balance of that amount, as appropriate.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(ix) Alt 9.

(ix) Section 9.

Tairgeadh leasú (An Teachta Brian Ó

Amendment proposed (Deputy Brian

hAodha, Aire Stáit ag an Roinn Airgeadais):

Hayes, Minister of State at the Department of Finance):

20. In page 23, line 38, after “second” to insert “or subsequent”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(x) Aontaíodh ailt 10 agus 11.

(x) Sections 10 and 11 agreed to.

(xi) Alt 12.

(xi) Section 12.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

22. In page 24, line 11, to delete “10 consecutive days” and substitute “4 consecutive days”.

Aontaíodh an leasú.

Amendment agreed to.

(x) Alt 2.

(x) Section 2.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

10. In page 13, to delete lines 3 to 10 and substitute the following:

“(a)notwithstanding subsection (1) and the Table to this section, the individual shall be charged to universal social charge for the tax year in which the income tax is charged on the full amount so charged to income tax at the rate of 4 per cent, and”.

Léadh an tOrdú chun an vótáil a thógáil a cuireadh siar ar an gCeist " Go ndéanfar an leasú."

Cuireadh an Cheist: rinne an Coiste vótáil: Tá, 7; Níl 3.

Tá:- An Teachta Brian Ó hAodha,(Aire Stáit ag an Roinn Airgeadais), na Teachtaí, Roibeard Ó Dubhda, Terence Flanagan, Micheál Mac Conmara, Oilibhia Mistéil, Liam Ó Toimín agus Liam Ó Tuama.

Níl: - Na Teachtaí Risteard Buíd Bairéid, Piaras Ó Dochartaigh agus Seán Ó Pléamonn.

The Order was read for the taking of the division postponed on the Question “That the amendment be made”.

Question put: the Committee divided: For, 7; Against, 3.

For:- Deputy Brian Hayes (Minister of State at the Department of Finance), Deputies Robert Dowds, Terence Flanagan, Michael McNamara, Olivia Mitchell, Billy Timmins and Liam Twomey.

Against:- Deputies Richard Boyd Barrett, Pearse Doherty and Seán Fleming.

Faisnéiseadh dá réir sin go rabhthas tar éis
glacadh leis an gCeist.
Aontaíodh an t-alt 2, mar a leasaíodh.

The Question was declared carried
accordingly.
Section 2, as amended, *agreed to.*

(xi) Ailt 12 go 17, go huile.

(xi) Sections 12 to 17, inclusive.

Toisc é a bheith 5.30 p.m., cuireadh an
Cheist seo a leanas ón gCathaoir mar a
éilíodh le hOrdú a rinne an Dáil an 23
Feabhra:-

It being 5.30 p.m., the following Question
was put from the Chair as required by an
Order of the Dáil of 23 February:-

"That the amendments set down by the Minister for Finance to sections
1 to 17 and not disposed of are hereby made to the Bill; and, in respect
of each of the said sections undisposed of, that the section or, as
appropriate, the section, as amended, is hereby agreed to."

Na leasuithe seo a leanas a chuir an
Teachta Brian Ó hAodha, (*Aire Stáit ag an
Roinn Airgeadais*) síos gan a bheith
curtha de láimh -

The following amendments set down by
Deputy Brian Hayes (*Minister of State at
the Department of Finance*) not having
being disposed of –

25. In page 26, to delete lines 40 and 41 and substitute the
following:

“ “(1B) This section shall not apply for the tax year 2012 or any
subsequent tax year.

(1C) Notwithstanding subsection (1B), this section shall continue to
apply—

(a) for the tax years 2012 and 2013 but only as respects
relevant employees who had an entitlement to relief under
this section for the first time in the tax year 2009,

(b) for the tax years 2012, 2013 and 2014 but only as respects
relevant employees who had an entitlement to relief under
this section for the first time in the tax year 2010, and

(c) for the tax years 2012, 2013, 2014 and 2015 but only as
respects relevant employees who had an entitlement to
relief under this section for the first time in the tax year
2011.

(1D) Where for a tax year a relevant employee makes a claim under
this section, relief shall not be given under section 823A, 825C or
472D for that tax year.””.

26. In page 27, line 10, to delete “section 826(1)” and substitute
“subsection (1) or (1B) of section 826”.

27. In page 28, lines 36 to 38, to delete all words from and
including “, provided” in line 36 down to and including “year”

in line 38.

28. In page 31, before section 15, to insert the following new section:

31. In page 38, subsection (4), to delete lines 1 and 2 and substitute the following:

“(4) Chapter 2A of Part 30 of the Principal Act is amended—

(a) in section 787G(3)(e) by substituting “section 787K(2A),” for “section 787K(2A).”,

(b) in section 787G(3) by inserting the following after paragraph (e):

“(f) an amount made available from the PRSA, where the PRSA is a vested PRSA (within the meaning of section 790D(1), for the purpose of reimbursing, in whole or in part, an administrator (within the meaning of section 787O(1)) in respect of the payment by that administrator of income tax charged on a chargeable excess under the provisions of Chapter 2C of this Part in respect of the PRSA contributor.”,

and

(c) in section 787K by inserting the following after subsection (2A):”.

32. In page 38, subsection (5), between lines 18 and 19, to insert the following:

“(a) in subsection (6)(a) by deleting “or, where the individual is deceased, from his or her estate”,.”.

33. In page 38, lines 38 and 39, to delete all words from and including “, by” in line 38 down to and including “sum,” in line 39 and substitute the following:

“—

(i) by appropriating that percentage of the net lump sum,

(ii) by payment by the individual of an amount to the administrator that is equal to the amount of tax paid, or

(iii) by a combination of subparagraphs (i) and (ii) such that the aggregate of the percentage of the net lump sum appropriated and the amount paid by the individual to the administrator is equal to the amount of tax paid.”.

34. In page 38, to delete lines 42 to 45 and substitute the following:

“(i)(I) by appropriating not less than 50 per cent of the net lump sum, or such higher percentage as the administrator and the individual may agree,

(II) by payment by the individual of an amount to the administrator that is not less than 50 per cent of the net lump sum, or such higher amount as the administrator and the individual may agree, or

(III) by a combination of clauses (I) and (II) such that the aggregate of the percentage of the net lump sum appropriated and the amount paid by the individual to the administrator is not less than 50 per cent of the net lump sum,

and”.

35. In page 39, line 27, to delete “balance.” and substitute the following:

balance,

(c) a payment by an individual to an administrator referred to in subparagraphs (ii) and (iii) of paragraph (a) and clauses (II) and (III) of subparagraph (b)(i) (in this paragraph referred to as the ‘first-mentioned payment’) shall be made before the administrator pays the amount of the net lump sum or, as the case may be, such amount of the net lump sum as has not been appropriated to reimburse the administrator for the payment of tax arising on the chargeable excess and the administrator may withhold payment of that amount until such time as the first-mentioned payment is made by the individual.”.

36. In page 40, lines 1 and 2, to delete “8 February 2012” and substitute “1 January 2011”.

37. In page 40, lines 26 to 28, to delete all words from and including “on” in line 26 down to and including “sum” in line 28 and substitute the following:

“charged under subsection (3)(a)(i) or (3)(b)(i)(I) of section 790AA on the excess lump sum and deducted by the first-mentioned administrator and the amount of such income tax charged on the excess lump sum and”.

38. In page 41, line 21, to delete “referred to in that subsection”.

39. In page 42, to delete lines 15 to 21.

40. In page 43, lines 7 to 9, to delete all words from and including “until,” in line 7 down to and including “scheme” in line 9 and substitute “until his or her retirement date”.

41. In page 43, between lines 16 and 17, to insert the following:

“ ‘retirement date’ in relation to a public sector scheme, means the earlier of—

(a) the date on which a member of the scheme retires where that date is on or after the date on which the member reaches the age of 60 years, and

(b) the date on which a member of the scheme retires on grounds of incapacity under the rules of the scheme;”.

42. In page 43, to delete lines 42 to 54 and in page 44, to delete lines 1 to 4 and substitute the following:

“(3) (a) Where the conditions set out in subsection (4) are met, an individual in relation to whom subsection (2) may apply may irrevocably instruct in writing the administrator of the private sector scheme or schemes to exercise the option (in this section referred to as the ‘encashment option’) provided for in subsection (6).

(b) The encashment option may be exercised in respect of a relevant individual on one occasion only and on the same date in relation to each of the private sector schemes of the individual in respect of which he or she has irrevocably instructed the administrator to exercise the option.

(c) Where an administrator referred to in paragraph (a) or subsection (11)(a) or, as the case may be, a relevant manager referred to in subsection (11)(a) (in this paragraph referred to as the ‘relevant administrator’) receives an irrevocable instruction in writing from an individual the relevant administrator shall keep and retain for a period of 6 years each such instruction and on being so required by notice given to the relevant administrator in writing by an officer of the Revenue Commissioners make available within the time specified in the notice such instructions as may be required by the notice.”.

43. In page 44, lines 8 and 9, to delete “exercise an encashment option” and substitute “have the encashment option exercised”.

44. In page 44, line 17, after “the” to insert the following:

“value of the accrued rights in respect of which the encashment option is to be exercised or, as the case may be, the”.

45. In page 44, line 30, after “Commissioners” to insert “in writing”.

46. In page 44, to delete lines 44 to 50 and substitute the following:

“(6) (a) The exercise of the encashment option is the transfer by the administrator of the private sector scheme or schemes to the relevant individual—

(i) where the relevant individual’s retirement date is the date referred to in paragraph (b) of the definition of ‘retirement date’, on that date, or

(ii) in any other case, on or before the relevant individual’s retirement date but not before the date on which the relevant individual attains the age of 60 years,

of the amount of the value of”.

47. In page 45, to delete lines 30 to 32 and substitute the following:

$$“ A \times (1 - \frac{B}{C}) ”.$$

48. In page 45, to delete lines 38 to 42 and substitute the following:

“(II)where the encashment option is exercised in respect of any other private sector scheme or schemes of the relevant individual, an amount equivalent”.

49. In page 46, lines 31 and 32, to delete all words from and including “Where” in line 31 down to and including “option” in line 32 and substitute the following:

“Where an encashment option is exercised in respect of a relevant individual”.

50. In page 47, to delete lines 27 to 49 and in page 48, to delete lines 1 to 20 and substitute the following:

“(11) (a) (i) Where the conditions set out in subsection (4), as modified by subsection (12) (in this section referred to as the ‘modified conditions’), are met, an individual in relation to whom the circumstances described in paragraph (b) may apply, may irrevocably instruct in writing the administrator or, as the case may be, the relevant manager of the private sector scheme or schemes to exercise the encashment option as if the benefit crystallisation event or events referred to in subparagraph (i) of paragraph (b) had not occurred.

(ii) Where the encashment option is exercised in respect of a

private sector scheme or schemes of a kind referred to in subparagraph (i) of paragraph (b), subsection (6)(a) shall apply as if the reference in that subsection to an administrator were a reference to a relevant manager.

(b) The circumstances referred to in paragraph (a) are that in relation to a relevant individual—

(i) one or more than one benefit crystallisation event has occurred within the relevant period in relation to one or more than one private sector scheme of that relevant individual, and

(ii) the aggregate of—

(I) the amounts so crystallised, and

(II) the amounts to be crystallised in the future by benefit crystallisation events in relation to the relevant individual—

(A) under his or her other private sector scheme or schemes, if any, and

(B) under his or her public sector scheme or schemes,

would, but for this section, exceed the standard fund threshold or, as the case may be, the relevant individual's personal fund threshold (referred to in paragraph (a)(ii) of subsection (4), as modified by subsection (12), and in the construction of 'B' in the formula in subsection (15)(b) as the 'other specified amount'), and

(iii) the benefit crystallisation events in relation to the public sector scheme or schemes of the relevant individual occur after the occurrence of all other benefit crystallisation events in relation to the private sector scheme or schemes of that individual.”.

51. In page 48, line 22, to delete “relevant”.

52. In page 48, lines 23 and 24, to delete “subparagraphs (ii) and (iii)” and substitute “subparagraphs (ii), (iii) and (iv)”.

53. In page 48, to delete lines 25 and 26 and substitute the following:

“ ‘(ii) an estimate of the value of the accrued rights in respect of which the encashment option is to be exercised or, as the case may be, the other specified amount,’.”.

54. In page 48, line 34, to delete “exercised,.” and substitute the following:

“exercised, and

- (iv) the name, address and telephone number of the administrator or, as the case may be, the relevant manager of each such scheme.’”.

55. In page 48, to delete lines 35 to 38 and substitute the following:

“(13) Where an encashment option is exercised in respect of an individual referred to in subsection (11)(a) being at that time a relevant individual, then in so far as the exercise of that option relates to—”.

56. In page 49, line 26, after “be” to insert the following:

“the lesser of the amount transferred to the ARF at the time the benefit crystallisation event occurred and”.

57. In page 49, line 33, after “be” to insert the following:

“the lesser of the amount transferred to the AMRF at the time the benefit crystallisation event occurred and”.

58. In page 49, line 42, after “be” to insert the following:

“the lesser of the value of the assets retained in the vested PRSA at the time the benefit crystallisation event occurred and”.

59. In page 50, to delete lines 28 to 35 and substitute the following:

“(ii)the lesser of the amount transferred to the ARF at the time the benefit crystallisation event occurred and the value of the assets in the ARF at the date of the exercise of the encashment option (in this paragraph referred to as the ‘encashment date’),

(iii) the lesser of the amount transferred to the AMRF at the time the benefit crystallisation event occurred and the value of the assets in the AMRF at the encashment date, or

(iv) the lesser of the value of the assets retained in the vested PRSA at the time the benefit crystallisation event occurred and the value of the assets in the vested PRSA at the encashment date,”.

60. In page 51, between lines 28 and 29, to insert the following:

“(ii)(I)In so far as income tax has been charged under subsection (3)(a)(i) or (3)(b)(i)(I) of section 790AA on an excess lump sum (within the meaning of subsection (1)(e) of that section) (in this paragraph referred to as the ‘standard rate income tax’) in respect of a lump sum

referred to in subparagraph (i) and deducted by and remitted to the Collector-General by the administrator of the private sector scheme in accordance with subsection (8) of that section, the income tax to be deducted by the relevant manager from the deemed encashment amount in respect of the lump sum shall, where the condition in subparagraph (iii) is met, be reduced by the amount of the standard rate income tax, and

(II) where a deemed encashment amount in respect of a tax-free lump sum has been calculated in accordance with the formula in subsection (15), then in so far as standard rate income tax has been charged in respect of the lump sum, the income tax to be deducted by the relevant manager from the deemed encashment amount shall, where the condition in subparagraph (iii) is met, be reduced by an amount of income tax equivalent to the amount determined by that formula if ‘A’ in the formula was the amount of the standard rate income tax.

(iii) The condition referred to in clauses (I) and (II) of subparagraph (i) is that the relevant manager obtains from the administrator of the private sector scheme a certificate giving the information set out in paragraphs (a) to (e) of subsection (2) of section 787RA.

(iv) Where income tax on a deemed encashment amount is reduced by an amount of standard rate income tax in accordance with clause (I) or (II) of subparagraph (ii), that amount of standard rate income tax shall not be available for the purposes of section 787RA.

(v) Subsection (6) of section 787R shall, with any necessary modifications, apply to a relevant manager who obtains a certificate under subparagraph (ii) as if the reference in that subsection to a declaration, or declarations, were a reference to a certificate, or certificates, to which subparagraph (ii) applies.”.

61. In page 51, line 42, after “be” where it secondly occurs to insert “tax on”.

62. In page 52, line 2, after “be” to insert “tax on”.

63. In page 52, to delete lines 5 to 8 and substitute the following:

“(c)The deemed tax on a chargeable excess referred to in paragraph (a) shall not be tax on a chargeable excess for any other purpose of this Chapter.”.

64. In page 52, to delete lines 35 to 47 and substitute the following:

“then income tax charged under subsection (16)(a) on the deemed encashment amount in relation to the tax-free lump sum shall be chargeable to tax at the higher rate for the tax year in which the encashment option is exercised and the encashment tax so charged shall, subject to paragraph (c), be deemed to be unpaid tax for the purposes of subsection (18) and discharged in accordance with that subsection as if the reference in paragraph (b) of that subsection to paragraphs (a) and (b) of section 787Q(7) were a reference only to paragraph (b) of section 787Q(7).

(b) Subparagraphs (ii) and (iv) of paragraph (d) of subsection (16) shall, with any necessary modifications, apply to encashment tax referred to in paragraph (a), where the relevant individual obtains from the administrator of the private sector scheme a certificate giving the information set out in paragraphs (a) to (e) of subsection (2) of section 787RA.

(c) Subsection (6) of section 787R shall, with any necessary modifications, apply to a relevant individual who obtains a certificate under paragraph (b) as if the reference in that subsection to a declaration, or declarations, were a reference to a certificate, or certificates, to which paragraph (b) applies.”.

65. In page 52, lines 50 and 51, to delete all words from and including “in” in line 50 down to and including “option” in line 51 and substitute the following:

“in respect of which an encashment option is exercised”.

66. In page 53, to delete lines 13 to 15 and substitute the following:

“(21) Where an encashment option is exercised in respect of a relevant individual the encashment amount or, as the case may be, the deemed encashment amount shall not be—”.

67. In page 53, between lines 38 and 39, to insert the following:

“(22) Where an encashment option is exercised in respect of a relevant individual in relation to a private sector scheme in respect of which one or more than one benefit crystallisation event has occurred in the relevant period and the deemed encashment amount is the amount of the tax-free lump sum paid or, as the case may be, a part of the tax-free lump sum paid, that amount, or that part, shall be disregarded in determining an excess lump sum (within the meaning of subsection

(1)(e) of section 790AA) in respect of a lump sum (within the meaning of that section) that is paid to that individual on or after 8 February 2012.”.

68. In page 53, lines 40 and 41, to delete “subsection (8), (16) or (19)” and substitute “subsection (8) or (16)”.

69. In page 53, lines 51 and 52, to delete “subsection (8), (16) or (19)” and substitute “subsection (8) or (16)”.

70. In page 54, line 23, to delete “, if any,”.

71. In page 58, lines 27 and 28, to delete “and the nominee shall accept such appointment”.

72. In page 61, subsection (9)(c), line 6, to delete “and subsections (4) to (7)” and substitute the following:

“, subsections (4) to (6) and paragraph (b) of subsection (7)”.

73. In page 61, subsection (9), lines 10 and 11, to delete paragraph (e) and substitute the following:

“(e) Paragraph (a) of subsection (7) has effect from 1 January 2011.

(f) Subsection (8) has effect for the year of assessment 2012 and subsequent years of assessment.”.

Cuireadh an Cheist: rinne an Coiste vótáil:
Tá, 7; Níl 3.

Question put: the Committee divided: For,
7; Against, 3.

Tá:- An Teachta Brian Ó hAodha, (Aire Stáit ag an Roinn Airgeadais), na Teachtaí, Roibeard Ó Dubhda, Terence Flanagan, Micheál Mac Conmara, Oilibhia Mistéil, Liam Ó Toimín agus Liam Ó Tuama.

For:- Deputy Brian Hayes (*Minister of State at the Department of Finance*), Deputies Robert Dowds, Terence Flanagan, Michael McNamara, Olivia Mitchell, Billy Timmins and Liam Twomey.

Níl: - Na Teachtaí Risteard Buíd Bairéid, Piaras Ó Dochartaigh agus Seán Ó Pléamonn.

Against:- Deputies Richard Boyd Barrett, Pearse Doherty and Seán Fleming.

Faisnéiseadh dá réir sin go rabhthas tar éis glacadh leis an gCeist.

The Question was declared carried accordingly.

4. AN CRUINNÍÚ AR FIONRAÍ.

4. MEETING SUSPENDED.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 6.30 p.m. (*An Teachta Liam Ó Tuama*).

Ordered: That the Meeting be now suspended until 6.30 p.m. (*Deputy Liam Twomey*).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 5.45 p.m.

The Meeting was accordingly suspended at 5.45 p.m.

Ar 6.30 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 6.30 p.m.

5. AN BILLE AIRGEADAIS, 2012.

5. FINANCE BILL 2012.

D'athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

(i) *Aontaíodh* ailt 18 go 25, go huile.

(i) Sections 18 to 25, inclusive, *agreed to*.

6. AN CRUINNIÚ AR FIONRAÍ.

6. MEETING SUSPENDED.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 6.40 p.m. (*An Teachta Liam Ó Tuama*).

Ordered: That the Meeting be now suspended until 6.40 p.m. (*Deputy Liam Twomey*).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 6.35 p.m.

The Meeting was accordingly suspended at 6.35 p.m.

Ar 6.40 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 6.40 p.m.

7. AN BILLE AIRGEADAIS, 2012.

7. FINANCE BILL 2012.

D'athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

(i) Alt 26.

(i) Section 26.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

74. In page 79, between lines 20 and 21, to insert the following:

“(C)notwithstanding the provisions of subparagraphs (vii) and (viii) of subsection (1)(b), where a company pays an amount to another person to carry on research or development activities it shall be a requirement of that company to first attempt to obtain such research or development activities from persons resident in the State as far as is practicable.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

75. In page 83, lines 32 to 35, to delete all words from and including “in” in line 32 down to and including “be.” in line 35 and substitute the following:

“in an amount equal to 4 times so much of the specified amount as is not so authorised.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(ii) Alt 27.

(ii) Section 27.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

76. In page 85, subsection (1), lines 23 and 24, to delete paragraph (a) and substitute the following:

“(a)by substituting the following for paragraph (a):

“(a) subject to paragraph (b), where the chargeable event falls on or after 1 January 2001, at the rate of—

(i) 25 per cent where the policyholder is a company, and

(ii) 33 per cent in the case of any other policyholder,” and”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

77. In page 85, lines 41 to 44, and in page 86, lines 1 to 6, to delete subsection (4) and substitute the following:

“(4) The Principal Act is amended in Chapter 1A of Part 27—

(a) in section 739D by substituting the following for subsection

(5A):

“(5A) The amount referred to in subsection (2)(*dd*) is the amount determined—

(*a*) where the unit holder is a company, by the formula—

$$A \times G \times \frac{100}{100 - (G \times 25)}$$

and

(*b*) in any other case, by the formula—

$$A \times G \times \frac{100}{100 - (G \times 33)}$$

where in relation to the formula in paragraphs (*a*) and (*b*)—

A is the appropriate tax payable on the transfer by a unit holder of entitlement to a unit in accordance with subsection (2)(*d*), and

G is the amount of the gain on that transfer of that unit divided by the value of that unit.”,

(*b*) in section 739E(1) by substituting the following for paragraph (*a*):

“(a) subject to paragraph (*ba*), where the amount of the gain is provided by section 739D(2)(*a*), at the rate of—

(i) 25 per cent where the unit holder is a company, and

(ii) 30 per cent in any other case,”

(*c*) in section 739E(1) by substituting the following for paragraph (*b*):

“(b) subject to paragraph (*ba*), where the chargeable event happens on or after 1 January 2001 and the amount of the gain is provided by paragraph (*b*), (*c*), (*d*), (*dd*) or (*ddd*) of section 739D(2), at the rate of—

(i) 25 per cent where the unit holder is a company, and

(ii) 33 per cent in any other case,”

(d) in section 739E(1)(ba) by substituting “(S + 33) per cent” for “(S + 30) per cent”,

(e) in section 739G(2)(c) by substituting “section 739E(1)(a)(i)” for “section 739E(1)(a)”, and

(f) in section 739G(2) by substituting the following for paragraph (e):

“(e) where the unit holder is a company, the payment is not a relevant payment and appropriate tax has been deducted from the payment, the amount received by the unit holder shall, subject to paragraph (g), be treated for the purposes of the Tax Acts as the net amount of an annual payment chargeable to tax under Case IV of Schedule D from the gross amount of which income tax has been deducted at the rate specified in section 739E(1)(b)(i),”.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

78. In page 86, subsection (5), between lines 17 and 18, to insert the following:

“(f)in section 747E(1) by deleting paragraph (a),”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

79. In page 86, subsection (6)(f), line 43, to delete “Paragraphs (f) and (g)” and substitute “Paragraphs (f) to (g)”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(iii) *Aontaíodh ailt 28 go 36, go huile.*

(iii) *Sections 28 to 36, inclusive, agreed to.*

(iv) Alt 37.

(iv) Section 37.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

80. In page 99, subsection (1), line 37, to delete paragraph (g) and substitute the following:

“(g)in Part 5 of Schedule 2 by the deletion of paragraph 27.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(v) *Aontaíodh ailt 38 go 42, go huile.*

(v) *Sections 38 to 42, inclusive, agreed to.*

(vi) Alt 43.

(vi) Section 43.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

81. In page 103, to delete lines 18 and 19 and substitute the following:

“ ‘Directive’ has the same meaning as in section 540A;

‘emissions allowance’ means—

(a) an allowance within the meaning of Article 3 of the Directive,

(b) an emission reduction unit or ERU, within the meaning of Article 3 of the Directive, or

(c) a certified emission reduction or CER, within the meaning of Article 3 of the Directive;”.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

82. In page 104, line 6, after “by”, to insert the following:

“Directive 2004/101/EC of the European Parliament and of

the Council of 27 October 2004,”

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(vii) Aontaíodh ailt 44 agus 45.

(vii) Sections 44 and 45 agreed to.

(viii) Alt 46.

(viii) Section 46.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

83. In page 107, subsection (2)(b), line 49, after “loss” to insert the following:

“or other amount available for surrender under section 411(2) of the Principal Act”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(ix) Aontaíodh ailt 47 go 50, go huile.

(ix) Sections 47 to 50, inclusive, agreed to.

(x) Alt 51.

(x) Section 51.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

84. In page 109, subsection (1), lines 41 and 42, to delete all words from and including “Schedule” in line 41 down to and including “paragraph 9DB:” in line 42 and substitute the following:

“Schedule 24—

(a) in paragraph 4(5)(a) by substituting “paragraphs 9D, 9DB and 9DC” for “paragraphs 9D and 9DB”,

(b) in paragraph 4(5)(b) by deleting “and” where it last occurs in subclause (iv), by inserting “and” after “that paragraph),” in subclause (v) and by inserting the following after subclause (v):

“(vi) the amount of income of a company treated for the purposes of paragraph 9DC as

referable to an amount of relevant leasing income (within the meaning of that paragraph),”,

and

(c) by inserting the following after paragraph 9DB:”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xi) *Aontaíodh ailt 52 go 56, go huile.*

(xi) *Sections 52 to 56, inclusive, agreed to.*

(xii) *Ailt nua.*

(xii) *New sections.*

Tairgeadh leasú (An tAire An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

86. In page 112, before section 57, to insert the following new section:

57.—(1) The Principal Act is amended—

(a) in section 584(3) by substituting “(10)” for “(9)”,

(b) in section 584 by inserting the following after subsection (9):

“(10) (a) In this subsection, ‘investment undertaking’ and ‘unit’ have the same meanings respectively as in section 739B.

(b) Subsection (3) shall not apply where the new holding comprises units in an investment undertaking, being a company.”,

(c) in section 585(1) by inserting the following definitions before the definition of “security”:

“ ‘investment undertaking’ and ‘unit’ have the same meanings respectively as in section 739B;”,

(d) in section 585 by inserting the following after subsection (1):

“(1A) For the purposes of this section, a conversion of securities shall not include a conversion of securities into units in an investment undertaking, being a company.”,

(e) in section 586(3) by inserting the following after paragraph (c):

“(d) This section shall not apply where the company issuing the shares or debentures is an investment undertaking within the meaning of section 739B.”,

and

(f) in section 587(4) by inserting the following after paragraph (c):

“(d) This section shall not apply where the company issuing the shares or debentures is an investment undertaking within the meaning of section 739B.”.

(2) This section applies to any shares or debentures issued by a company on or after 22 February 2012.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

87. In page 112, before section 57, to insert the following new section:

57.—Section 598 of the Principal Act is amended by substituting the following for subsection (2):

“(2) (a) Subject to this section, where an individual who has attained the age of 55 years but has not attained the age of 66 years disposes of the whole or part of his or her qualifying assets, then—

(i) if the amount or value of the consideration for the disposal does not exceed €750,000, relief shall be given in respect of the full amount of capital gains tax chargeable on any gain accruing on the disposal;

(ii) if the amount or value of the consideration for the disposal exceeds €750,000, the amount of capital gains tax chargeable on the gain accruing on the disposal shall not exceed 50 per cent of the difference between the amount of that consideration

and €750,000.

(b) Subject to this section, where an individual who has attained the age of 66 years disposes of the whole or part of his or her qualifying assets on or before 31 December 2013, then—

(i) if the amount or value of the consideration for the disposal does not exceed €750,000, relief shall be given in respect of the full amount of capital gains tax chargeable on any gain accruing on the disposal;

(ii) if the amount or value of the consideration for the disposal exceeds €750,000, the amount of capital gains tax chargeable on the gain accruing on the disposal shall not exceed 50 per cent of the difference between the amount of that consideration and €750,000.

(c) Subject to this section, where an individual who has attained the age of 66 years disposes of the whole or part of his or her qualifying assets on or after 1 January 2014, then—

(i) if the amount or value of the consideration for the disposal does not exceed €500,000, relief shall be given in respect of the full amount of capital gains tax chargeable on any gain accruing on the disposal;

(ii) if the amount or value of the consideration for the disposal exceeds €500,000, the amount of capital gains tax chargeable on the gain accruing on the disposal shall not exceed 50 per cent of the difference between the amount of that consideration and €500,000.

(d) For the purposes of paragraphs (a), (b) and (c), the amount of capital gains tax chargeable in respect of the gain shall be the amount of tax which would not have been chargeable but for that gain.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xiii) Alt 57.

(xiii) Section 57.

Cuireadh an Cheist:- “Go bhfanfaidh an t-

Question:- “That the section stand part of

alt mar chuid den Bhille” agus cinneadh gur freagra diúltach a tugadh uirthi.

the Bill” - put, and *decided in the negative*.

Scríosadh alt 57.

Section 57 deleted.

(xiv) Alt nua.

(xiv) New section.

Tairgeadh leasú (*An tAire An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

88. In page 113, before section 58, to insert the following new section:

58.—Section 599(1) of the Principal Act is amended by substituting the following for paragraph (b):

“(b) Subject to this section—

- (i) where an individual who has attained the age of 55 years but has not attained the age of 66 years disposes of the whole or part of his or her qualifying assets to his or her child, relief shall be given in respect of the capital gains tax chargeable on any gain accruing on the disposal;
- (ii) where an individual who has attained the age of 66 years disposes of the whole or part of his or her qualifying assets to his or her child on or before 31 December 2013, relief shall be given in respect of the capital gains tax chargeable on any gain accruing on the disposal;
- (iii) where an individual who has attained the age of 66 years disposes of the whole or part of his or her qualifying assets to his or her child on or after 1 January 2014 and the market value of the qualifying assets is greater than €3,000,000, relief shall be given in respect of the capital gains tax chargeable on any gain accruing on the disposal as if the consideration for the disposal had been €3,000,000.”.

Cuireadh agus aontaíodh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xv) Alt 58.

(xv) Section 58.

Cuireadh an Cheist:- “Go bhfanfaidh an t-alt mar chuid den Bhille” agus cinneadh gur freagra diúltach a tugadh uirthi.

Question:- “That the section stand part of the Bill” - put, and *decided in the negative*.

Scríosadh alt 58.

Section 58 deleted.

(xvi) Aontaíodh ailt 59, 60 agus 61.

(xvi) Sections 59, 60 and 61 *agreed to*.

(xvii) Alt nua.

(xvii) New section.

Tairgeadh leasú (*An tAire An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

89. In page 114, before section 62, to insert the following new section:

62.—The Principal Act is amended by inserting the following section after section 604:

“604A.-(1) In this section-

‘EEA Agreement’ means the Agreement on the European Economic Area signed at Oporto on 2 May 1992, as adjusted by the Protocol signed in Brussels on 17 March 1993;

‘EEA State’ means a state which is a contracting party to the EEA Agreement.

(2) This section applies to land or buildings situated in any EEA State (including the State)-

(a) which-

(i) were acquired for a consideration equal to their market value in the period commencing on 7 December 2011 and ending on 31 December 2013, or

(ii) were acquired in the period referred to in subparagraph (i) from a relative (within the meaning of section 10) and the consideration was not less than 75 per cent of their market value at the date they were acquired,

and

(b) which continue in the ownership of the person who acquired that land or those buildings for a period of at least 7 years from the date they were acquired.

(3) On a disposal of land or buildings to which this section applies, such portion of the gain shall not be a chargeable gain as represents the same proportion of the gain as 7 years bears to the period of ownership of such land or buildings.

(4) Relief under subsection (3) shall not apply-

- (a) to land or buildings to which this section applies unless any income or profits or gains derived from the land or buildings concerned in the period of 7 years from the date they were acquired by the person who acquired them is income or profits or gains to which the Income Tax Acts or the Corporation Tax Acts apply, or
- (b) where arrangements (within the meaning of section 546A) have been put in place and it can be shown that relief (apart from the relief given under subsection (3)) would be less if the arrangements had not been put in place.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xviii) Alt 62.

(xviii) Section 62.

Cuireadh an Cheist:- “Go bhfanfaidh an t-alt mar chuid den Bhille” agus *cinneadh gur freagra diúltach a tugadh uirthi*.

Question:- “That the section stand part of the Bill” - put, and *decided in the negative*.

Scríosadh alt 62.

Section 62 deleted.

(xix) Alt nua.

(xix) New section.

Tairgeadh leasú (*An tAire An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

90. In page 114, before section 63, to insert the following new section:

63.—(1) The Principal Act is amended by inserting the following section after section 79B:

“79C.-(1) In this section-

‘approved accounting standards’ means standards which are in accordance with generally accepted accounting principles in the State or in accordance with International Financial Reporting Standards (as promulgated by the International Accounting Standards Board);

‘net foreign exchange gain’ means the excess of foreign exchange gains over foreign exchange losses arising on the disposal of currency in a relevant bank deposit by a relevant holding company, but does not include such gains and losses which are chargeable to corporation tax under Case 1 of Schedule D;

‘net foreign exchange loss’ means the excess of foreign exchange losses over foreign exchange gains arising on the disposal of currency in a relevant bank deposit by a relevant holding company, but does not include such gains and losses which are chargeable to corporation tax under Case 1 of Schedule D;

‘profit and loss account’ has the same meaning as in section 81C;

‘relevant bank deposit’ means a sum standing to the credit of a relevant holding company in a bank and which is not Irish currency;

‘relevant holding company’ means a company-

- (a) with at least one wholly-owned subsidiary and that subsidiary derives the greater part of its income from trading activities, or
- (b) which acquires or sets up, within one year of a net foreign exchange gain being credited to its accounts, a wholly-owned subsidiary which derives the greater part of its income from trading activities.

(2) Currency in a relevant bank deposit shall not be an asset to which section 532 applies.

(3) An amount determined by the formula—

$$A \times \frac{6}{5}$$

where A is the net foreign exchange gain which is credited in the profit and loss account of a relevant holding company, as reduced by so much of any loss under section 383 as is attributable to a net foreign exchange loss and which has not been deducted from any other amount of income, shall be income chargeable under Case IV of Schedule D.

(4) This section shall not apply unless the accounts are drawn up in accordance with approved accounting standards.

(5) An allowable loss under section 546 which is unused at the date this section comes into effect and which has arisen, or

would have arisen, on the disposal of currency in a relevant bank deposit of a relevant holding company may be treated as an unused loss, at the same date, under section 383.

(6) An allowable loss under section 546 to which subsection (5) applies may qualify for relief under section 383 or 546, but may not qualify for relief under both those provisions.”.

(2) This section applies as respects accounting periods ending on or after 1 January 2012.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

(xx) *Aontaíodh* alt 63.

8. ATHLÁ.

Chuaigh an Coiste ar athló ar 7.50 p.m. go dtí 11 a.m. Dé Céadaoin, 28 Feabhra, 2012.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xx) Section 63 *agreed to*.

8. ADJOURNMENT.

The Committee adjourned at 7.50 p.m. until 11 a.m. Wednesday, 28 February, 2012.

ALEX WHITE TD
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Dé Céadaoin, 29 Feabhra 2012

Wednesday, 29 February, 2012

1. Chruinnigh an Coiste ar 11 a.m.

1. The Committee met at 11 a.m.

2. COMHALTAÍ I LÁTHAIR⁵.

2. MEMBERS PRESENT⁶.

An Teachta Alastar de Faoite (*i gCeannas*), An Teachta Brian Ó hAodha (*an tAire Stáit ag an Roinn Airgeadais*), na Teachtaí Risteard Buíd Bairéid, Seán Ó Connalláin, Séamus Ó Dálaigh, Piaras Ó Dochartaigh, Stephen Donnelly, Micheál Mac Craith, Micheál Mac Conmara, Ciarán Ó Domhnaill, Liam Ó Toimín agus Liam Ó Tuama.

Deputy Alex White (*in the Chair*), Deputy Brian Hayes (*Minister of State at the Department of Finance*), Deputies Richard Boyd Barrett, Seán Conlon, Jim Daly, Pearse Doherty, Stephen Donnelly, Michael McGrath, Michael McNamara, Kieran O'Donnell, Billy Timmins and Liam Twomey.

3. AN BILLE AIRGEADAIS, 2012.

3. FINANCE BILL 2012.

D'athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

(i) Alt nua.

(i) New section.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

91. In page 116, before section 64, but in Part 1, to insert the following new section:

64.—(1) The Principal Act is amended—

(a) by inserting the following section after section 610:

“610A.—(1) Subject to subsection (2), a gain shall not be a

⁵ Ghlac an Teachta Brian Ó hAodha (*Aire Stáit ag an Roinn Airgeadais*) ionad an Aire Airgeadais [B.O. 92(1)]. Ghlac an Teachta Stephen Donnelly ionad an Teachta Risteard Buíd Bairéid (ar feadh cuid den chruinniú) [B.O. 92(2)]. Bhí an Teachta Seán Ó Connalláin i láthair [B.O. 92(3)].

⁶ Deputy Brian Hayes (*Minister of State at the Department of Finance*) substituted for the Minister for Finance [S.O. 92(1)]. Deputy Stephen Donnelly substituted for Deputy Richard Boyd Barrett (for part of the meeting) [S.O. 92(2)]. Deputy Seán Conlon attended [S.O. 92(3)].

chargeable gain if it accrues to an approved body to the extent that the proceeds of the disposal giving rise to the gain or, if greater, the consideration for the disposal under the Capital Gains Tax Acts have, within 5 years of the receipt of the proceeds of the disposal or the consideration, as the case may be, been applied for the sole purpose of promoting athletic or amateur games or sports.

(2) A gain shall not be a chargeable gain if it accrues to an approved body to the extent that the proceeds of the disposal (or part thereof) giving rise to the gain or, if greater, the consideration for the disposal (or part thereof) have, within 5 years of the receipt of the proceeds of the disposal or the consideration, as the case may be, been donated for charitable purposes to a person or body of persons and—

- (a) application has been made to the Minister for Finance specifying the person or body of persons to which the approved body proposes to make a donation and he or she has approved the making of the donation to the person or body of persons specified in the application,
- (b) the donation is evidenced by a deed which stipulates that the donation is applicable and must be applied for the purposes of the charity only, and
- (c) neither the donor nor a person connected to the donor receives a benefit in consequence of making the donation, either directly or indirectly.

(3) The Minister for Finance may refuse to approve the donation to the person or body of persons referred to in subsection (2) if he or she believes that the public good would not be served if the donation were made.

(4) The Revenue Commissioners may allow an extension of the period of 5 years referred to in subsection (1) for the application of proceeds for sporting purposes if they are satisfied that an approved body is in the process of applying proceeds for that purpose.

(5) The Revenue Commissioners may allow an extension of the period of 5 years referred to in subsection (2) for the making of a donation for charitable purposes if they are satisfied that an approved body is in the process of making such a donation.

(6) In this section ‘approved body’ means an approved body

of persons within the meaning of section 235(1).”,

and

(b) in Schedule 15 by deleting paragraph 37.

(2) Subsections (2), (3) and (5) of section 610A (inserted by *subsection (1)*) of the Principal Act shall be deemed to have had effect in respect of disposals on or after 1 January 2005.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(ii) *Aontaíodh* alt 64.

(ii) Section 64 *agreed to*.

(iii) Alt nua.

(iii) New section.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

92. In page 118, before section 65, to insert the following new section:

65.—(1) The Finance Act 2005 is amended with effect as on and from 7 December 2011 by substituting the following for Schedule 2 to that Act (as amended by section 16 of the Finance Act 2009):

“SCHEDULE 2

Rates of Tobacco Products Tax

(With effect as on and from 7 December 2011)

Description of Product	Rate of Tax
Cigarettes.....	Rate of tax at €192.44 per thousand together with an amount equal to 18.03 per cent of the price at which the cigarettes are sold by retail.
Cigars.....	Rate of tax at €271.337 per kilogram.

Fine-cut tobacco for the rolling of cigarettes...	Rate of tax at €228.968 per kilogram.
Other smoking tobacco.....	Rate of tax at €188.243 per kilogram.

”.

(2) The Finance Act 2005 is further amended with effect as on and from 1 May 2012 by substituting the following for Schedule 2 to that Act (as amended by *subsection (1)*):

“SCHEDULE 2

Rates of Tobacco Products Tax

(With effect as on and from 1 May 2012)

Description of Product	Rate of Tax
Cigarettes.....	<p>Rate of tax at—</p> <p>(A) except where paragraph (B) applies, €233.11 per thousand together with an amount equal to 9.04 per cent of the price at which the cigarettes are sold by retail, or</p> <p>(B) €268.14 per thousand in respect of cigarettes sold by retail where the rate of tax would be less than that rate had the rate been calculated in accordance with paragraph (A).</p>
Cigars.....	Rate of tax at €271.337 per kilogram.

Fine-cut tobacco for the rolling of cigarettes...	Rate of tax at €228.968 per kilogram.
Other smoking tobacco.....	Rate of tax at €188.243 per kilogram.

”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(iv) Alt 65.

(iv) Section 65.

Cuireadh an Cheist:- “Go bhfanfaidh an t-alt mar chuid den Bhille” agus *cinneadh gur freagra diúltach a tugadh uirthi*.

Question:- “That the section stand part of the Bill” - put, and *decided in the negative*.

Scríosadh alt 65.

Section 65 deleted.

(v) Ailt nua.

(v) New sections.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

93. In page 118, before section 66, to insert the following new section:

66.—Chapter 1 of Part 2 of the Finance Act 2001 is amended—

(a) in section 96(1) by deleting the definitions of “accompanying administrative document”, “free warehouse” and “free zone”,

(b) in section 96(1) by substituting the following for the definition of “tax representative”:

“ ‘tax representative’ means a person approved by the Commissioners under section 109U for the purposes of that section;”,

(c) in section 96(1) by inserting the following definition:

“ ‘transaction’ means any action giving rise to a liability to, or a relief from, any duty of excise;”,

(d) in section 96(1) by substituting the following for the

definition of “vehicle”;

“ ‘vehicle’ means a mechanically propelled vehicle or any other conveyance and includes—

(a) any craft or aircraft, and

(b) any container, trailer, tank or any other thing, which—

(i) is or may be used for the storage of goods in the course of carriage, and

(ii) is designed or constructed to be placed on, in or attached to any such vehicle or other conveyance;”,

(e) by substituting the following for section 97:

“97.—For the purposes of this Part the following are excisable products:

(a) alcohol products within the meaning of section 73 of the Finance Act 2003,

(b) tobacco products within the meaning of section 71 of the Finance Act 2005, and

(c) mineral oils within the meaning of section 94 of the Finance Act 1999.”,

(f) in section 98A(2) by substituting “that consignment is, except in the case of an irregular release, released for consumption” for “that consignment is released for consumption”,

(g) in section 99 by substituting the following for subsections (2) and (3):

“(2) The liability under subsection (1)(b) is fully or partly discharged where, and to the extent that, the consignment concerned has been (as the case may be)—

(a) received, under a suspension arrangement, into another tax warehouse in the State, or

(b) ended in accordance with subsection (1) of section 109K, and evidence to that effect has been received in accordance with subsection (2) of that section.

(3) A registered consignor is liable for payment of the excise duty on any consignment dispatched by such registered consignor under section 109E(1)(b), and that

liability is fully or partly discharged where, and to the extent that, the consignment has ended in accordance with subsection (1) of section 109K, and evidence to that effect has been received in accordance with subsection (2) of that section.”,

(h) in section 99A by substituting the following for subsection (1):

“(1) In this section ‘authorised officer’ means an officer authorised in writing by the Commissioners to exercise the powers conferred by this section.”,

(i) by inserting the following after section 99A:

“Estimation of excise duty due.

99AA.—(1) Where a person who is required, by any provision of excise law, to make a return of the excise duty payable by such person for any period fails to do so within the time specified in the provision concerned, the Commissioners may, subject to subsection (2)—

(a) estimate the amount of duty payable by that person for such period, and

(b) serve notice (in this section referred to as a ‘notice of estimation’) on the person of the amount estimated.

(2) (a) Where the Commissioners are satisfied that the amount of any estimation is excessive or deficient, or that there is no liability for the period concerned, then they may accordingly reduce, increase or withdraw such estimation.

(b) In any case where an estimation is reduced or increased under paragraph (a), the Commissioners shall serve an amended notice of estimation on the person concerned.

(3) If at any time after a notice of estimation or amended notice of estimation, as the case may be, is served, the return referred to in subsection (1) is made, and excise duty is paid in accordance with that return together with any interest and costs that may have been incurred in connection with that payment, then the notice of estimation, or amended notice of estimation, shall stand discharged.

Time limits.

99AB.—(1) In this section ‘taxable period’ means a period in respect of which a person is required, by any provision of excise law, to make a return of the excise duty payable by that person for that period and to pay that amount.

(2) Subject to subsection (4), an assessment under section 99A or an estimation under section 99AA may be made at any time not later than 4 years from—

(a) except where paragraph (b) applies, the date of the transaction giving rise to the liability concerned,

(b) where the liability is in respect of a taxable period, the last day of such period.

(3) Subject to subsection (4), proceedings for the recovery of an amount of excise duty may not be instituted, or other action for such recovery taken, unless a notice of assessment, or another notification in writing stating that such amount is due, has been issued by the Commissioners before the expiry of a period of 4 years from—

(a) except where paragraph (b) applies, the date of the transaction giving rise to the liability to that amount,

(b) where the liability is in respect of a taxable period, the last day of such period.

(4) (a) Subsections (2) and (3) shall not apply in any case where there are reasonable grounds to believe that any form of fraud or neglect has been committed by or on behalf of any person in connection with the liability concerned.

(b) For the purposes of paragraph (a), and subject to paragraph (c), ‘neglect’ means negligence or a failure to give any notice, information or record, or to make any return, required to be given or made under any provision of excise law, within such time limit as may be allowed under the provision concerned.

(c) A person who fails, within the time limit

referred to in paragraph (b), to satisfy any requirement referred to in that paragraph shall be deemed not to have neglected to do so where the person—

(i) satisfies the requirements within such further time as the Commissioners may allow in any particular case, or

(ii) shows to the satisfaction of the Commissioners that there was sufficient excuse for such failure, and where such person satisfies the requirements as soon as possible thereafter.”,

(j) by deleting section 100,

(k) in section 103(2)(a) by substituting “Where any amount of excise duty becomes payable” for “Without prejudice to the provisions of section 74 of the Finance Act 2002 concerning betting duty, where any amount of excise duty becomes payable”,

(l) in section 103 by inserting the following subsection:

“(3) Where an amount of excise duty has been repaid to a person, and where all or part of that amount is then found not to be properly refundable under any provision of excise law, simple interest shall be paid by the person on that amount or part of that amount at the rate of 0.0274 per cent for each day from the date the repayment is made to the date on which it was returned to the Commissioners or otherwise accounted for to their satisfaction.”,

(m) in section 104 by substituting the following for subsections (1), (2) and (3):

“(1) Subject to such conditions as the Commissioners may prescribe or otherwise impose, a full relief from excise duty shall be granted, by way of remission or repayment, on any excisable products that are shown to the satisfaction of the Commissioners to be delivered—

(a) under diplomatic arrangements in the State,

(b) to international organisations recognised as such by the State, and the members of such organisations based in the State, within the limits and under the conditions laid down by international conventions establishing such organisations or by other agreements,

(c) for consumption under any agreement

entered into between the State and a country other than a Member State where such agreement also provides for exemption from value-added tax,

(*d*) for export or re-export from the State to a place outside the European Union, or

(*e*) to a tax-free shop at an airport for supply to passengers travelling to a destination outside of the European Union.

(2) Subject to such conditions as the Commissioners may prescribe or otherwise impose, a full relief from excise duty shall be granted on any alcohol products or tobacco products released for consumption in another Member State which-

(*a*) have been acquired by a private individual in such another Member State for his or her own use and not for commercial purposes, and

(*b*) are transported into the State by that private individual, and accompanied by him or her during such transportation.

(3) For the purpose of subsection (2) the question of whether the alcohol products or tobacco products, as the case may be, are for a private individual's own use or are for commercial purposes shall be determined in accordance with regulations under section 153.”,

(*n*) in section 104 by inserting the following subsection:

“(5) Subject to such conditions as the Commissioners may prescribe or otherwise impose, a full relief from excise duty shall be granted, by way of repayment, on any excisable products that have been released for consumption in the State and which-

(*a*) have been dispatched to another Member State in accordance with section 109V, or

(*b*) have been sold and dispatched by a State vendor to a private individual in another Member State in accordance with section 109W.”,

(*o*) by deleting section 105,

(*p*) by deleting section 105A,

(*q*) by substituting the following for section 105B:

“105B.-(1) Subject to subsections (2) and (3), and without prejudice to the provisions of section 960H of the Taxes Consolidation Act 1997 relating to the offset of overpayments, where a person has, in respect of any period or transaction, paid an amount of excise duty, or interest on excise duty, which was not due, the Commissioners shall repay such amount to such person.

(2) Subject to subsection (3), a repayment shall only be made under subsection (1) where a claim for that repayment, in writing or such other form as the Commissioners may allow, is made to them within a period of 4 years from the date of payment to which the claim relates or from the date of any other transaction giving rise to an entitlement to a repayment.

(3) Subsection (2) does not apply where a person would, on due claim, be entitled to repayment of excise duty or interest paid on that duty under any other provision of excise law which provides for a shorter period within which a claim for repayment is to be made.

(4) Except as provided for by this section or by any other provision of excise law, or by section 941 of the Taxes Consolidation Act 1997 as it applies for the purposes of the duties of excise, the Commissioners shall not repay an amount of excise duty paid to them or pay interest in respect of an amount of excise duty paid to them.”,

(r) by deleting section 105C,

(s) in section 105D(1) by deleting the definition of “valid claim”,

(t) in section 108A(2) by substituting the following for paragraph (c):

“(c) the mixing or blending of excisable products with other excisable products or other materials, but only where-

(i) excise duty has been paid in full on the excisable products so mixed or blended, and

(ii) the amount so paid is not less than the amount chargeable on the mixture or blend,

(d) the production by a private individual of wine, beer or other fermented beverage to which a relief from alcohol products tax under section 77(f) of the Finance Act 2003 applies.”,

and

(u) in section 109(7) by substituting the following for paragraph (b):

“(b) (i) Without prejudice to paragraph (a), and subject to subparagraph (ii), a tenant shall, at a level specified in the authorisation document, provide security for any excisable products received by such tenant as a consignee under a suspension arrangement.

(ii) Subparagraph (i) does not apply to consignments of mineral oil by sea that are received by a tenant and delivered immediately into storage tanks in the tax warehouse that are under the direct control of the proprietor.”.”.

Cuireadh agus aontaíodh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

94. In page 118, before section 66, to insert the following new section:

67.—Chapter 2A of Part 2 of the Finance Act 2001 is amended—

(a) in section 109E by substituting the following for subsection (3):

“(3) Except where, in accordance with section 109I(1)(b), a consignment is accompanied by a paper document, a consignment from a place in the State to another Member State shall be dispatched under the computerised system and under cover of the electronic administrative document.”,

(b) in section 109H by inserting the following after subsection (3):

“(3A) In the case of a consignment of mineral oil, the Commissioners may, subject to such conditions as they may prescribe or otherwise impose, permit the consignor to split the consignment into 2 or more consignments—

(a) where the splitting is carried out—

(i) in the territory of a Member State that allows such splitting, and the Member State has informed the

European Commission accordingly under Article 23 of the Directive, and

- (ii) under the computerised system in accordance with Article 6(1) of the Commission Regulation, and the competent authority of the Member State referred to in paragraph (a) is, by such means, informed of the place where such splitting is to take place,

and

- (b) where the quantity consigned does not change.”,

- (c) in section 109J(3)(a) by substituting “such conditions as the Commissioners may prescribe or otherwise impose” for “such conditions as the Commissioners may prescribe”, and

- (d) by deleting section 109P.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

95. In page 118, before section 66, to insert the following new section:

68.—Chapter 3 of Part 2 of the Finance Act 2001 is amended—

- (a) in section 121 by substituting the following for paragraph (b):

“(b) to take possession or charge of any excisable products in the knowledge that an offence under paragraph (a) has been committed in relation to such excisable products.”,

- (b) by substituting the following for section 122:

“122.—It is an offence under this section for any person to deliver any incorrect return, statement or accounts or to furnish any incorrect information—

- (a) in connection with—

- (i) any claim for relief or repayment under excise

law,

(ii) the granting of a licence under section 101 of the Finance Act 1999, or

(iii) any application for—

(I) authorisation as an authorised warehousekeeper, or approval of a tax warehouse, under section 109,

(II) authorisation as a registered consignor under section 109A,

(III) registration as a registered consignee under section 109J, or

(IV) approval as a tax representative under section 109U,

or

(b) for any other purposes in relation to any duty of excise.”,

(c) in section 123 by deleting paragraph (a),

(d) in section 131(1) by substituting “any question of fact” for “any dispute”,

(e) in section 131(1) by substituting “the burden of proof shall rest” for “the burden of proof in such dispute shall rest”, and

(f) by deleting section 132.”.

Cuireadh agus aontaíodh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

96. In page 118, before section 66, to insert the following new section:

69.—Chapter 4 of Part 2 of the Finance Act 2001 is amended—

(a) by substituting the following for section 133:

“133.—In this Chapter—

‘foreign packet’ means any item, addressed in the final form in which it is to be carried from a place outside the State and delivered to an address in the State, and includes a postal packet within the meaning of the Communications Regulation (Postal Services) Act 2011;

‘postal services’ has the same meaning as in the Communications Regulation (Postal Services) Act 2011;

‘officer’ means an officer of the Commissioners authorised by them in writing to exercise the powers conferred on officers by this Chapter.”,

(b) in section 135(1)(b) by substituting the following for subparagraph (ii):

“(ii) any excisable products being transported in or on, or in any manner attached to, the vehicle, are transported in accordance with any provision of Chapter 2A or 2B to which they may be subject, and conform in every material respect with the description of such excisable products in any electronic administrative document, simplified accompanying document, or other document that is required, under any such provision, for the consignment of the excisable products concerned, or

(iii) the vehicle has been, or is required to be, registered in any of the registers established and maintained under Chapter IV of Part II of the Finance Act 1992,”

(c) in section 135(1)(d) by substituting the following for subparagraph (iii):

“(iii) to produce to the officer or accompanying officer any document referred to in paragraph (b)(ii).”,

(d) in section 136(1)(b) by substituting “carried on,” for “carried on, or”,

(e) in section 136(1) by substituting the following for paragraphs (bb) and (c):

“(c) bets liable to betting duty are reasonably believed to be accepted,

(d) any activity for the provision of postal services, or any other service for the delivery of foreign packets, is being, or is reasonably believed by the officer to be,

carried on,

(*e*) any activity for the supply of electricity or natural gas is being, or is reasonably believed by the officer to be, carried on, or

(*f*) any records relating to, or reasonably believed by the officer to relate to, the products or activities referred to in paragraph (*a*), (*b*), (*c*) or (*e*) are kept, or are reasonably believed by such officer to be kept.”,

(*f*) in section 136(3) by substituting the following for paragraph (*a*):

“(a) carry out such search and investigation as such officer may consider to be proper, including the examination and the carrying out of searches, under section 135, of any vehicle on such premises or in such place,”,

(*g*) in section 136(3)(*c*) by substituting “subsection (1)(*f*)” for “subsection (1)(*c*)”,

(*h*) in section 136(3)(*d*) by substituting “subsection (1)(*f*)” for “subsection (1)(*c*)”,

(*i*) in section 136(3) by substituting the following for paragraph (*e*):

“(e) exercise the powers of detention under section 140 and of seizure under section 141.”,

(*j*) in section 136 by inserting the following after subsection (3):

“(3A) Where an authorised officer in or on any premises or place, referred to in subsection (1)(*d*) or pursuant to a warrant issued under subsection (5), has reason to believe that a foreign packet contains excisable products, and that any requirement—

(*a*) under excise law, for payment of the excise duty on such products, or

(*b*) for any declaration under Council Regulation 2913/92/EEC of 12 October 1992, Commission Regulation 2454/93/EEC of 2 July 1993, or Council Regulation 450/2008/EC of 23 April 2008,

in relation to such foreign packet,

has not been complied with, then such officer may open such foreign packet and examine its contents.”,

(k) by inserting the following after section 136:

“Power to stop, question and search for intra- Community baggage.

136A.—An officer, on production of the authorisation of such officer if required to do so by any person affected, may require any person entering the State from another Member State to stop, and to give to such officer—

(a) the name, address and date of birth of such person,

(b) any information in relation to any excisable products that may be in the possession or charge of such person,

(c) such excisable products for examination,

and, where such officer has reason to believe that such person is committing an offence in relation to such excisable products under section 119 or 121, such officer may search the baggage of such person and examine any such excisable products.”,

and

(l) by deleting section 137.”.

Cuireadh agus aontaíodh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

97. In page 118, before section 66, to insert the following new section:

70.—Chapter 5 of Part 2 of the Finance Act 2001 is amended—

(a) in section 144A by substituting the following for subsection (2):

“(2) Any power, function or duty conferred or imposed on the Commissioners by any provision of section 108A, 109, 109A, subsections (3) and (4) of section 109J or subsection (2) of section 109U, may be exercised on their behalf and,

subject to their direction and control, by an officer authorised by them in writing for the purposes of the provision concerned.”,

(b) in section 145(3) by inserting the following after paragraph (e):

“(ee) a refusal to grant a licence under section 101 of the Finance Act 1999, or a revocation under that section of any such licence that has been granted,”

(c) in section 145 by deleting subsection (13),

(d) in section 153(2) by substituting “section 97” for “section 97(1)”,

(e) in section 153(2)(e) by substituting “registered consignee” for “registered trader”,

(f) in section 153(2) by deleting paragraph (f),

(g) in section 153(2) by substituting the following for paragraph (h):

“(h) specifying in relation to the electronic administrative document (within the meaning of Chapter 2A) and movements of excisable products between Member States under a suspension arrangement—

(i) the correct completion of that document and the person responsible for that completion,

(ii) the submission of that document and the cancellation or amendment of that document after it is submitted,

(iii) the submission of a report of receipt or report of export (both within the meaning of Chapter 2A),

(iv) the confirmation of receipt or export where the computerised system is unavailable,”

(h) in section 153(2) by deleting paragraph (i),

(i) in section 153(2)(j) by substituting “the simplified accompanying document” for “such accompanying document”,

(j) in section 153(2) by deleting paragraph (k),

(k) in section 153(2)(l) by substituting “section 109J(7)” for “section 117”,

- (l) in section 153(2)(t) by substituting “section 104(5)” for “section 105”, and
- (m) in section 153(2)(t)(iv) by deleting “as provided for in section 117.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

98. In page 118, before section 66, to insert the following new section:

71.—Chapter 1 of Part 2 of the Finance Act 2003 is amended—

- (a) in section 73(1) by substituting the following for the definition of “illicit alcohol product”:

“ ‘illicit alcohol product’ means any alcohol product—

- (a) that has, contrary to the requirements of section 108A of the Finance Act 2001, been produced or processed in the State, otherwise than in a tax warehouse, or

- (b) that is counterfeit goods;”,

- (b) in section 75 by substituting the following for subsection (1):

“(1) Subject to the provisions of this Chapter and any regulations made under it, a duty of excise, to be known as alcohol products tax, shall be charged, levied and paid, at the rates specified in Schedule 2, on all alcohol products—

- (a) released for consumption in the State, or

- (b) released for consumption in another Member State and brought into the State.

(1A) Subsection (1)(b) does not apply to any alcohol products that have been released for consumption in another Member State and which are held on board a ship or aircraft making a sea crossing between another Member State and the State, where such alcohol products are not available for sale or supply while the ship or aircraft is within the territory of the State.”,

- (c) in section 77(1) by inserting the following after paragraph

(a):

“(aa) to be delivered for shipment for use as stores on board a ship or aircraft on a journey from a place in the State to a place outside the State,”

(d) in section 78(3) by substituting the following for paragraph (b):

“(b) Except where the Commissioners may, in any particular case, allow, a repayment claim shall be made within 6 months following the end of the period referred to in paragraph (a).”

(e) in section 79(1) by substituting “It is an offence under this subsection” for “Except where subsection (2), (3) or (5) applies, it is an offence under this subsection”,

(f) in section 79 by deleting subsections (3) and (4),

(g) in section 79(5) by substituting the following for paragraph (d):

“(d) to keep prohibited goods on any premises or other land or on any vehicle, or”,

and

(h) by deleting section 82.”

Cuireadh agus aontaíodh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

99. In page 118, before section 66, to insert the following new section:

72.—Chapter 3 of Part 2 of the Finance Act 2005 is amended—

(a) in section 71(1) by deleting the definition of “tax representative”,

(b) in section 71 by deleting subsections (2) and (4),

(c) by substituting the following for section 72:

“72.—(1) Subject to the provisions of this Chapter and any regulations made under it, a duty of excise, to be known as

tobacco products tax, shall be charged, levied and paid, at the rates specified in Schedule 2, on all tobacco products—

(a) released for consumption in the State, or

(b) released for consumption in another Member State and brought into the State.

(2) Subsection (1)(b) does not apply to any tobacco products that have been released for consumption in another Member State and which are held on board a ship or aircraft making a sea crossing between another Member State and the State, where such tobacco products are not available for sale or supply while the ship or aircraft is within the territory of the State.”,

(d) in section 75 by substituting the following for subsections (3) and (4):

“(3) Where a price does not for the time being stand declared under subsection (2), the Commissioners may, in relation to the cigarettes concerned, determine a price to be taken, for the purposes of this Chapter, as the price at which such cigarettes are sold by retail.

(4) Where a price has been declared under subsection (2), or determined by the Commissioners under subsection (3), a manufacturer or importer of tobacco products shall not recommend, expressly or by implication, that the cigarettes concerned are sold by retail at a price higher than the price so declared or determined.”,

(e) in section 76 by substituting the following for subsection (1):

“(1) In this section ‘appropriate tax stamp’ means a tax stamp in respect of which an amount equivalent to the tax chargeable, on the pack of tobacco products to which that tax stamp is to be affixed, has been paid.

(1A) Subject to subsection (1B), all specified tobacco products that are intended for sale, delivery or consumption in the State shall have an appropriate tax stamp affixed by the manufacturer to each pack in which the specified tobacco products concerned are intended to be put up for retail sale.

(1B) Subsection (1A) shall not apply to specified tobacco products that—

(a) have been acquired by a private individual in another Member State and are relieved from excise duty under section 104(2) of the Finance Act 2001,

(b) are exempted from value-added tax and excise duty under the European Communities (Tax Exemption for Certain Non-Commercial Goods Imported in the Personal Luggage of Travellers from Third Countries) Regulations 2008 (S.I. No. 480 of 2008),

(c) are being held or delivered under a suspension arrangement, or

(d) under section 73(2), are subject to the provisions of this Chapter governing other tobacco products.”,

(f) by substituting the following for section 77—

“Reliefs.

77.—(1) Subject to such conditions as the Commissioners may prescribe or otherwise impose, a relief from tobacco products tax shall be granted on any tobacco products that are shown to the satisfaction of the Commissioners—

(a) to have been destroyed in accordance with their requirements,

(b) to have been rendered unfit for use as tobacco products, and used for industrial or horticultural purposes,

(c) to have been returned to a tax warehouse for remanufacture,

(d) to be intended for use, or to have been used, solely for scientific tests or for tests connected with product quality, or

(e) to be delivered for shipment for use as stores on board a ship or aircraft on a journey from a place in the State to a place outside the State.

(2) Subject to such conditions as they may prescribe or otherwise impose, the Commissioners shall repay any amount paid, and remit any amount due, under section 73(3), on the issue of tax stamps that have been shown to the satisfaction of the Commissioners to have been—

(a) destroyed, damaged or otherwise rendered unsuitable for use as tax stamps, or

- (b) affixed to specified tobacco products that have been the subject of an irregularity, within the meaning of Article 38 of Council Directive No 2008/118/EC of 16 December 2008, in another Member State, and where excise duty on such products has been paid in another Member State.
- (3) (a) For the purposes of the relief under subsection (1)(c), except where paragraph (b) applies, the amount repayable shall be the full amount of tax paid on the tobacco products concerned.
- (b) For the purposes of the relief under subsection (1)(c), where on the day the tobacco products concerned are returned to the tax warehouse, the rate of tax on any of those tobacco products is lower than that at which the tax was paid, the amount repayable in respect of those tobacco products shall be calculated at that lower rate.
- (4) (a) Claims for repayment under subsection (1) or (2) shall be made in such form as the Commissioners may direct and shall be in respect of qualifying events, giving rise to the relief concerned, occurring within a period of 3 months.
- (b) Except where the Commissioners may, in any particular case, allow, a repayment claim shall be made within 6 months following the end of the period referred to in paragraph (a).”,
- (g) in section 78(1) by substituting “It is an offence under this subsection” for “Except where subsection (4) or (5) applies, it is an offence under this subsection”,
- (h) in section 80(1) by substituting “The Commissioners” for “Subject to subsection (2), the Commissioners”,
- (i) in section 80 by deleting subsection (2),
- (j) by deleting section 82, and
- (k) in section 83(1A) by substituting “Council Directive No. 2011/64/EU of 21 June 2011” for “Council Directive No. 92/79/EEC of 19 October 1992, Council Directive No. 92/80/EEC of 19 October 1992 and Council Directive No.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

100. In page 118, before section 66, to insert the following new section:

73.—Chapter 1 of Part 2 of the Finance Act 2002 is amended by deleting sections 72, 73, 73A, 74, 75, 75A and 76.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(vi) *Aontaíodh* alt 66.

(vi) Section 66 *agreed to*.

(vii) *Aontaíodh* ailt 67 agus 68.

(ivi) Sections 67 and 68 *agreed to*.

(viii) Alt 69.

(viii) Section 69.

Cuireadh an Cheist:- “Go bhfanfaidh an t-alt mar chuid den Bhille.

Question:- “That the section stand part of the Bill”.

Ar vótáil a éileamh, cuireadh tógáil na vótála siar de réir Ordú a rinne an Dáil an 23 Feabhra 2012.

A division having been demanded, the taking of it was postponed in accordance with an Order of the Dáil of 23 February 2012.

(ix) *Aontaíodh* alt 70.

(ix) Section 70 *agreed to*.

(x) Alt 71.

(x) Section 71.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

101. In page 134, subsection (1), between lines 26 and 27, to insert the following:

“(f)in section 133 by substituting the following for “new vehicle”:

“ ‘new vehicle’ means a vehicle that has not previously been registered or recorded on a permanent basis—

(a) in the State under this Chapter or, before 1

January 1993, under any enactment repealed or revoked by section 144A or under any other provision to like effect as this Chapter or any such enactment, or

(b) under a corresponding system for maintaining a record for vehicles and their ownership in another state,

and where the vehicle has been acquired under general conditions of taxation in force in the domestic market;”.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

102. In page 136, subsection (1), between lines 15 and 16, to insert the following:

“(j)in section 136A by substituting, in the first sentence of subsection (4), the following for the meaning assigned to “B” for the purpose of the formula in that subsection:

“B is an amount (if any) payable by the competent person to the Commissioners that is calculated by means of one or more than one formula or other means of calculation as may be prescribed.”,

(k) in section 141, in subsection (2), by deleting “and” where it last occurs in paragraph (m), by substituting “vehicles, and” for “vehicles.” in paragraph (w) and by inserting the following after paragraph (w):

“(x) for the purpose of the formula in subsection (4) of section 136A, prescribe one or more than one formula or other means of calculation for the purpose of the meaning assigned to ‘B’ in that subsection.”.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xi) Alt 69.

(xi) Section 69.

Léadh an tOrdú chun an vótáil a thógáil a cuireadh siar ar an gCeist "go bhfanfaidh alt 69 mar chuid den Bhille."

The Order was read for the taking of the division postponed on the Question “that section 69 stand part of the bill”.

Cuireadh an Cheist: rinne an Coiste vótáil: Tá, 6; Níl 2.

Question put: the Committee divided: For, 6; Against, 2.

Tá:- An Teachta Brian Ó hAodha (*Aire Stáit ag an Roinn Airgeadais*), na Teachtaí Séamus Ó Dálaigh, Micheál Mac Conmara, Liam Ó Toimín, Liam Ó Tuama agus Alastar de Faoite.

For:- Brian Hayes (*Minister of State at the Department of Finance*), Deputies Jim Daly, Michael McNamara, Billy Timmins, Liam Twomey and Alex White.

Níl: - Na Teachtaí Piaras Ó Dochartaigh agus Micheál Mac Craith.

Against:- Deputies Pearse Doherty and Michael McGrath.

Faisnéiseadh dá réir sin go rabhthas tar éis glacadh leis an gCeist.

The Question was declared carried accordingly.

(xii) *Aontaíodh ailt 72, 73 agus 74.*

(xii) Sections 72, 73 and 74 *agreed to.*

(xiii) *Alt 75.*

(xiii) Section 75.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

105. In page 138, between lines 42 and 43, to insert the following subsection:

“(3) The Minister shall within one month of the commencement of this Act, prepare and lay before Dáil Éireann a report (in this Chapter referred to as “a cost-benefit report”) on the economic impact of the change proposed in this section and which shall include a cost-benefit analysis of the impact of that change on the Exchequer and the economy, including all second-order effects, to include the impact on other Government Departments, due to the projected fall in consumption, the projected loss of jobs, and the projected loss of corporation tax.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn.*

Cuireadh an Cheist:- “Go bhfanfaidh an t-alt mar chuid den Bhille.

Question:- “That the section stand part of the Bill”.

Ar vótáil a éileamh, cuireadh tógáil na vótála siar de réir Ordú a rinne an Dáil an 23 Feabhra 2012.

A division having been demanded, the taking of it was postponed in accordance with an Order of the Dáil of 23 February 2012.

(xiv) *Aontaíodh ailt 76 go 82, go huile.*

(xiv) Sections 76 to 82, inclusive, *agreed to.*

(xv) Alt 83.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

(xv) Section 83.

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

106. In page 141, subsection (1), lines 8 to 12, to delete paragraph (c) and substitute the following:

“(c)in paragraph 8 by substituting the following for subparagraph (4):

“(4) Admission to—

(a) exhibitions, of the kind normally held in museums and art galleries, of objects of historical, cultural, artistic or scientific interest (not being services of the kind specified in paragraph 3(5) of Schedule 1), or

(b) built or natural heritage facilities which are open to the public other than on an occasional basis (not being services of the kind specified in paragraph 3(5) of Schedule 1),

but excluding any part of the fee for such admission which relates to goods or services other than such admission.

(5) Admission to an open farm, but excluding any part of the fee for such admission which relates to goods or services other than such admission.”.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xvi) Alt 75.

(xvi) Section 75.

Léadh an tOrdú chun an vótáil a thógáil a cuireadh siar ar an gCeist "go bhfanfaidh alt 75 mar chuid den Bhille."

The Order was read for the taking of the division postponed on the Question “that section 75 stand part of the bill”.

Cuireadh an Cheist: rinne an Coiste vótáil: Tá, 7; Níl 3.

Question put: the Committee divided: For, 7; Against, 3.

Tá:- An Teachta Brian Ó hAodha (*Aire Stáit ag an Roinn Airgeadais*), na Teachtaí Séamus Ó Dálaigh, Micheál Mac Conmara, Ciarán Ó Domhnaill, Liam Ó Toimín, Liam Ó Tuama agus Alastar de Faoite.

For:- Brian Hayes (*Minister of State at the Department of Finance*), Deputies Jim Daly, Michael McNamara, Kieran O'Donnell, Billy Timmins, Liam Twomey and Alex White.

Níl: - Na Teachtaí Risteard Buíd Bairéid, Piaras Ó Dochartaigh agus Micheál Mac Craith.

Against:- Deputies Richard Boyd Barrett, Pearse Doherty and Michael McGrath.

Faisnéiseadh dá réir sin go rabhthas tar éis glacadh leis an gCeist.

The Question was declared carried accordingly.

4. AN CRUINNIÚ AR FIONRAÍ.

4. MEETING SUSPENDED.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 2.05 p.m. (*An Teachta Alastar de Faoite*).

Ordered: That the Meeting be now suspended until 2.05 p.m. (*Deputy Alex White*).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 1.05 p.m.

The Meeting was accordingly suspended at 1.05 p.m.

Ar 2.05 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 2.05 p.m.

5. AN BILLE AIRGEADAIS, 2012.

5. FINANCE BILL 2012.

D'athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

(i) *Aontaíodh* ailt 84 go 89, go huile.

(i) Sections 84 to 89, inclusive, *agreed to*.

(ii) Alt nua.

(ii) New section.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

107. In page 146, before section 90, to insert the following new section:

90.—Section 101 of the Principal Act is amended by substituting the following for subsection (1):

“(1) In this section ‘intellectual property’ means a specified intangible asset within the meaning of section 291A(1) of the Taxes Consolidation Act 1997.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(iii) *Aontaíodh* alt 90.

(iii) Section 90 *agreed to*.

(iv) Alt nua.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

(iv) New section.

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

108. In page 146, before section 91, to insert the following new section:

91.—Section 123B of the Principal Act is amended—

(a) in subsection (1) by inserting the following definition before the definition of “bank”:

“ ‘account holder’ means the person authorised to charge amounts to a card account;”,

(b) in subsection (1) by inserting the following definition after the definition of “bank”:

“ ‘basic payment account’ means a card account that meets the following conditions—

(a) in the 3 years immediately preceding the opening of the card account, the account holder—

(i) did not have access to a card account, or

(ii) did have access to a card account (in this subparagraph referred to as the ‘old account’) but no amounts were charged to the old account in that period, the old account was closed at the time the card account was opened and any balance of funds was transferred to the card account,

(b) all amounts payable to the account holder under the Social Welfare Acts are paid into the card account, and

(c) in respect of 2 consecutive periods of 3 months ending on 31 March, 30 June, 30 September or 31 December, all amounts paid into the card account, other than those referred to in paragraph (b), do not exceed €2,000 in a period of 3 months;”,

and

(c) by substituting the following for subsection (3):

“(3) Notwithstanding subsection (2)—

- (a) if the cash card, combined card or debit card is not used at any time during a year,
 - (b) if the cash card, combined card or debit card is issued in respect of a card account—
 - (i) which is a deposit account, and
 - (ii) the average of the daily positive balances in the account does not exceed €12.70 during that year,
- or
- (c) in relation to the year 2012, if the cash card, combined card or debit card is issued in respect of a basic payment account,
- then it shall not be included in the statement relating to that year.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(v) Alt 91.

(v) Section 91.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

109. In page 149, to delete line 22 and substitute the following:

“(b)aged 18 years or over on 1 January in the accounting period.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(vi) *Aontaíodh* ailt 92, 93 agus 94.

(vi) Sections 92, 93 and 94 *agreed to*.

(vii) Alt 95.

(vii) Section 95.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

110. In page 152, subsection (1)(a), line 19, to delete “€250,000” and substitute “€300,000”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Aontaíodh an t-alt.

Section *agreed to*.

(viii) *Aontaíodh ailt 96 go 104, go huile.*

(viii) Sections 96 to 104, inclusive, *agreed to*.

(ix) Alt nua.

(ix) New section.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

112. In page 157, before section 105, to insert the following new section:

105.—Section 912A of the Principal Act is amended—

(a) in subsection (2) by substituting “902A, 905,” for “902A,”,
and

(b) by substituting the following for subsection (3):

“(3) Where sections 902A, 905, 907 and 908 have effect by virtue only of this section, they shall have effect as if the references in those sections to—

(a) tax, were references to foreign tax, and

(b) any provision of the Acts, were references to any provision of the law of a territory in accordance with which foreign tax is charged or collected.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(x) *Aontaíodh alt 105.*

(x) Section 105 *agreed to*.

(xi) *Aontaíodh ailt 106 go 112, go huile.*

(xi) Sections 106 to 112, inclusive, *agreed to*.

(xii) Alt nua.

(xii) New section.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

113. In page 175, before section 113, to insert the following new section:

113.—(1) Part 37 of the Principal Act is amended—

(a) in section 865(1)(a) by substituting the following for the definition of “the Acts”:

“ ‘Acts’ means the Tax Acts, the Capital Gains Tax Acts, Part 18A, Part 18C and Part 18D and instruments made thereunder;”,

(b) in section 865(1)(a) by substituting the following for the definition of “tax”:

“ ‘tax’ means any income tax, corporation tax, capital gains tax, income levy, domicile levy or universal social charge and includes—

- (i) any interest, surcharge or penalty relating to any such tax, levy or charge,
- (ii) any sum arising from the withdrawal or clawback of a relief or an exemption relating to any such tax, levy or charge,
- (iii) any sum required to be deducted or withheld by any person and paid or remitted to the Revenue Commissioners or the Collector-General, as the case may be, and
- (iv) any amount paid on account of any such tax, levy or charge or paid in respect of any such tax, levy or charge;”,

(c) in section 865(1)(b) by substituting the following for subclauses (A) and (B) of clause (I):

“(A) would arise out of the assessment to tax, made at the time the statement or return was furnished, on foot of the statement or return, or

(B) would have arisen out of the assessment to tax, that would have been made at the time the statement or return was furnished, on foot of the statement or return if an assessment to tax had been made at that time,”,

and

(d) by inserting the following new section after section 865A:

“No offset where repayment prohibited.

865B.—(1) In this section—

‘Acts’ means—

- (a) the statutes relating to the duties of excise and to the management of those duties,
- (b) the Tax Acts,
- (c) the Capital Gains Tax Acts,
- (d) Parts 18A, 18C and 18D,
- (e) the Capital Acquisitions Tax Consolidation Act 2003 and the enactments amending or extending that Act,
- (f) the Stamp Duties Consolidation Act 1999 and the enactments amending or extending that Act,
- (g) the Value-Added Tax Consolidation Act 2010 and the enactments amending or extending that Act, and
- (h) any instruments made under any of the statutes and enactments specified in paragraphs (a) to (g);

‘relevant period’, in relation to a repayment, means—

- (a) in the case of corporation tax, the accounting period of the company in respect of which the repayment arises,
- (b) in the case of income tax, capital gains tax, income levy, universal social charge or domicile levy, the year of assessment in respect of which the repayment arises,
- (c) in the case of stamp duties, the year of assessment or accounting period, as the case may be, within which falls the event in respect of which the repayment arises,
- (d) in the case of gift tax or inheritance tax, the year of assessment or accounting period, as the case may be, within which falls the latest of the dates referred to in section 57(3) of the Capital Acquisitions Tax Consolidation Act 2003 and in respect of which the repayment arises,

(e) in the case of excise duty, the year of assessment or accounting period, as the case may be, within which falls the act or event in respect of which the repayment arises, and

(f) in the case of value-added tax, the year of assessment or accounting period, as the case may be, within which falls the taxable period in respect of which the repayment arises;

‘repayment’ includes a refund;

‘tax’ means any income tax, corporation tax, capital gains tax, value-added tax, excise duty, stamp duty, gift tax, inheritance tax, income levy, domicile levy or universal social charge and includes—

(a) any interest, surcharge or penalty relating to any such tax, duty, levy or charge,

(b) any sum arising from the withdrawal or clawback of a relief or an exemption relating to any such tax, duty, levy or charge,

(c) any sum required to be deducted or withheld by any person and paid or remitted to the Revenue Commissioners or the Collector-General, as the case may be, and

(d) any amount paid on account of any such tax, duty, levy or charge or paid in respect of any such tax, duty, levy or charge;

‘taxable period’ has the same meaning as in section 2 of the Value-Added Tax Consolidation Act 2010.

(2) Subject to subsections (3) and (4), where a repayment of any tax cannot be made to a person by virtue of the operation of—

(a) section 865,

(b) section 105B of the Finance Act 2001,

(c) section 99 of the Value-Added Tax Consolidation Act 2010,

(d) section 159A of the Stamp Duties Consolidation Act 1999,

(e) section 57 of the Capital Acquisitions Tax Consolidation Act 2003, or

(f) any other provision of any of the Acts,

then, notwithstanding any other enactment or rule of law, that repayment shall not be set against any other amount of tax due and payable by, or from, that person.

(3) Where a repayment of tax cannot be made to a person in respect of a relevant period, it may be set against the amount of tax to which paragraph (a) of subsection (4) applies which is due and payable by the person in the circumstances set out in paragraph (b) of that subsection.

(4) (a) The amount of tax to which this paragraph applies is the amount, or so much of the amount, of tax that is due and payable by the person in respect of the relevant period as does not exceed the amount of the repayment that cannot be made to the person in respect of that relevant period.

(b) The circumstances set out in this paragraph are where tax is due and payable in respect of the relevant period by virtue of an assessment that is made or amended, or any other action that is taken for the recovery of tax, at a time that is 4 years or more after the end of the relevant period.

(5) No tax shall be set against any other amount of tax except as is provided for by the Acts.”.

(2) The Stamp Duties Consolidation Act 1999 is amended in section 159B by substituting the following for subsection (6):

“(6) Except as provided for by this Act or section 941 of the Taxes Consolidation Act 1997 as it applies for the purposes of stamp duties, the Commissioners shall not repay an amount of duty paid to them or pay interest in respect of an amount of duty paid to them.”.

(3) The Capital Acquisitions Tax Consolidation Act 2003 is amended in section 57 by substituting the following for subsection (9):

“(9) Except as provided for by this Act or by section 941 of the Taxes Consolidation Act 1997 as it applies for the purposes of capital acquisitions tax, the Commissioners shall not repay an

amount of tax paid to them or pay interest in respect of an amount of tax paid to them.”.

(4) The Value-Added Tax Consolidation Act 2010 is amended in section 105(6)(b) by substituting “section 941 of the Taxes Consolidation Act 1997 as it applies for the purposes of value-added tax” for “any provision of any other enactment”.

(5) This section shall apply as respects any tax (within the meaning of section 865B (inserted by *subsection (1)(d)*) of the Principal Act) paid or remitted to the Revenue Commissioners or the Collector-General, as the case may be, whether before, on or after the passing of this Act.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xiii) *Aontaíodh* alt 113.

(xiii) Section 113 *agreed to*.

(xiv) Alt nua.

(xiv) New section.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

114. In page 175, before section 114, to insert the following new section:

114.—(1) Section 811 of the Principal Act is amended by inserting the following after subsection (5):

“(5A) (a) In this subsection—

‘assessment’ includes a first assessment, an additional assessment, an additional first assessment and an estimate or estimation;

‘amendment’, in relation to an assessment, includes the adjustment, alteration or correction of the assessment.

(b) Where the opinion of the Revenue Commissioners, that a transaction is a tax avoidance transaction, becomes final and conclusive, then for the purposes of giving effect to this section, any time limit provided for by Part 41, or by any other provision of the Acts, on the making or amendment of an assessment or on the requirement or liability of a person to pay tax or to pay additional tax—

(i) shall not apply, and

(ii) shall not affect the collection and recovery of any amount of tax or additional tax that

becomes due and payable.”.

(2) (a) *Subsection (1)* applies to any assessment to tax or any amendment of any assessment to tax which is made, on or after 28 February 2012, so that the tax advantage resulting from a tax avoidance transaction, in respect of which a notice of opinion has become final and conclusive, is withdrawn from or denied to any person concerned.

(b) For the purposes of *paragraph (a)*, “assessment”, “amendment”, “tax advantage”, “tax avoidance transaction”, “notice of opinion” and “final and conclusive” shall be read in accordance with section 811 of the Principal Act.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xv) *Aontaíodh* alt 114.

(xv) Section 114 *agreed to*.

(xvi) *Aontaíodh* ailt 115 go 118, go huile.

(xvi) Sections 115 to 118, inclusive, *agreed to*.

(xvii) Alt nua.

(xvii) New section.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

115. In page 178, before section 119, to insert the following new section:

119.—The Minister shall within 3 months from the passing of this Act prepare and lay before Dáil Éireann a report on the contribution made to the Exchequer and in particular the contribution in that regard as a result of the measures introduced by the Finance Act 2012.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

(xviii) *Aontaíodh* ailt 120 go 124, go huile.

(xviii) Sections 120 to 124, inclusive, *agreed to*.

(xix) Sceideal 1.

(xix) Schedule 1.

Tairgeadh leasú (*An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais*):

Amendment proposed (*Deputy Brian Hayes, Minister of State at the Department of Finance*):

116. In page 182, paragraph 2, between lines 6 and 7, to insert the following:

“(a)in subsection (1) by substituting the following for paragraph (b) of the definition “excepted operations”:

“(b) (i) working scheduled minerals, mineral compounds or mineral substances (within the meaning of section 2 of the Minerals Development Act 1940), or

(ii) working minerals (other than those specified in subparagraph (i)) other than so much of working such minerals as is manufacturing,

and”, ”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an Sceideal 1, mar a leasaíodh.

Schedule 1, as amended, agreed to.

(xx) Aontaíodh Sceidil 2, 3, 4 agus 5.

(xx) Schedules 2, 3, 4 and 5 agreed to.

(xxi) Sceideal 6.

(xxi) Schedule 6.

Tairgeadh leasú (An Teachta Brian Ó hAodha, Aire Stáit ag an Roinn Airgeadais):

Amendment proposed (Deputy Brian Hayes, Minister of State at the Department of Finance):

117. In page 276, paragraph 1, between lines 12 and 13, to insert the following:

“(d)in section 473(1) in column (3) of the Table to the definition of “specified limit” by substituting “4,000” for “3,600”, ”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an Sceideal 6, mar a leasaíodh.

Schedule 6, as amended, agreed to.

(xxii) Aontaíodh an Teideal.

(xxii) Title agreed to.

6. CRÍOCHNÚ AN GHNÓ.

6. CONCLUSION OF BUSINESS.

Chríochnaigh an Coiste a bhreithniú ar an mBille ar 3.25 p.m.

The Committee concluded its consideration of the Bill at 3.25 p.m.

7. TEACHTAIREACHT CHUIG DÁIL ÉIREANN.

7. MESSAGE TO DÁIL ÉIREANN.

Cuireadh teachtaireacht chun na Dála á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an mBille agus go raibh leasuithe déanta aige air.

8. ATHLÁ.

Chuaigh an Coiste ar athló ar 3.25 p.m. *sine die*.

Message sent to the Dáil acquainting it that the Committee had completed its consideration of the Bill and had made amendments thereto.

8. ADJOURNMENT.

The Committee adjourned at 3.25 p.m. *sine die*.

ALEX WHITE, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Dé Céadaoin, 25 Aibreán 2012

Wednesday, 25 April, 2012

1. Chruinnigh an Coiste ar 3.40 p.m.

1. The Committee met at 3.40 p.m.

2. COMHALTAÍ I LÁTHAIR⁷.

2. MEMBERS PRESENT⁸.

An Teachta Alastar de Faoite (*i gCeannas*), An tAire Airgeadais, na Teachtaí Risteard Buíd Bairéid, Caoimhín Mac Unfraidh, Peadar Mac Mathúna, Micheál Mac Craith, Ciarán Ó Domhnaill agus Art Mac an Earraigh.

Deputy Alex White (*in the Chair*), Minister for Finance, Deputies Richard Boyd-Barrett, Kevin Humphreys, Peter Mathews, Michael McGrath, Kieran O'Donnell and Arthur Spring.

3. BREITHNIÚ AR MHEASTACHÁIN I GCOMHAIR SEIRBHÍSÍ POIBLÍ.

3. CONSIDERATION OF ESTIMATES FOR PUBLIC SERVICES.

Bhreithnigh an Coiste na Meastacháin seo a leanas i gcomhair Seirbhísí Poiblí don bhliain dar críoch an 31 Nollaig, 2012 –

The Committee considered the following Estimates for Public Services for the year ending 31st December, 2012 –

Vóta 7 (Oifig an Aire Airgeadais) (Meastachán Athbhreithnithe)

Vote 7 (Office of the Minister for Finance) (Revised Estimate)

Vóta 8 (Oifig an Ard-Reachtair Cuntas agus Ciste) (Meastachán Athbhreithnithe)

Vote 8 (Office of the Comptroller and Auditor General) (Revised Estimate)

Vóta 9 (Oifig na gCoimisinéirí Ioncaim) (Meastachán Athbhreithnithe)

Vote 9 (Office of the Revenue Commissioners) (Revised Estimate)

Vóta 10 (Oifig na gCoimisinéirí Achomhairc) (Meastachán Athbhreithnithe)

Vote 10 (Office of the Appeal Commissioners) (Revised Estimate)

Críochnaíodh an breithniú ar an Meastachán.

Consideration of the Estimate was concluded.

⁷ Ghlac na Teachtaí Caoimhín Mac Unfraidh, Peadar Mac Mathúna agus Art Mac an Earraigh ionaid na dTeachtaí Micheál Mac Conmara, Séamus Ó Dálaigh agus Liam Ó Toimín faoi seach [B.O. 92(2)].

⁸ Deputies Kevin Humphreys, Peter Mathews and Arthur Spring substituted for Deputies Michael McNamara, Jim Daly and Billy Timmins respectively [S.O. 92(2)].

Cuireadh teachtaireacht chun na Dála de réir Bhuan-Ordú 87 á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an Meastachán.

4. ATHLÁ.

Chuaigh an Coiste ar athló ar 5.35 p.m. *sine die*.

Message sent to the Dáil in accordance with Standing Order 87 acquainting it that the Committee had completed its consideration of the Estimate.

4. ADJOURNMENT.

The Committee adjourned at 5.35 p.m. *sine die*.

Alex White, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Déardaoin, 14 Meitheamh 2012

Thursday, 14 June 2012

1. Chruinnigh an Coiste ar 11.10 a.m.

1. The Committee met at 11.10 a.m.

2. COMHALTAÍ I LÁTHAIR⁹.

2. MEMBERS PRESENT¹⁰.

An Teachta Alastar de Faoite (*i gCeannas*), An tAire Airgeadais, na Teachtaí Risteard Buíd Bairéid, Séamus Ó Dálaigh, Piaras Ó Dochartaigh, Peadar Mac Mathúna, Micheál Mac Craith agus Liam Ó Tuama.

Deputy Alex White (*in the Chair*), Minister for Finance, Deputies Richard Boyd-Barrett, Jim Daly, Pearse Doherty, Peter Mathews, Michael McGrath and Liam Twomey.

3. AN BILLE UM AN SÁSRA COBHSAÍOCHTA EORPACH, 2012.

3. EUROPEAN STABILTY MECHANISM BILL 2012.

Chrom an Coiste ar an mBille a bhreithniú.

The Committee took the Bill into consideration.

(i) Aontaíodh ailt 1 agus 2.

(i) Sections 1 and 2 *agreed to*.

4. AN CRUINNÍÚ AR FIONRAÍ.

4. MEETING SUSPENDED.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 12.10 p.m. (*An Teachta Alastar de Faoite*).

Ordered: That the Meeting be now suspended until 12.10 p.m. (*Deputy Alex White*).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 11.55 a.m.

The Meeting was accordingly suspended at 11.55 a.m.

Ar 12.10 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 12.10 p.m.

5. AN BILLE UM AN SÁSRA COBHSAÍOCHTA EORPACH, 2012.

5. EUROPEAN STABILTY MECHANISM BILL 2012.

D'athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

⁹ Ghlac an Teachta Peadar Mac Mathúna ionad an Teachta Liam Ó Toimín [B.O. 92(2)].

¹⁰ Deputy Peter Mathews substituted for Deputy Billy Timmins [S.O. 92(2)].

(i) *Aontaíodh* ailt 3 go 10, go huile.

(ii) *Aontaíodh* an Sceideal.

(iii) *Aontaíodh* an Teideal.

6. CRÍOCHNÚ AN GHNÓ.

Chríochnaigh an Coiste a bhreithniú ar an mBille ar 2.10 p.m.

7. TEACHTAIREACHT CHUIG DÁIL ÉIREANN.

Cuireadh teachtaireacht chun na Dála á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an mBille agus nach raibh aon leasú déanta aige air.

8. ATHLÁ.

Chuaigh an Coiste ar athló ar 2.10 p.m. *sine die*.

(i) Sections 3 to 10, inclusive, *agreed to*.

(ii) Schedule *agreed to*.

(iii) Title *agreed to*.

6. CONCLUSION OF BUSINESS.

The Committee concluded its consideration of the Bill at 2.10 p.m.

7. MESSAGE TO DÁIL ÉIREANN.

Message sent to the Dáil acquainting it that the Committee had completed its consideration of the Bill and had made no amendment thereto.

8. ADJOURNMENT.

The Committee adjourned at 2.10 p.m. *sine die*.

ALEX WHITE, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Déardaoin, 18 Deireadh Fómhair 2012

Thursday, 18 October, 2012

1. Chruinnigh an Coiste ar 2.05 p.m.

1. The Committee met at 2.05 p.m.

2. COMHALTAÍ I LÁTHAIR¹¹.

2. MEMBERS PRESENT¹².

An Teachta Liam Ó Tuama (*i gCeannas*),
An tAire Airgeadais, na Teachtaí Piaras Ó
Dochartaigh, Caoimhín Mac Unfraidh,
Deiric Ó Céitinn, Colm Ó Caomhnaigh,
Peadar Mac Mathúna, Micheál Mac
Craith, Micheál Mac Conmara, Derek Ó
Nualláin agus Ciarán Ó Domhnaill.

Deputy Liam Twomey (*in the Chair*),
Minister for Finance, Deputies Pearse
Doherty, Kevin Humphreys, Derek
Keating, Colm Keaveney, Peter Mathews,
Michael McGrath, Michael McNamara,
Derek Nolan and Kieran O'Donnell.

3. AN BILLE UM FHREAGRACHT
BHUISÉADACH, 2012.

3. FISCAL RESPONSIBILITY BILL 2012.

Chrom an Coiste ar an mBille a
bhreithniú.

The Committee took the Bill into
consideration.

(i) *Aontaíodh* ailt 1 go 5, go huile.

(i) Sections 1 to 5, inclusive, *agreed to*.

(ii) Alt 6.

(ii) Section 6.

Tairgeadh leasú (*An Teachta Piaras Ó
Dochartaigh*):

Amendment proposed (*Deputy Pearse
Doherty*):

5. In page 7, subsection (2), between lines 4 and 5, to insert the
following:

“(a) prioritise the generation of economic growth, job creation
and delivery of high quality public services,”.

¹¹ Ghlac an Teachta Deiric C. Ó Céitinn ionad na dTeachtaí Séamus Ó Dálaigh agus Ciarán Ó Loinsigh gach re seal (ar feadh cuid den chruinniú) [B.O. 92(2)].
Ghlac na Teachtaí Caoimhín Mac Unfraidh agus Peadar Mac Mathúna ionaid na dTeachtaí Séamus Ó Dálaigh agus Ciarán Ó Loinsigh faoi seach (ar feadh cuid den chruinniú) [B.O. 92(2)].
Ghlac na Teachtaí Colm Ó Caomhnaigh agus Derek M. Ó Nualláin ionaid an Teachta Liam Ó Toimín gach re seal (ar feadh cuid den chruinniú) [B.O. 92(2)].

¹² Deputy Derek Keating substituted alternately for Deputies Jim Daly and Ciarán Lynch (for part of the meeting) [S.O. 92(2)].
Deputies Kevin Humphreys and Peter Mathews substituted for Deputies Jim Daly and Ciarán Lynch respectively (for part of the meeting) [S.O. 92(2)].
Deputies Colm Keaveney and Derek Nolan substituted alternately for Deputy Billy Timmins (for part of the meeting) [S.O. 92(2)].

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus cinneadh gur freagra diúltach a tugadh uirthi.

Question:- “That the amendment be made”- put, and *decided in the negative*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

6. In page 7, subsection (2)(a), line 6, after “achieved” to insert the following:

“in a manner consistent with *paragraph (a)**”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus cinneadh gur freagra diúltach a tugadh uirthi.

Question:- “That the amendment be made”- put, and *decided in the negative*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

7. In page 7, subsection (2), between lines 14 and 15, to insert the following:

“(e) outline how revenue and expenditure measures will contribute to the objectives of greater income equality, social inclusion and poverty reduction.”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus cinneadh gur freagra diúltach a tugadh uirthi.

Question:- “That the amendment be made”- put, and *decided in the negative*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

8. In page 7, between lines 14 and 15, to insert the following subsection:

“(3) All revenue and expenditure measures contained in the plan must be subject to equality and anti-poverty impact assessments the details of which will be published as appendices to the plan.”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus cinneadh gur freagra diúltach a tugadh uirthi.

Question:- “That the amendment be made”- put, and *decided in the negative*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

9. In page 7, between lines 14 and 15, to insert the following subsection:

“(3) The plan shall only be adopted following approval of the

Oireachtas.”.

Cuireadh an Cheist:- “Go ndéanfar an leasú”: rinne an Coiste vótáil: Tá, 2; Níl, 7.

Tá:- Na Teachtaí Piaras Ó Dochartaigh agus Micheál Mac Craith.

Níl:- *An tAire Airgeadais*, Na Teachtaí Deiric S. Ó Céitinn, Caoimhín Mac Unfraidh, Micheál Mac Conmara, Ciarán Ó Domhnaill, Colm Ó Caomhnaigh agus Liam Ó Tuama.

Faisnéiseadh dá réir sin go rabhthas tar éis diúltú don Cheist.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Question:- “That the amendment be made” - put: the Committee divided: For, 2 ; Against, 7.

For:- Deputies Pearse Doherty and Michael McGrath.

Against:- *Minister for Finance*, Deputies Derek Keating, Kevin Humphreys, Michael McNamara, Kieran O’Donnell, Colm Keaveney and Liam Twomey.

The Question was declared negatived accordingly.

Amendment proposed (*Deputy Pearse Doherty*):

- 10.** In page 7, subsection (5), lines 32 and 33, to delete all words from and including “outlining” in line 32 down to and including “failure” in line 33 and substitute the following:

“outlining the reasons it considers non-compliance with the budgetary rule to be in the best social and economic interests of the citizens and the state”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

(iii) *Aontaíodh ailt 6 agus 7.*

(iii) Sections 6 and 7 *agreed to*.

(iv) Alt 8.

(iv) Section 8.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

- 11.** In page 8, subsection (4), between lines 15 and 16, to insert the following:

“(a) provide an assessment of whether the fiscal and budgetary policy of the Government is contributing to economic growth, job creation, the delivery of high quality public services, greater income equality, social inclusion and poverty reduction.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 12.** In page 8, subsection (4)(b), line 22, after “Pact” to insert the following:

“taking in to account the future pension liabilities of the State”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 13.** In page 8, subsection (4), between lines 22 and 23, to insert the following:

“(c) provide an assessment of the sustainability of the debt position of the State taking account of the taxable base of the State and the ratio of General Government Deficit to Gross Domestic Product,”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 14.** In page 8, subsection (4), between lines 22 and 23, to insert the following:

“(c) whenever requested in writing by a Committee of Dáil Éireann established under the Standing Orders of Dáil Éireann, provide an assessment of a policy proposal.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 15.** In page 8, lines 27 to 31, to delete subsection (6) and substitute the following:

“(6) The Minister shall, within 2 months of being given a copy of the assessment under *subsection (5)*, prepare and lay before Dáil Éireann a statement of the Government’s response.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

- 16.** In page 8, subsection (6), lines 28 and 29, to delete “in *subsection*

(3)” and substitute “in any of its assessments”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

- 17.** In page 8, subsection (6), line 31, after “it” to insert “and allow for a debate on the matter in the Dáil”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

(v) *Aontaíodh ailt 8 go 11, go huile.*

(v) Sections 8 to 11, inclusive, *agreed to*.

(vi) *Sceideal.*

(vi) *Schedule.*

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 18.** In page 10, paragraph 1, lines 5 and 6, to delete subparagraph (2) and substitute the following:

“(2) Subject to *paragraph 3*, the members of the Fiscal Council shall be nominated by the Minister and appointed subject to approval by the Joint Committee on Finance, Public Expenditure and Reform.”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus *cinneadh gur freagra diúltach a tugadh uirthi.*

Question:- “That the amendment be made”- put, and *decided in the negative*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 19.** In page 10, paragraph 1(3), line 7, to delete “appointing” and substitute “nominating”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus *cinneadh gur freagra diúltach a tugadh uirthi.*

Question:- “That the amendment be made”- put, and *decided in the negative*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 20.** In page 10, paragraph 1(4), line 17, to delete “appoint” and substitute “nominate”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus cinneadh gur freagra diúltach a tugadh uirthi.

Aontaíodh an Sceideal.

(vii) An Teideal.

Cuireadh an Cheist:- “Go bhfanfaidh an Teideal mar chuid den Bhille”: rinne an Coiste vótáil: Tá, 8; Níl, 1 .

Tá:- *An tAire Airgeadais*, Na Teachtaí Peadar Mac Mathúna, Deiric S. Ó Céitinn, Micheál Mac Craith, Micheál Mac Conmara, Ciarán Ó Domhnaill, Derek M. Ó Nualláin agus Liam Ó Tuama.

Níl:- An Teachta Piaras Ó Dochartaigh.

Faisnéiseadh dá réir sin go rabhthas tar éis glacadh leis an gCeist.

4. CRÍOCHNÚ AN GHNÓ.

Chríochnaigh an Coiste a bhreithniú ar an mBille ar 4 p.m.

5. TEACHTAIREACHT CHUIG DÁIL ÉIREANN.

Cuireadh teachtaireacht chun na Dála á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an mBille agus nach raibh aon leasú déanta aige air.

6. ATHLÁ.

Chuaigh an Coiste ar athló ar 4 p.m. *sine die*.

Question:- “That the amendment be made”- put, and *decided in the negative*.

Schedule *agreed to*.

(vii) Title.

Question:- “That the Title stand part of the Bill” - put: the Committee divided: For, 8; Against, 1.

For:- *Minister for Finance*, Deputies Peter Mathews, Derek Keating, Michael McGrath, Michael McNamara, Kieran O'Donnell, Derek Nolan and Liam Twomey.

Against:- Deputy Pearse Doherty.

The Question was declared carried accordingly.

4. CONCLUSION OF BUSINESS.

The Committee concluded its consideration of the Bill at 4 p.m.

5. MESSAGE TO DÁIL ÉIREANN.

Message sent to the Dáil acquainting it that the Committee had completed its consideration of the Bill and had made no amendment thereto.

6. ADJOURNMENT.

The Committee adjourned at 4 p.m. *sine die*.

CIARÁN LYNCH, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Dé Céadaoin, 21 Samhain 2012

Wednesday, 21 November 2012

1. Chruinnigh an Coiste ar 1.55 p.m.

1. The Committee met at 1.55 p.m.

2. COMHALTAÍ I LÁTHAIR¹³.

2. MEMBERS PRESENT¹⁴.

An Teachta Ciarán Ó Loinsigh (*i gCeannas*), *An tAire Airgeadais*, na Teachtaí Risteard Buíd Bairéad, Siobhán Ní Choileáin, Piaras Ó Dochartaigh, Stephen Donnelly, Heather Mac Unfraidh, Micheál Mac Craith, Dara F. Ó Murchú, Ciarán Ó Domhnaill, Liam Ó Toimín agus Liam Ó Tuama.

Deputy Ciarán Lynch (*in the Chair*), *Minister for Finance*, Deputies Richard Boyd-Barrett, Joan Collins, Pearse Doherty, Stephen S. Donnelly, Heather Humphreys, Michael McGrath, Dara Murphy, Kieran O'Donnell, Billy Timmins, Liam Twomey.

3. AN BILLE UM CHOMHAR
CREIDMHEASEA, 2012.

3. CREDIT UNION BILL 2012.

Chrom an Coiste ar an mBille a bhreithniú.

The Committee took the Bill into consideration.

(i) *Aontaíodh* ailt 1 go 5, go huile.

(i) Sections 1 to 5, inclusive, *agreed to*.

(ii) Alt 6.

(ii) Section 6.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

1. In page 7, between lines 5 and 6, to insert the following:

“ ‘chair’ has the meaning given by section 55A(2);”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for*

¹³ Ghlac an Teachta Siobhán Ní Choileáin ionad an Teachta Risteard Buíd Bairéid (ar feadh cuid den chruinniú) [B.O. 92(2)].
Ghlac na Teachtaí Dara F. Ó Murchú agus Heather Mac Unfraidh ionaid na dTeachtaí Séamus Ó Dalaigh agus Micheál Mac Conmara faoi seach [B.O. 92(2)].
Bhí an Teachta Stephen Donnelly i láthair [B.O. 92(3)].

¹⁴ Deputy Joan Collins substituted for Deputy Richard Boyd-Barrett (for part of the meeting) [S.O. 92(2)].
Deputies Dara Murphy and Heather Humphreys substituted for Deputies Jim Daly and Michael McNamara respectively [S.O. 92(2)].
Deputy Stephen S. Donnelly attended [S.O. 92(3)].

Finance);

2. In page 7, to delete line 9.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

3. In page 7, to delete lines 31 to 37.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for Finance*)):

4. In page 8, line 22, to delete “ ‘officer’ in relation” and substitute “ ‘officer’, in relation”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for Finance*)):

5. In page 8, to delete lines 36 to 38.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for Finance*)):

6. In page 9, between lines 4 and 5, to insert the following:

“ ‘principal Committee’, in relation to a credit union, means a credit committee, credit control committee or membership committee;”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for Finance*)):

7. In page 9, to delete lines 17 and 18.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for Finance*)):

8. In page 9, between lines 30 and 31, to insert the following:

“ ‘strategic objectives’ has the meaning given by section 76A(1);”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*): (Amendment proposed (*Minister for Finance*):

9. In page 9, to delete line 32.

Aontaíodh an leasú. Amendment *agreed to.*

Tairgeadh leasú (*An tAire Airgeadais*): Amendment proposed (*Minister for Finance*):

10. In page 9, line 33, to delete “assistant’ in relation to” and substitute “assistant’, in relation to”.

Aontaíodh an leasú. Amendment *agreed to.*

Aontaíodh an t-alt, mar a leasaíodh. Section, as amended, *agreed to.*

(iii) Ailt nua. (iii) New sections.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*): Amendment proposed (*Deputy Michael McGrath*):

11. In page 9, before section 7, to insert the following new section:

“7.—Section 6 of the Principal Act is amended by the insertion of the following subsection after subsection (5):

“(6) Nothing in the foregoing will prevent a credit union from providing certain services, to be prescribed by the Bank, to a credit union or a member of another credit union registered under this Act.”.”.

Tarraingíodh siar an leasú, faoi chead. Amendment, by leave, *withdrawn.*

Tairgeadh leasú (*An Teachta Micheál Mac Craith*): Amendment proposed (*Deputy Michael McGrath*):

12. In page 9, before section 7, to insert the following new section:

“7.—The Principal Act is amended by the insertion of the following new section:

“26A.—(1) A credit union may promote, invest in, loan to, and/or contract with a credit union service organisation approved by the Bank (on such terms as the bank consider appropriate) and engaged in activities and services of the credit union service organisation related to the routine daily operations of credit unions.

(2) Credit union services organisation activities or services may include but are not limited to the following:

(a) clerical, professional and management services:

- (i) accounting services;
- (ii) internal audits for credit unions;
- (iii) credit union risk and compliance;
- (iv) management and personnel training and support;
- (v) marketing services;
- (vi) research services;
- (vii) procurement related services;
- (viii) debt collection services;
- (b) electronic transaction services:
 - (i) automated teller machine (ATM) services;
 - (ii) debit card services;
 - (iii) electronic fund transfer (EFT) services.”.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

13. In page 9, before section 7, to insert the following new section:

“7.—Section 6(2) of the Principal Act is amended by the insertion of the following paragraph after paragraph (g):

“(h) a credit union may lend to state guaranteed projects which are in keeping with the objects for which credit unions are formed as stated in this section.”.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

14. In page 9, before section 7, to insert the following new section:

“7.—Credit unions shall be permitted to operate electronically enabled payment accounts.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

15. In page 9, before section 7, to insert the following new section:

“7.—The Principal Act is amended by the insertion of the following new section after section 26:

“26A.—(1) A credit union may promote, invest in, loan to, and/or contract with a credit union service organisation approved by the Bank (on such terms as the bank consider appropriate) and engaged in activities and services of the credit union service organisation related to the routine daily operations of credit unions.

(2) Nothing in this section or the following provisions of this Part affects the operation of any enactment which is not contained in this Act and which, in whole or in part, relates to the provision of credit union service organisation activities or services.

(3) Credit union services organisation activities or services may include but are not limited to the following:

- (a) clerical, professional and management services:
 - (i) accounting services;
 - (ii) internal audits for credit unions;
 - (iii) credit union risk and compliance;
 - (iv) management and personnel training and support;
 - (v) marketing services;
 - (vi) research services;
 - (vii) procurement related services;
 - (viii) debt collection services;
- (b) electronic transaction services:
 - (i) automated teller machine (ATM) services;
 - (ii) debit card services;
 - (iii) electronic fund transfer (EFT) services.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (An Teachta Risteard Buíd Bairéid):

Amendment proposed (*Deputy Richard Boyd Barrett*):

16. In page 9, before section 7, to insert the following new section:

“7.—The Principal Act is amended by inserting the following subsections after section 6(5):

“(6) A credit union may lend to a State guaranteed project which is in

keeping with the objects for which credit unions are formed as stated in this section.

(7) Notwithstanding the provisions of this section, nothing in the foregoing shall prevent a credit union from providing certain services, to be prescribed by the Bank, to a credit union or a member of another credit union registered under this Act.”.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

(iv) *Aontaíodh alt 7.*

(iv) Section 7 *agreed to.*

(v) *Alt nua.*

(v) *New section.*

*Tairgeadh leasú (An Teachta Risteard
Buíd Bairéid:*

*Amendment proposed (Deputy Richard
Boyd Barrett:*

17. In page 11, before section 8, to insert the following new section:

“8.—The Principal Act is amended by inserting the following subsections after section 26(1):

“(1A) In this subsection ‘CUSO’ means a credit union service organization which has been approved by the Bank according to criteria set out by the Bank and which is engaged in activities and services related to the routine daily operations of credit unions.

(1B) A credit union may promote, invest in, loan to, and or contract with a CUSO.

(1C) CUSO activities or services may include but are not limited to:

(a) clerical, professional and management services:

(i) accounting services;

(ii) internal audits for credit unions;

(iii) credit union risk and compliance;

(iv) management and personnel training and support;

(v) marketing services;

(vi) research services;

(vii) procurement related services; and

(viii) debt collection services;

(b) electronic transaction services:

(i) automated teller machine services;

- (ii) debit card services; and
- (iii) electronic fund transfer services.

(1D) The Bank may make regulations to amend or extend the services and activities set out in subsection (3) provided that such amendment or extension is in accordance with the terms of this Act.”.”.

<i>Tarraingíodh siar an leasú, faoi chead.</i>	Amendment, by leave, <i>withdrawn</i> .
(vi) <i>Aontaíodh alt 8.</i>	(vi) Section 8 <i>agreed to</i> .
(vii) Alt 9.	(vii) Section 9.
Tairgeadh leasú (<i>An Teachta Micheál Mac Craith</i>):	Amendment proposed (<i>Deputy Michael McGrath</i>):

18. In page 11, lines 35 to 37, to delete all words from and including “and” in line 35 down to and including “legislation” in line 37.

<i>Tarraingíodh siar an leasú, faoi chead.</i>	Amendment, by leave, <i>withdrawn</i> .
<i>Aontaíodh an t-alt.</i>	Section <i>agreed to</i> .
(viii) <i>Aontaíodh alt 10.</i>	(viii) Section 10 <i>agreed to</i> .
(ix) Alt 11.	(ix) Section 11.
Tairgeadh leasú (<i>An Teachta Risteard Buíd Baireid</i>):	Amendment proposed (<i>Deputy Richard Boyd Barrett</i>):

19. In page 13, line 15, after “union.” to insert the following:

“Where that credit union can demonstrate the underwriting expertise to enable such lending, and subject to section 35(3), the Central Bank of Ireland will extend the Common Bond on application from a credit union to include social lending or forms of business lending.”.

<i>Tarraingíodh siar an leasú, faoi chead.</i>	Amendment, by leave, <i>withdrawn</i> .
Tairgeadh leasú (<i>An tAire Airgeadais</i>):	(Amendment proposed (<i>Minister for Finance</i>)):

20. In page 14, subsection (2), line 30, to delete “catagories” and substitute “categories”.

<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
<i>Aontaíodh an t-alt, mar a leasaíodh.</i>	Section, as amended, <i>agreed to</i> .

(x) Alt 12.

(x) Section 12.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for Finance*):

21. In page 15, line 22, to delete “subsection (2)(a)” and substitute “subsection (2)(c)”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

(Amendment proposed (*Minister for Finance*):

22. In page 16, line 5, to delete “catagory or catagories” and substitute “category or categories”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to.*

4. AN CRUINNIÚ AR FIONRAÍ.

4. MEETING SUSPENDED.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 4.30 p.m. (*An Teachta Ciarán Ó Loinsigh*).

Ordered: That the Meeting be now suspended until 4.30 p.m. (*Deputy Ciarán Lynch*).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 4.00 p.m.

The Meeting was accordingly suspended at 4.00 p.m.

Ar 4.30 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 4.30 p.m.

5. AN BILLE UM CHOMHAR CREIDMHEASEA, 2012.

5. CREDIT UNION BILL 2012.

D’athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

(i) Alt 13.

(i) Section 13.

Tairgeadh leasú (*An Teachta Risteard Buíd Baireid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

23. In page 18, between lines 4 and 5, to insert the following:

“(10) The Government will support, in the interest of financial inclusion, the broadening of the existing payments infrastructure (including ATM networks) based on fair and cost effective measures to

facilitate access by credit unions to these networks.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Aontaíodh an t-alt.

Section *agreed to*.

(ii) *Aontaíodh alt 14.*

(ii) Section 14 *agreed to*.

(iii) *Alt 15.*

(iii) Section 15.

Tairgeadh leasú (*An Teachta Risteard Buíd Bairéid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

24. In page 19, line 16, to delete “third” and substitute “fifth”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

25. In page 19, lines 22 and 23, to delete all words from and including “or” in line 22 down to and including “legislation” in line 23.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Risteard Buíd Bairéid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

26. In page 19, line 23, to delete “financial services legislation or”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

27. In page 19, to delete lines 32 to 34 and substitute the following:

“(a) an employee of the credit union;”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Risteard Buíd Bairéid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

28. In page 19, line 33, to delete “or voluntary assistant”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 29.** n page 19, lines 36 and 37, to delete all words from and including “or” in line 36 down to and including “union” in line 37.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 30.** In page 19, to delete lines 38 to 41.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

- 31.** In page 20, line 5, before “Financial” to insert “the”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 32.** In page 20, to delete lines 22 to 24.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

- 33.** In page 20, line 27, to delete “, employee or voluntary assistant” and substitute “or employee”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Risteard Buíd Bairéid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

- 34.** In page 20, lines 43 and 44, to delete all words from and including “and” in line 43 down to and including “legislation” in line 44.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Risteard Buíd Bairéid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

- 35.** In page 21, to delete lines 8 to 18.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Ciarán Ó Domhnaill*):

Amendment proposed (*Deputy Kieran O'Donnell*):

36. In page 21, line 10, to delete “9 years” and substitute “12 years”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

37. In page 21, to delete lines 13 to 23.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Ciarán Ó Domhnaill*):

Amendment proposed (*Deputy Kieran O'Donnell*):

38. In page 21, line 16, to delete “9 year” and substitute “12 year”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Ciarán Ó Domhnaill*):

Amendment proposed (*Deputy Kieran O'Donnell*):

39. In page 21, lines 19 and 20, to delete “3 consecutive years” and substitute “4 years”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

40. In page 21, between lines 37 and 38, to insert the following subsection:

“(2) An amendment to the rules of a credit union passed in accordance with section 14(1) of the Principal Act to give effect to section 53(3) of that Act, as amended by *subsection (1)*, shall have immediate effect notwithstanding section 14(2) of that Act.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

6. CATHAOIRLEACH SEALADACH A THOGHADH.

6. ELECTION OF TEMPORARY CHAIRMAN.

Rinneadh tairiscint (*An Teachta Cioaran Ó Loinsigh*):

Motion made (*Deputy Ciarán Lynch*):

That Deputy Liam Twomey take the Chair.

Cuireadh agus aontaíodh an Cheist.

Question put, and agreed to.

Chuaigh an Teachta Liam Ó Tuama i gCeannas dá réir sin.

Deputy Liam Twomey took the Chair accordingly.

7. AN BILLE UM CHOMHAR
CREIDMHEASEA, 2012.

7. CREDIT UNION BILL 2012.

D’athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

(i) Alt 16.

(i) Section 16.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

41. In page 22, to delete lines 8 to 11 and substitute the following:

“(4) Subject to subsection (10), the chair shall cause a detailed agenda of items for consideration and discussion to be prepared by the secretary of the credit union for each meeting of the board of directors.”.

Aontaíodh an leasú..

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

42. In page 22, line 29, to delete “shall”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(ii) Alt 17.

(ii) Section 17.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

43. In page 24, lines 8 to 10, to delete all words from and including “manager,” in line 8 down to and including “officer” in line 10 and substitute “manager and risk management officer”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Micheál Mac*

Amendment proposed (Deputy Michael

Craith):

McGrath):

44. In page 24, lines 31 and 32, to delete “or any other financial services legislation”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(iii) Alt 18.

(iii) Section 18.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

45. In page 26, line 41, to delete “director” and substitute “directors”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

46. In page 26, line 46, to delete “setting the agenda” and substitute “causing the agenda to be set by the secretary”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

47. In page 27, lines 6 and 7, to delete “the obligations under financial services legislation and”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

48. In page 27, line 11, to delete “requested” and substitute “reasonable”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An Risteard Buíd Baireid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

49. In page 27, line 31, to delete “3 consecutive terms” and substitute “5 consecutive terms”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(iv) Alt 19.

(iv) Section 19.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

50. In page 29, line 6, to delete “delegation” and substitute “matters to be carried out on behalf of the board”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

51. In page 29, line 16, to delete “this”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

52. In page 29, line 33, to delete “section 55A” and substitute “section 54”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(v) Alt 20.

(v) Section 20.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

53. In page 31, line 19, after “of” where it firstly occurs to insert “the”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(vi) Alt 21.

(vi) Section 21.

Tairgeadh leasú (*An Teachta Risteard Buíd Bairéid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

54. In page 33, lines 11 and 12, to delete “and other financial services legislation”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

<i>Aontaíodh an t-alt.</i>	<i>Section agreed to.</i>
(vii) <i>Aontaíodh alt 22.</i>	(vii) <i>Section 22 agreed to.</i>
(viii) <i>Alt 23.</i>	(viii) <i>Section 23.</i>
<i>Tairgeadh leasú (An Teachta Risteard Buíd Bairéid):</i>	<i>Amendment proposed (Deputy Richard Boyd Barrett):</i>

55. In page 35, line 16, after “committee,” to insert the following:

“as expressed through a written statement issued to the director in question,”.

<i>Tarraingíodh siar an leasú, faoi chead.</i>	<i>Amendment, by leave, withdrawn.</i>
<i>Aontaíodh an t-alt.</i>	<i>Section agreed to.</i>
(ix) <i>Alt 24.</i>	(ix) <i>Section 24.</i>
<i>Tairgeadh leasú (An tAire Airgeadais):</i>	<i>Amendment proposed (Minister for Finance):</i>

56. In page 36, lines 19 and 20, to delete all words from and including “66A.—” in line 19 down to and including “shall—” in line 20 and substitute the following:

“66A.—(1) A credit union shall have governance arrangements which shall—”.

<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Tairgeadh leasú (An tAire Airgeadais):</i>	<i>Amendment proposed (Minister for Finance):</i>

57. In page 36, between lines 36 and 37, to insert the following:

“(2) A credit union shall have in place the oversight, policies, procedures, practices, systems, controls, skills, expertise and reporting arrangements to ensure compliance with the requirements set out in this Part.”.

<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Aontaíodh an t-alt, mar a leasaíodh.</i>	<i>Section, as amended, agreed to.</i>
(x) <i>Aontaíodh alt 25.</i>	(x) <i>Section 25 agreed to.</i>
(xi) <i>Alt 26.</i>	(xi) <i>Section 26.</i>

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

58. In page 45, lines 41 and 42, to delete “and other financial services legislation”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

59. In page 47, line 23, to delete “(9) For the” and substitute “(6) For the”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

60. In page 47, line 46, to delete “(10) Where—” and substitute “(7) Where—”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

61. In page 48, line 7, to delete “(11) An outsourced” and substitute “(8) An outsourced”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

62. In page 48, to delete lines 14 to 16.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

63. In page 48, line 21, to delete “(12) Where a” and substitute “(9) Where a”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

64. In page 48, lines 23 and 24, to delete all words from and including “compliance” in line 23 down to and including “of”

in line 24.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

65. In page 48, line 26, to delete “(13) Nothing in” and substitute “(10) Nothing in”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

66. In page 48, lines 34 to 36, to delete all words from and including “of” in line 34 down to and including “union.” in line 36 and substitute the following:

“of any minor non-business activity where a defect or failure in its performance could not impair—

- (i) the continuing compliance with the conditions and obligations of the credit union’s registration or its other obligations under the financial services legislation,
- (ii) the credit union’s financial performance,
- (iii) the soundness or continuity of the credit union’s financial performance, or
- (iv) the soundness or continuity of the credit union’s business.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

67. In page 48, line 37, to delete “(14)(a) A credit” and substitute “(11)(a) A credit”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

68. In page 48, line 45, to delete “subsection (15)” and substitute “subsection (12)”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

Finance:

69. In page 49, line 13, to delete “(15)(a) The Bank” and substitute “(12)(a) The Bank”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

70. In page 49, line 40, to delete “(16) In prescribing” and substitute “(13) In prescribing”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

71. In page 51, lines 5 and 6, to delete “subparagraph (i).” and substitute the following:

“subparagraph (i).

(7) The internal audit function shall have access, at all times, to the books and documents (including draft documents) of the credit union to enable it to carry out its functions under the Act.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to.*

(xii) Alt 27.

(xii) Section 27.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

72. In page 51, to delete lines 21 and 22 and substitute the following:

“(a) Part IV, this Part and any regulations made for the purposes of Part IV or this Part, and”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

73. In page 52, to delete lines 23 to 26 and substitute the following:

“(a) an employee of the credit union;”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

74. In page 52, to delete lines 27 and 28.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

75. In page 52, lines 29 and 30, to delete “or a director of any other credit union”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

76. In page 52, to delete lines 31 to 35.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

77. In page 53, to delete lines 18 to 20.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

78. In page 53, lines 24 and 25, to delete “, employee or voluntary assistant” and substitute “or employee”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Piaras Ó Dochartaigh*):

Amendment proposed (*Deputy Pearse Doherty*):

79. In page 53, to delete lines 36 to 41.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

80. In page 54, lines 12 and 13, to delete all words from and including “in” in line 12 down to and including “Part.” in line 13 and substitute the following:

“in accordance with Part IV and this Part and any regulations relating to Part IV or this Part.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

81. In page 54, to delete lines 14 to 16 and substitute the following:

“(3) The board oversight committee shall have access, at all times, to the books and documents (including draft documents) of the credit union to enable it to carry out its functions under the Act.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

82. In page 54, to delete lines 24 to 30 and substitute the following:

“(6) The board oversight committee may notify the Bank of any concern it has, that the board of directors has not complied with any of the governance requirements set out in this Part or regulations made thereunder, following a unanimous vote at a meeting of the committee called for the purpose of considering such a notification.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

83. In page 54, lines 34 to 36, to delete all words from and including “in” in line 34 down to and including “2012.” in line 36 and substitute “in accordance with Part IV and this Part.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An Teachta Risteard Buíd Bairéid):

Amendment proposed (Deputy Richard Boyd Barrett):

84. In page 55, lines 26 and 27, to delete all words from and including “and” in line 26 down to and including “legislation” in line 27.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

85. In page 57, subsection (2), line 34, to delete “remainder the term” and substitute “remainder of the term”.

<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Aontaíodh an t-alt, mar a leasaíodh.</i>	<i>Section, as amended, agreed to.</i>
<i>(xiii) Aontaíodh alt 28.</i>	<i>(xiii) Section 28 agreed to.</i>
<i>(xiv) Alt nua.</i>	<i>(xiv) New section.</i>
<i>Tairgeadh leasú (An tAire Airgeadais):</i>	<i>Amendment proposed (Minister for Finance):</i>

86. In page 58, before section 29, to insert the following new section:

“Power of Bank to make regulations.

29.—The Principal Act is amended by inserting the following after section 84:

“84A.—Without prejudice to any other function exercisable by the Bank, where the Bank considers it appropriate or necessary in the circumstances, it may make regulations for any of the following purposes:

- (a) protecting the financial interests of members of credit unions either generally or for the purposes of the financial services legislation;
- (b) ensuring compliance by credit unions with the requirements imposed under financial services legislation;

and, in particular, the Bank may make regulations prescribing certain oversight, policies, procedures, processes, practices, systems, controls, skills, expertise and reporting arrangements which credit unions are required to maintain.

84B.—(1) In making regulations under this Act the Bank shall have regard to the need to ensure that the requirements imposed by the regulations so made are effective and proportionate having regard to the nature, scale and complexity of credit unions, or the category or categories of credit unions, to which the regulations will apply.

(2) Before making regulations under this Act, the Bank shall consult with—

- (a) the Minister and the Credit Union Advisory Committee,
- (b) any other body that appears to the Bank to have expertise or

knowledge of credit unions generally, and

(c) any other body that the Bank considers appropriate to consult in the circumstances.

(3) Regulations made under this Act may—

(a) contain any incidental, supplementary and consequential provisions that appear to the Bank to be necessary or expedient for the purposes of the regulations,

(b) apply either generally to a specified category or categories of credit union, and

(c) include different provisions in relation to different categories of credit union.

(4) A consultation by the Bank under subsection (3) which is conducted by reference to a section of this Act that has been inserted into or substituted or amended by a provision of the *Credit Union Act 2012* shall be taken to be a consultation for the purposes of subsection (3) notwithstanding that such consultation takes place before that subsection has been commenced.”.”.

Cuireadh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin” agus *cinneadh gur freagra aontach a tugadh uirthi*.

Question:- “That the new section be there inserted” - put, and *decided in the affirmative*.

(xv) Alt 29.

(xv) Section 29.

Cuireadh an Cheist:- “Go bhfanfaidh an t-alt mar chuid den Bhille” agus *cinneadh gur freagra diúltach a tugadh uirthi*.

Question:- “That the section stand part of the Bill” - put, and *decided in the negative*.

(xvi) Ailt nua.

(xvi) New sections.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

91. In page 59, before section 30, to insert the following new section:

“30.—The Principal Act is amended by the insertion of the following new section after section 84A (inserted by the *Credit Union Act 2012*):

“84B.—As soon as is practicable, the Bank shall enter into a memorandum of understanding with credit unions the form of which shall be agreed in consultation with credit unions and representative bodies.”.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Risteard Buíd Bairéid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

92. In page 59, before section 30, to insert the following new section:

“30.—The Principal Act is amended by the insertion of the following new section:

“84B.—It shall be the duty of the Bank to ensure that, as soon as is practicable, it enters into a memorandum of understanding with each credit union, the form of which shall be agreed in consultation with credit unions and representative bodies.”.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

(xvii) Alt 30.

(xvii) Section 30.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

93. In page 59, lines 25 to 29, to delete all words from and including “and” in line 25 down to and including “liabilities” in line 29.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

94. In page 59, lines 30 to 34, to delete all words from and including “The” in line 30 down to and including “requirements.” in lines 33 and 34 and substitute the following:

“The Bank may prescribe the liquidity requirements that a credit union is required to maintain at a minimum as well as conditions on the application of the liquidity requirements.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

95. In page 59, line 38, after “proportion” to insert “and nature”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

96. In page 60, line 31, after “unions” to insert “in respect of the matters so prescribed”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xviii) Alt 31.

(xviii) Section 31.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

97. In page 61, to delete lines 8 to 17 and substitute the following:

“(3) A person shall be appointed to the board of directors for the purposes of this section by being co-opted by the board of directors and such director shall hold office from the date of the appointment to the next following annual general meeting of the credit union or, if it is earlier, the next special general meeting at which an election is held for members of the board of directors.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xix) *Aontaíodh ailt 32 go 35, go huile.*

(xix) Sections 32 to 35, inclusive, *agreed to.*

(xx) Alt nua.

(xx) New section.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

98. In page 62, before section 36, to insert the following new section:

“Consequential amendments of the Central Bank Act 1942.

36.—Sections 33ANA and 33ANB of the Central Bank Act 1942 are repealed.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to.*

(xxi) Alt 36.

(xxi) Section 36.

Cuireadh an Cheist:- “Go bhfanfaidh an t-alt mar chuid den Bhille” agus *cinneadh gur freagra aontach a tugadh uirthi.*

Question:- “That the section stand part of the Bill” - put, and *decided in the affirmative.*

(xxii) Alt 37.

(xxii) Section 37.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

99. In page 63, lines 6 and 7, to delete paragraph (c).

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxiii) *Aontaíodh alt 38.*

(xxiii) *Section 38 agreed to.*

(xxiv) *Alt 39.*

(xxiv) *Section 39.*

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

100. In page 63, line 20, after “Part” to insert the following:

“, or anything stated or done (nor the fact of something not having been stated or done) by an employee of the Bank appointed as a non-voting member to ReBo in accordance with *section 49(1)*,”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An Teachta Micheál Mac Craith):

Amendment proposed (Deputy Michael McGrath):

101. In page 63, lines 22 and 23, to delete all words from and including “including” in line 22 down to and including “legislation” in line 23.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxv) *Aontaíodh ailt 40, 41 agus 42.*

(xxv) *Sections 40, 41 and 42 agreed to.*

(xxvi) *Alt 43.*

(xxvi) *Section 43.*

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

102. In page 64, subsection (1), line 33, after “Part” to insert the following:

“to support the financial stability and long term sustainability of credit unions generally”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxvii) *Aontaíodh* ailt 44 go 48, go huile.

(xxvii) Sections 44 to 48, inclusive, *agreed to*.

(xxviii) Alt 49.

(xxviii) Section 49.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

103. In page 68, subsection (6), lines 32 and 33, to delete “May 2009” and substitute “in May 2009”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(xxix) Alt 50.

(xxix) Section 50.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

104. In page 69, subsection (1)(e), line 14, to delete “appointed by ReBo;” and substitute the following:

“of ReBo or appointed in any other capacity by ReBo;”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(xxx) *Aontaíodh* ailt 51 go 56, go huile.

(xxx) Sections 51 to 56, inclusive, *agreed to*.

(xxxi) Alt 57.

(xxxi) Section 57.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

105. In page 73, between lines 37 and 38, to insert the following subsection:

“(10) Only moneys received under *section 58* for the purposes of providing stabilisation support under *Part 4* may be used for the purposes outlined in *subsection (2)(b)*.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(xxxii) *Aontaíodh* alt 58.

(xxxii) Section 58 *agreed to*.

(xxxiii) Alt 59.

(xxxiii) Section 59.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

106. In page 74, lines 17 to 19, to delete subsection (2) and substitute the following:

“(2) The Minister may make regulations prescribing the rate of contribution, or a method of calculating the rate of contribution, to the Credit Union Fund by a credit union under this section for the purpose of reimbursing the Minister for the provision of financial support under *section 57(5)* which is not recouped, or which, in the opinion of the Minister, is not recoupable in full, in accordance with the terms and conditions of that financial support from the credit union to which such financial support was provided.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

107. In page 74, subsection (5)(b), line 49, to delete “as ReBo considers” and substitute “as the Minister considers”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(xxxiv) *Aontaíodh* ailt 60 agus 61.

(xxxiv) Sections 60 and 61 *agreed to*.

(xxxv) Alt 62.

(xxxv) Section 62.

Tairgeadh leasú (*An Teachta Micheal Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

108. In page 75, lines 33 and 34, to delete all words from and including “, including” in line 33 down to and including “legislation,” in lines 33 and 34.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Aontaíodh an t-alt.

Section *agreed to*.

(xxxvi) *Aontaíodh* ailt 63 agus 64.

(xxxvi) Sections 63 and 64 *agreed to*.

(xxxvii) Alt 65.

(xxxvii) Section 65.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

109. In page 76, subsection (3)(c)(i), line 42, to delete “regulatory”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxxviii) *Aontaíodh ailt 66, 67 agus 68.*

(xxxviii) *Sections 66, 67 and 68 agreed to.*

(xxxix) *Sceideal.*

(xxxix) *Schedule.*

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

110. In page 79, to delete lines 19 to 43.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Tairgeadh leasú (*An Teachta Risteard Buíd Baireid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

111. In page 79, to delete lines 19 to 24.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Tairgeadh leasú (*An Teachta Risteard Buíd Baireid*):

Amendment proposed (*Deputy Richard Boyd Barrett*):

112. In page 79, column 3, lines 26 to 29, to delete all words from and including “On” in line 26 down to and including “the” where it firstly occurs in line 29 and substitute “The”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

113. In page 80, between lines 15 and 16, to insert the following:

“

12	Section 31(4)	Delete.
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”

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

114. In page 80, line 58, to delete item 13.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

115. In page 81, between lines 23 and 24, to insert the following:

“

17	Section 36(6)	Delete.
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”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

116. In page 81, between lines 30 and 31, to insert the following:

“

19	Section 37A(2)	Substitute: “(2) A notice under subsection (1) may be in a form that, when endorsed by the member on accepting a loan offered by the credit union, constitutes a credit agreement for the purposes of— (A) sections 37B and 37C, or (B) where the loan is for an amount between €200 and € 5,000, the European Communities (Consumer Credit Agreements) Regulations 2010 (S.I. No. 281 of 2010).”.
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”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

117. In page 81, lines 31 to 35, to delete item 19 and substitute the following:

“

19	Section 37B(2)	<p>Substitute:</p> <p>“(2) For the purposes of this section, a contract of guarantee—</p> <p>(A) includes, where the member is not of full age, an indemnity provided by a parent or guardian of the member or by another person approved by the board of directors, and</p> <p>(B) may form part of the relevant agreement or may be in a separate document.”.</p>
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”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

118. In page 81, lines 36 to 43, to delete item 20 and substitute the following:

“

20	Section 37C(2)	<p>Substitute:</p> <p>“(2) The credit union shall also ensure that the agreement specifies a cooling-off period under which the member has a right to withdraw from the agreement without penalty if the member gives to the credit union a written notice to that effect within 14 days after—</p> <p>(A) the day on which the credit agreement was concluded, or</p> <p>(B) the day of which the member receives contractual terms and conditions and information in accordance with section 37C if that date is later than the date referred to in paragraph (a).”.</p>
21	Section 37C(3)	Delete.

22	Section 37C	Insert after subsection (4): “(5) This section does not apply to credit agreements covered by the European Communities (Consumer Credit Agreements) Regulations 2010.”.
23	Section 37D	Insert after subsection (2): “(3) This section does not apply to credit agreements covered by the European Communities (Consumer Credit Agreements) Regulations 2010.”.
24	Section 37E	Substitute: “37E.—(1) For the purposes of sections 37C and 37D ‘annual percentage rate of charge’, in relation to a credit agreement entered into between a credit union and a member, means the annual percentage rate of charge as defined under Regulation 6 of the European Communities (Consumer Credit Agreements) Regulations 2010. (2) The annual percentage rate of charge specified in a credit agreement shall be in accordance with Part 5 of the European Communities (Consumer Credit Agreements) Regulations 2010.”.
25	Section 37F	Delete.

”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

119. In page 81, between lines 43 and 44, to insert the following:

“

21	Section 38(2)	<p>Substitute:</p> <p>“(2) If a credit union knowingly charges or accepts interest on a loan at a rate greater than that permitted under this section—</p> <p>(A) all the interest agreed to be paid by the member shall be deemed to have been waived by the credit union; and</p> <p>(B) any interest paid on the loan shall be recoverable summarily by the member (or his personal representative) as a simple contract debt.”.</p>
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”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

120. In page 81, between lines 49 and 50, to insert the following:

“

22	Section 41(6)	Delete.
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”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

121. In page 82, between lines 2 and 3, to insert the following:

“

25	Section 47(2)	Delete.
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”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

122. In page 82, line 20, to delete “no risk” and substitute “no undue risk”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

123. In page 84, line 16, to delete item 42 and substitute the following:

“

42	Section 64(1)	Substitute: “(1) The treasurer of a credit union shall be responsible for ensuring the timely preparation of accounts and their presentation to members at general meetings.”.
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”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An Teachta Micheál Mac Craith*):

Amendment proposed (*Deputy Michael McGrath*):

124. In page 84, between lines 16 and 17 to insert the following:

“

43	Section 64(2)	Delete.
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”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

125. In page 84, lines 17 to 21, to delete item 43.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

126. In page 86, lines 31 to 39, to delete item 66.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

127. In page 86, lines 40 to 42, to delete item 67.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

128. In page 86, lines 55 and 56, to delete all words from and including “under” in line 55, down to and including “or” in line 56 and substitute the following:

“an offence under section 27(2) or section 33(6) or”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

129. In page 87, lines 36 and 37, to delete “being voluntary” and substitute “being a voluntary”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Airgeadais):

Amendment proposed (Minister for Finance):

130. In page 88, between lines 56 and 57, to insert the following:

“

93	Section 114(1)	Substitute: “(1) A person shall not be qualified for election as auditor of a credit union unless the person— (a) is a member of a recognised accountancy body within the meaning of the European Communities (Statutory Audits) (Directive 2006/43/EC) Regulations 2010 (S.I. No. 220 of 2010) and holds a valid practicing certificate, or (b) is otherwise for the time being authorised by the Supervisory Authority under any provision of the Companies Acts to be appointed as a public auditor.”.
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”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

131. In page 89, lines 12 to 16, to delete item 98.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Airgeadais*):

Amendment proposed (*Minister for Finance*):

132. In page 90, line 14, to delete “sends notice” and substitute “serves notice”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an Sceideal, mar a leasaíodh.

Schedule, as amended, *agreed to.*

(xl) *Aontaíodh an Teideal.*

(xl) Title *agreed to.*

8. CRÍOCHNÚ AN GHNÓ.

8. CONCLUSION OF BUSINESS.

Chríochnaigh an Coiste a bhreithniú ar an mBille ar 6.45 p.m.

The Committee concluded its consideration of the Bill at 6.45 p.m.

9. TEACHTAIREACHT CHUIG DÁIL ÉIREANN.

9. MESSAGE TO DÁIL ÉIREANN.

Cuireadh teachtaireacht chun na Dála á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an mBille agus go raibh leasuithe déanta aige air.

Message sent to the Dáil acquainting it that the Committee had completed its consideration of the Bill and had made amendments thereto.

10. ATHLÁ.

10. ADJOURNMENT.

Chuaigh an Coiste ar athló ar 6.45 p.m./ *sine die.*

The Committee adjourned at 6.45 p.m. *sine die.*

CIARÁN LYNCH, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM AIRGEADAS
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON FINANCE

Dé Céadaoin, 12 Nollaig 2012

Wednesday, 12 December, 2012

1. Chruinnigh an Coiste ar 1.45 p.m.

1. The Committee met at 1.45 p.m.

2. COMHALTAÍ I LÁTHAIR¹⁵.

2. MEMBERS PRESENT¹⁶.

An Teachta Ciarán Ó Loinsigh (*i gCeannas*), An Teachta Brian Ó hAodha (*an tAire Stáit ag an Roinn Airgeadais*), na Teachtaí Risteard Buíd Bairéid, Síomón Ó hEarchaí, Caoimhín Mac Unfraidh, Micheál Mac Craith, Dara F. Ó Murchú, Art Mac An Earraigh, Brian Stanley agus Liam Ó Tuama.

Deputy Ciarán Lynch (*in the Chair*), Deputy Brian Hayes (*Minister of State at the Department of Finance*), Deputies Richard Boyd Barrett, Simon Harris, Kevin Humphreys, Michael McGrath, Dara Murphy, Arthur Spring, Brian Stanley and Liam Twomey.

3. BREITHNIÚ AR THAIRISCINT.

3. CONSIDERATION OF MOTION.

Bhreithnigh an Coiste na tairisceana seo a leanas arna tarchur ag Dáil Éireann an 11 Nollaig, 2012 –

The Committee considered the following motions referred by Dáil Éireann on 11 December, 2012–

- (i) An tOrdú fán Acht um Chúlchiste Náisiúnta Pinsean, 2000 (Ranníocaí Státchiste a Fhionraí), 2012,
- (ii) An tOrdú um Fhaoiseamh ó Chánachas Dúbailte (Cánacha ar Ioncam agus ar Ghnóchain Chaipitiúla) (Poblacht Arabach na hÉigipte), 2012,
- (iii) An tOrdú um Fhaoiseamh ó Chánachas Dúbailte (Cánacha ar

- (i) National Pensions Reserve Fund Act 2000 (Suspension of Exchequer Contributions) Order 2012,
- (ii) Double Taxation Relief (Taxes on Income and Capital Gains) (Arab Republic of Egypt) Order 2012,
- (iii) Double Taxation Relief (Taxes on Income and Capital Gains)

¹⁵ Ghlac an Teachta Brian Ó hAodha (*Aire Stáit ag an Roinn Airgeadais ...*) ionad an Aire Airgeadais [B.O. 92(1)]. Ghlac na Teachtaí Brian Stanley, Dara F. Ó Murchú, Art Mac An Earraigh agus Caoimhín Mac Unfraidh ionaid na dTeachtaí Piaras Ó Dochartaigh, Ciarán Ó Domhnaill, Aodhán Ó Ríordáin agus Liam Ó Toimín faoi seach [B.O. 92(2)].

¹⁶ Deputy Brian Hayes (*Minister of State at the Department of Finance with special responsibility for Public Service Reform and the Office of Public Works*) substituted for the Minister for Finance [S.O. 92(1)]. Deputies Brian Stanley, Dara Murphy, Arthur Spring and Kevin Humphreys substituted for Deputies Pearse Doherty, Kieran O'Donnell, Aodhán Ó Ríordáin and Billy Timmins respectively [S.O. 92(2)].

- Ioncam agus ar Ghnóchain Chaipitiúla) (Stát Chatar), 2012,
- (iv) An tOrdú um Fhaoiseamh ó Chánachas Dúbailte (Cánacha ar Ioncam agus ar Mhaoín) (An Úisbéiceastáin), 2012,
 - (v) An tOrdú um Fhaoiseamh ó Chánachas Dúbailte (Cánacha ar Ioncam agus ar Chaipiteal) (Cónaidhm na hEilvéise), 2012,
 - (vi) An tOrdú um Malartú Faisnéise a Bhaineann le Cánacha (San Mairíne), 2012, agus
 - (vii) An tOrdú um Chúnamh Frithpháirteach i gCúrsaí Cánach, 2012.

Críochnaíodh an breithniú ar an tairiscint.

Cuireadh teachtaireacht chun na Dála de réir Bhuan-Ordú 87 agus Ordú an 11 Nollaig, 2012 ón Dáil, á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an tairiscint.

4. ATHLÁ.

Chuaigh an Coiste ar athló ar 2.50 p.m. *sine die*.

(State of Qatar) Order 2012,

- (iv) Double Taxation Relief (Taxes on Income and on Property) (Republic of Uzbekistan) Order 2012,
- (v) Double Taxation Relief (Taxes on Income and on Capital) (Swiss Confederation) Order 2012,
- (vi) Exchange of Information Relating to Taxes (San Marino) Order 2012, and
- (vii) Mutual Assistance in Tax Matters Order 2012.

Consideration of the motion was concluded.

Message sent to the Dáil in accordance with Standing Order 87 and the Order of the Dáil of 11 December, 2012, acquainting it that the Committee had completed its consideration of the motion.

4. ADJOURNMENT.

The Committee adjourned at 2.50 p.m. *sine die*.

CIARÁN LYNCH, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM CHAITEACHAS POIBLÍ AGUS ATHCHÓIRIÚ

PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON PUBLIC EXPENDITURE AND REFORM

Dé Céadaoin, 2 Bealtaine 2012

Wednesday, 2 May 2012

1. Chruinnigh an Coiste ar 2.05 p.m.

1. The Committee met at 2.05 p.m.

2. COMHALTAÍ I LÁTHAIR¹⁷.

2. MEMBERS PRESENT¹⁸.

An Teachta Alastar de Faoite (*i gCeannas*), an tAire Chaiteachais Poiblí agus Athchóiriú, an Teachta Brian Ó hAodha (*an tAire Stáit ag na Roinne Airgeadas agus Caiteachas Poiblí*), na Teachtaí Micheál Ó Críod, Stephen Donnelly, Tadhg Ó Dubhlaoigh, Seán Ó Pléamonn, Seosamh Ó hUiginn, Heather Mac Unfraidh, Peadar Mac Mathúna, Mary Lou McDonald, Micheál Mac Conmara agus Oilibhia Mistéil.

Deputy Alex White (*in the Chair*), Minister for Public Expenditure and Reform, Deputy Brian Hayes (*Minister of State at the Departments of Finance and Public Expenditure*), Deputies Michael Creed, Stephen Donnelly, Timmy Dooley, Sean Fleming, Joe Higgins, Heather Humphreys, Peter Mathews, Mary Lou McDonald, Michael McNamara and Olivia Mitchell.

3. BREITHNIÚ AR MHEASTACHÁIN I
GCOMHAIR SEIRBHÍSÍ POIBLÍ.

3. CONSIDERATION OF ESTIMATES FOR
PUBLIC SERVICES.

Bhreithnigh an Coiste na Meastacháin seo a leanas i gcomhair Seirbhísí Poiblí don bhliain dar críoch an 31 Nollaig, 2012 –

The Committee considered the following Estimates for Public Services for the year ending 31st December, 2012 –

Vóta 11 (Caiteachas Poiblí agus
Athchóiriú) (Meastachán
Athbhreithnithe)

Vote 11 (Public Expenditure and
Reform) (Revised Estimate)

Vóta 12 (Aoisliúntas agus Liúntais

Vote 12 (Superannuation and Retired

Ghlac an Teachta Micheál Mac Conmara ionad an Teachta Art Mac an Earraigh [B.O. 92(2)].

Ghlac na Teachtaí Seosamh Ó hUiginn agus Tadhg Ó Dubhlaoigh ionaid na dTeachtaí Stephen Donnelly agus Seán Ó Pléamonn faoi seach (ar feadh cuid den chruinniú) [B.O. 92(2)].

¹⁸ Deputy Michael McNamara substituted for Deputy Arthur Spring [S.O. 92(2)].

Deputies Joe Higgins and Timmy Dooley substituted for Deputies Stephen Donnelly and Sean Fleming respectively (for part of the meeting) [S.O. 92(2)].

Scoir) (Meastachán Athbhreithnithe)
 Vóta 13 (Oifig na nOibreacha Poiblí) (Meastachán Athbhreithnithe)
 Vóta 14 (An tSaotharlann Stáit) (Meastachán Athbhreithnithe)
 Vóta 15 (An tSeirbhís Shicréideach) (Meastachán Athbhreithnithe)
 Vóta 16 (An Oifig Luachala) (Meastachán Athbhreithnithe)
 Vóta 17 (An tSeirbhís um Cheapacháin Phoiblí) (Meastachán Athbhreithnithe)
 Vóta 18 (Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí) (Meastachán Athbhreithnithe)
 Vóta 19 (Oifig an Ombudsman) (Meastachán Athbhreithnithe).

Allowances) (Revised Estimate)
 Vote 13 (Office of Public Works) (Revised Estimate)

Vote 14 (State Laboratory) (Revised Estimate)
 Vote 15 (Secret Service) (Revised Estimate)
 Vote 16 (Valuation Office) (Revised Estimate)
 Vote 17 (Public Appointments Service) (Revised Estimate)
 Vote 18 (Office of the Commission for Public Service Appointments) (Revised Estimate)
 Vote 19 (Office of the Ombudsman) (Revised Estimate).

4. AN CRUINNIÚ AR FIONRAÍ.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 3.35 p.m. (*an Teachta Alastar de Faoite*).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 3.30 p.m.

4. MEETING SUSPENDED.

Ordered: That the Meeting be now suspended until 3.35 p.m. (*Deputy Alex White*).

The Meeting was accordingly suspended at 3.30 p.m.

Ar 3.35 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 3.35 p.m.

5. BREITHNIÚ AR MHEASTACHÁIN I GCOMHAIR SEIRBHÍSÍ POIBLÍ.

D'athchrom an Coiste ar bhreithniú na Meastachán seo a leanas i gcomhair Seirbhísí Poiblí don bhliain dar críoch an 31 Nollaig, 2012 –

5. CONSIDERATION OF ESTIMATES FOR PUBLIC SERVICES.

The Committee resumed consideration of the following Estimates for Public Services for the year ending 31st December, 2012 –

Vóta 11 (Caiteachas Poiblí agus Athchóiriú) (Meastachán Athbhreithnithe)
 Vóta 12 (Aoisliúntas agus Liúntais Scoir) (Meastachán Athbhreithnithe)

Vote 11 (Public Expenditure and Reform) (Revised Estimate)
 Vote 12 (Superannuation and Retired Allowances) (Revised Estimate)

Vóta 13 (Oifig na nOibreacha Poiblí) (Meastachán Athbhreithnithe)
 Vóta 14 (An tSaotharlann Stáit) (Meastachán Athbhreithnithe)
 Vóta 15 (An tSeirbhís Shicréideach) (Meastachán Athbhreithnithe)

Vote 13 (Office of Public Works) (Revised Estimate)
 Vote 14 (State Laboratory) (Revised Estimate)
 Vote 15 (Secret Service) (Revised Estimate)

Vóta 16 (An Oifig Luachala)
(Meastachán Athbhreithnithe)
Vóta 17 (An tSeirbhís um
Cheapacháin Phoiblí) (Meastachán
Athbhreithnithe)
Vóta 18 (Oifig an Choimisiúin um
Cheapacháin Seirbhíse Poiblí)
(Meastachán Athbhreithnithe)
Vóta 19 (Oifig an Ombudsman)
(Meastachán Athbhreithnithe)

Vote 16 (Valuation Office) (Revised
Estimate)
Vote 17 (Public Appointments
Service) (Revised Estimate)

Vote 18 (Office of the Commission
for Public Service Appointments)
(Revised Estimate)
Vote 19 (Office of the Ombudsman)
(Revised Estimate)

Críochnaíodh an breithniú ar an
Meastachán.

Consideration of the Estimates was
concluded.

Cuireadh teachtaireacht chun na Dála de
réir Bhuan-Ordú 87 á chur in iúl di gur
chríochnaigh an Coiste a bhreithniú ar an
Meastachán.

Message sent to the Dáil in accordance
with Standing Order 87 acquainting it that
the Committee had completed its
consideration of the Estimates.

4. ATHLÁ.

4. ADJOURNMENT.

Chuaigh an Coiste ar athló ar 5.45 p.m.
sine die.

The Committee adjourned at 5.45 p.m.
sine die.

Alex White, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM CHAITEACHAS POIBLÍ AGUS ATHCHÓIRIÚ

PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON PUBLIC EXPENDITURE AND REFORM

Déardaoín, 21 Meitheamh 2012

Thursday, 21 June 2012

1. Chruinnigh an Coiste ar 3.35 p.m.

1. The Committee met at 3.35 p.m.

2. COMHALTAÍ I LÁTHAIR¹⁹.

2. MEMBERS PRESENT²⁰.

An Teachta Alastar de Faoite (*i gCeannas*), An tAire Caiteachais Phoiblí agus Athchóirithe, na Teachtaí Risteard Buíd Bairéid, Micheál Ó Connacháin, Stephen Donnelly, Frank Feighan, Seán Ó Pléamonn, Peadar Mac Mathúna, Mary Lou McDonald, Eoghan Ó Murchú, Ciarán Ó Domhnaill agus Joanna Tuffy.

Deputy Alex White (*in the Chair*), Minister for Public Expenditure and Reform, Deputies Richard Boyd-Barrett, Michael Conaghan, Stephen Donnelly, Frank Feighan, Seán Fleming, Peter Mathews, Mary Lou McDonald, Eoghan Murphy, Kieran O'Donnell and Joanna Tuffy.

3. AN BILLE UM PINSIN (SCÉIM AONAIR) AGUS LUACH SAOTHAIR NA SEIRBHÍSE POIBLÍ, 2011.

3. PUBLIC SERVICE PENSIONS (SINGLE SCHEME) AND REMUNERATION BILL 2011.

Chrom an Coiste ar an mBille a bhreithniú.

The Committee took the Bill into consideration.

(i) Alt 1.

(i) Section 1.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

1. In page 7, subsection (1), lines 39 and 40, to delete all words from and including “Public” in line 39 down to and including “2011”

¹⁹ Ghlac na Teachtaí Ciarán Ó Domhnaill agus Joanna Tuffy ionad an Teachta Micheál Ó Críod (ar feadh cuid den chruinniú) [B.O. 92(2)].

Ghlac na Teachtaí Frank Feighan, Eoghan Ó Murchú agus Micheál Ó Connacháin ionaid na dTeachtaí Heather Mac Unfraidh, Oilibhia Mistéil agus Art Mac An Earraigh faoi seach (ar feadh cuid den chruinniú) [B.O. 92(2)].

Bhí an Teachta Risteard Buíd Bairéid i láthair [B.O. 92(3)].

²⁰

Deputies Kieran O'Donnell and Joanna Tuffy substituted for Deputy Michael Creed (for part of the meeting) [S.O. 92(2)].

Deputies Frank Feighan, Eoghan Murphy and Michael Conaghan substituted for Deputies Heather Humphreys, Olivia Mitchell and Arthur Spring respectively (for part of the meeting) [S.O. 92(2)].

Deputy Richard Boyd-Barrett attended [S.O. 92(3)].

in line 40 and substitute the following:

“Public Service Pensions (Single Scheme and Other Provisions) Act 2012”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 2.** In page 8, subsection (2), lines 1 and 2, to delete all words from and including “*Parts*” in line 1 down to and including “3” in line 2 and substitute the following:

“*Part 2* (other than *subsections* (5) and (6) of *section 51*) and *sections 66* (other than *paragraph (a)* in so far as it inserts a definition of “pension adjustment order”), *68* (other than in so far as it inserts subsection (1B) into section 2 of the Financial Emergency Measures in the Public Interest Act 2010), *69* and *70*”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 3.** In page 8, between lines 5 and 6, to insert the following subsections:

“(3) The Court Officers Acts 1926 to 2008 and *sections 61* and *62* may be cited together as the Court Officers Acts 1926 to 2012.

(4) The Courts (Supplemental Provisions) Acts 1961 to 2008 and *sections 63* and *64* may be cited together as the Courts (Supplemental Provisions) Acts 1961 to 2012.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(ii) *Aontaíodh alt 2.*

(ii) *Section 2 agreed to.*

(iii) *Alt 3.*

(iii) *Section 3.*

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 4.** In page 8, lines 9 to 11, to delete paragraphs (a) and (b).

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An Teachta Mary Lou
McDonald):*

*Amendment proposed (Deputy Mary Lou
McDonald):*

- 5.** In page 8, paragraph (e), line 15, to delete “Act 1965.” and substitute the following:

“Act 1965;

(f) section 6 of the Superannuation and Pensions Act 1963;

(g) section 7 of Superannuation and Pensions Act 1963;

(h) section 78, Local Government (Superannuation) (Consolidation) Scheme 1998;”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus cinneadh gur freagra diúltach a tugadh uirthi.

Question:- “That the amendment be made”- put, and *decided in the negative*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(iv) *Aontaíodh* alt 4.

(iv) Section 4 *agreed to*.

(v) Alt 5.

(v) Section 5.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

6. In page 9, subsection (1), line 27, to delete “this Act” and substitute “the Scheme”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

7. In page 9, subsection (1), line 30, to delete “this Act” and substitute “the Scheme”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

8. In page 9, subsection (1), to delete lines 32 to 37 and substitute the following:

“ “fully insured for social welfare purposes” means holding an office or employment in respect of which the person concerned is an employed contributor within the meaning of section 12(1) of the Social Welfare Consolidation Act 2005—

- (a) who is liable for an employment contribution payable at the rate specified in section 13(2) of that Act, not being a person to whom article 81, 82, 83 or 88 of the Social Welfare (Consolidated Contributions and Insurability) Regulations 1996 (S.I. No. 312 of 1996) applies, or

- (b) to whom article 87 of those Regulations applies;”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

9. In page 10, subsection (1), line 13, to delete “*Chapter 2*” and substitute “this Part”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

10. In page 10, subsection (1), lines 13 and 14, to delete “on the retirement, resignation or death” and substitute the following:

“as a consequence of the retirement, resignation or death”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

11. In page 10, subsection (1), to delete lines 16 to 21 and substitute the following:

“ “net pensionable remuneration”, in relation to a Scheme member, means an amount by which the pensionable remuneration of such Scheme member in respect of a pay period or series of pay periods exceeds twice the maximum personal rate of contributory State Pension payable from time to time to a person who has no adult dependant or child dependant;”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

12. In page 10, to delete lines 26 to 33 and substitute the following:

“ “pension” means the benefit or benefits, other than any lump sum, payable periodically—

(a) to a person, in respect of his or her service as a pensionable public servant, as a consequence of his or her retirement, discharge, resignation, or otherwise ceasing or having ceased to be a pensionable public servant, or

(b) in respect of such service, to another person as a consequence of death or otherwise,

but does not include payments, or so much of any payment, paid solely in respect of any injury caused as a result of such service;”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

13. In page 10, line 42, after “Scheme” to insert the following:

“or which is stated in a written offer of appointment to the position,
office or post to be a pensionable position for the purposes of the
Scheme”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

14. In page 11, line 20, to delete “or has been approved” and
substitute “or which has been approved”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

15. In page 11, subsection (1), line 25, to delete “*section 22*” and
substitute “*sections 22 and 23,**”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

16. In page 11, subsection (1), to delete line 27 and substitute the
following:

“ “preserved lump sum” has the meaning given in *section 27*;

“preserved pension” has the meaning given in *section 27*;”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

17. In page 11, to delete lines 32 and 33 and substitute the following:

“(c) the holder of a judicial office,”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

18. In page 13, subsection (1), line 5, after “23,” to insert “23,*”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

19. In page 13, to delete lines 14 to 21 and substitute the following:

“ “relevant authority” means the Minister, or—

(a) such other Minister of the Government or such public service body as the Minister may prescribe under *section 8(1)(b)* in relation to all or any part of the public service, or

(b) any body corporate as the Minister may prescribe under *section 8(1)(b)* in relation to all or any part of the public service;”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

20. In page 13, subsection (1), lines 29 and 30, to delete “the pension age for such person” and substitute the following:

“upon such person attaining either or both the age and maximum service limit (however expressed) at which he or she could retire or is required to be retired or discharged”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

21. In page 13, subsection (1), to delete lines 32 and 33 and substitute the following:

“ “Scheme member” has the meaning given in *section 10*;”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

22. In page 14, subsection (3), line 16, to delete “In this Act” and substitute “For the purposes of this Act”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(vi) *Aontaíodh alt 6.*

(vi) *Section 6 agreed to.*

(vii) *Alt 7.*

(vii) *Section 7.*

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

23. In page 15, lines 2 to 5, to delete subsection (2) and substitute the following:

“(2) Nothing in *subsection (1)* shall be read as limiting or restricting the performance of any function (including the making or amendment of a superannuation scheme or arrangement) in respect of the service of members of a pre-existing public service pension scheme.”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(viii) Alt 8.

(viii) Section 8.

Tairgeadh leasú (*An Teachta Seán Ó
Pléamonn*):

Amendment proposed (*Deputy Seán
Fleming*):

24. In page 15, subsection (1)(a), line 8, after “Part”, to insert the following:

“save that the Minister shall not make regulations in relation to the linking of—

- (i) a scheme member’s pension entitlements to the consumer price index,
- (ii) pension entitlements of pre-existing members of public service pension schemes,

(I) In respect of the exemptions provided for in *subparagraphs (i) and (ii)*, any changes to a scheme member’s pension entitlements or those of a pre-existing public service pension scheme member, shall only be permissible by way of primary legislation,

(II) The Minister shall make regulations in respect of *subsection (2)(c) and (d)*”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

25. In page 15, subsection (1)(b), line 14, to delete “or parts”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

26. In page 15, subsection (1)(e)(i), line 26, to delete “this Scheme”

and substitute “the Scheme”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 27.** In page 16, subsection (2)(b)(iii), lines 3 and 4, to delete “are to be made” and substitute “is to be made”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 28.** In page 16, subsection (2), between lines 11 and 12, to insert the following:

“(e) where a Scheme member is or has been in receipt of benefits under Part 2 (which relates to social insurance) of the Social Welfare Consolidation Act 2005 in respect of periods relating to one or more of the following:

- (i) incapacity for work;
- (ii) maternity;
- (iii) health and safety;
- (iv) adoption;
- (v) occupational injuries;

the inclusion of certain money amounts as referable amounts for the purpose of the calculation of benefits sections that would, in the opinion of the Minister, be appropriate having regard to some or all of any shortfall in pensionable remuneration of the member during the period of receipt of such benefit by him or her under the Social Welfare Consolidation Act 2005;”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(ix) Alt 9.

(ix) Section 9.

*Tairgeadh leasú (An Teachta Mary Lou
McDonald):*

*Amendment proposed (Deputy Mary Lou
McDonald):*

- 29.** In page 17, subsection (2), lines 1 to 6, to delete paragraph (c).

*Cuireadh an Cheist:- “Go ndéanfar an
leasú” – agus cinneadh gur freagra
diúltach a tugadh uirthi.*

*Question:- “That the amendment be
made”- put, and decided in the negative.*

Aontaíodh an t-alt.

Section agreed to.

(x) Alt nua.

(x) New section.

Tairgeadh leasú (*An Teachta Seán Ó Pléamonn*):

Amendment proposed (*Deputy Seán Fleming*):

30. In page 17, before section 10, to insert the following new section:

“10.—(1) The Minister shall bring forward proposals/discussion document on the existing mechanism for the management of public service pensions within 6 months from the date of enactment of this Bill.

(2) Such discussion document would include the following—

- (a) the possible establishment of a single government body that would manage all public service pensions, with specific reference to any cost saving that would accrue to the exchequer resulting from the establishment of such a body,
- (b) the possible establishment of a mechanism whereby all scheme members should have the option of paying additional voluntary contributions into an exchequer pension fund, the actuarial valuation of which to be applied to such payments when pension entitlement is paid out.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

(xi) Alt 10.

(xi) Section 10.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

31. In page 17, subsection (1), line 10, to delete “the day this section comes into operation” and substitute “the operative date”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

32. In page 17, subsection (3)(a), line 34, to delete “after that date” and substitute “on or after that date”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

34. In page 18, subsection (3), lines 1 and 2, to delete paragraph (c) and substitute the following:

“(c) a person stood admitted immediately before the operative date as a trainee Garda to the Garda College.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An Teachta Mary Lou McDonald*):

Amendment proposed (*Deputy Mary Lou McDonald*):

35. In page 18, lines 14 to 21, to delete subsection (4).

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus *cinneadh gur freagra diúltach a tugadh uirthi.*

Question:- “That the amendment be made” - put, and *decided in the negative.*

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xii) Alt 11.

(xii) Section 11.

Tairgeadh leasú (*An Teachta Seán Ó Pléamonn*):

Amendment proposed (*Deputy Seán Fleming*):

38. In page 19, between lines 10 and 11, to insert the following subsection:

“(5) The Minister shall publish a full list of allowances which shall be classed as pensionable under the scheme.”.

Cuireadh an Cheist:- “Go ndéanfar an leasú”: rinne an Coiste vótáil: Tá, 3; Níl, 7.

Question:- “That the amendment be made” - put: the Committee divided: For, 3; Against, 7.

Tá:- Na Teachtaí Stephen Donnelly, Seán Ó Pléamonn agus Mary Lou McDonald.

For:- Deputies Stephen Donnelly, Seán Fleming and Mary Lou McDonald.

Níl:- An tAire Caiteachais Phoiblí agus Athchóirithe, na Teachtaí Micheál Ó Connaicháin, Frank Feighan, Peadar Mac Mathúna, Eoghan Ó Murchú, Joanna Tuffy agus Alastar de Faoite.

Against:- The Minister for Public Expenditure and Reform, Deputies Michael Conaghan, Frank Feighan, Peter Mathews, Eoghan Murphy, Joanna Tuffy and Alex White.

Faisnéiseadh dá réir sin go rabhthas tar éis diúltú don Cheist.

The Question was declared negated accordingly.

Aontaíodh an t-alt.

Section agreed to.

4. ATHLÁ.

4. ADJOURNMENT.

Chuaigh an Coiste ar athló ar 6.45 p.m. go dtí 2.30 p.m. Dé Céadaoin, 27 Meitheamh, 2012.

The Committee adjourned at 6.45 p.m. until 2.30 p.m. on Wednesday, 27 June 2012.

ALEX WHITE
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM CHAITEACHAS POIBLÍ AGUS ATHCHÓIRIÚ

PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON PUBLIC EXPENDITURE AND REFORM

Dé Céadaoin, 27 Meitheamh 2012

Wednesday, 27 June 2012

1. Chruinnigh an Coiste ar 2.35 p.m.

1. The Committee met at 2.35 p.m.

2. COMHALTAÍ I LÁTHAIR²¹.

2. MEMBERS PRESENT²².

An Teachta Alastar de Faoite (*i gCeannas*), An tAire Caiteachais Phoiblí agus Athchóirithe, na Teachtaí Risteard Buíd Bairéid, Siobhán Ní Choileáin, Micheál Ó Críod, Stephen Donnelly, Seán Ó Pléamonn, Heather Mac Unfraidh, Caoimhín Mac Unfraidh, Peadar Mac Mathúna, Mary Lou McDonald, Oilibhia Mistéil agus Art Mac An Earraigh.

Deputy Alex White (*in the Chair*), Minister for Public Expenditure and Reform, Deputies Richard Boyd-Barrett, Joan Collins, Michael Creed, Stephen Donnelly, Seán Fleming, Heather Humphreys, Kevin Humphreys, Peter Mathews, Mary Lou McDonald, Olivia Mitchell and Arthur Spring.

3. AN BILLE UM PINSIN (SCÉIM AONAIR) AGUS LUACH SAOTHAIR NA SEIRBHÍSE POIBLÍ, 2011.

3. PUBLIC SERVICE PENSIONS (SINGLE SCHEME) AND REMUNERATION BILL 2011.

D'athchrom an Coiste ar an mBille a bhreithniú.

The Committee resumed consideration of the Bill.

(i) Aontaíodh alt 12.

(i) Section 12 *agreed to*.

(ii) Alt 13.

(ii) Section 13.

Tairgeadh leasú (*An Teachta Seán Ó Pléamonn*):

Amendment proposed (*Deputy Seán Fleming*):

40. In page 19, lines 29 to 33, to delete subsection (2).

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

²¹ Ghlac an Teachta Caoimhín Mac Unfraidh ionad an Teachta Micheál Ó Críod (ar feadh cuid den chruinniú) [B.O. 92(2)]. Bhí na Teachtaí Risteard Buíd Bairéid agus Siobhán Ní Choileáin i láthair [B.O. 92(3)].

²² Deputy Kevin Humphreys substituted for Deputy Michael Creed (for part of the meeting) [S.O. 92(2)]. Deputies Richard Boyd-Barrett and Joan Collins attended [S.O. 92(3)].

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

41. In page 19, subsection (3), lines 36 and 37, to delete all words from and including “to” in line 36 down to and including “retire” in line 37 and substitute the following:

“to provide for either or both an age and a maximum service limit (however expressed) at which any class or classes of public servants could or is required to retire or be retired or discharged”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(iii) Alt 14.

(iii) Section 14.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

42. In page 20, subsection (2)(b), lines 23 to 25, to delete all words from and including “in” in line 23 down to and including “be,” in line 25 and substitute the following:

“in accordance with section 1(1)(a) of the Superannuation (Prison Officers) Act 1919 (inserted by section 5 of the Public Service Superannuation (Miscellaneous Provisions) Act 2004) or section 10 of the Public Service Superannuation (Miscellaneous Provisions) Act 2004, as the case may be,”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(iv) *Aontaíodh alt 15.*

(iv) *Section 15 agreed to.*

(v) Alt 16.

(v) Section 16.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

43. In page 21, subsection (2), lines 5 to 7, to delete all words from and including “Other” in line 5 down to and including “members” in line 7 and substitute the following:

“In respect of Scheme members to whom *section 19* relates, the rate of contribution”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais*

Amendment proposed (*Minister for Public*

Phoiblí agus Athchóirithe):

Expenditure and Reform):

- 44.** In page 21, subsection (2)(b), lines 13 and 14, to delete “as adjusted when not working on a full-time basis” and substitute “as adjusted”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 45.** In page 21, subsection (2)(b), line 15, before “hours worked” to insert “number of”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 46.** In page 21, subsection (3), line 19, to delete “which”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 47.** In page 21, subsection (3)(b), lines 29 and 30, to delete “as adjusted when not working on a full-time basis” and substitute “as adjusted”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 48.** In page 21, subsection (3)(b), line 31, before “hours worked” to insert “number of”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 49.** In page 21, between lines 41 and 42, to insert the following:

“

Persons to whom section 19 refers	3.5%	3%
--------------------------------------	------	----

”

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

- 50.** In page 21, between lines 44 and 45, to insert the following:

“

Persons to whom <i>section 23*</i> refers who hold office on a basis which is fully insured for social welfare purposes	7%	6%
Persons to whom <i>section 23*</i> refers who hold office on a basis which is not fully insured for social welfare purposes	-	13%

”

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

- 52.** In page 22, subsection (4)(a), line 11, to delete “member’s contribution” and substitute “member’s contributions”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

- 53.** In page 22, subsection (5), line 14, to delete “All contributions” and substitute “Subject to *subsection (9)**, all contributions”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

- 54.** In page 22, between lines 42 and 43, to insert the following subsection:

“(9) Where this Part has been applied to the Central Bank of Ireland in accordance with *section 6*, then—

- (a) contributions made under this section in respect of Scheme members who are employed by, or hold any office or other position in the Central Bank of Ireland shall be dealt with in such manner so as to ensure that those contributions are only available for the purposes of the payment of any pension or lump sum to or in respect of the service with the Central Bank of Ireland by such Scheme members, and
- (b) the Central Bank of Ireland shall not be liable for any pension or lump sum in respect of any employment by, or holding of any office or other position in, a public service body other

than the Central Bank of Ireland.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An Teachta Seán Ó Pléamonn):

Amendment proposed (Deputy Seán Fleming):

55. In page 22, between lines 42 and 43, to insert the following subsection:

“(9) Scheme members shall be entitled to purchase years of notional service and the Minister shall publish purchase tables and the rate of contribution for notional service before the enactment of this Bill.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(vi) Alt 17.

(vi) Section 17.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

56. In page 23, subsection (2), line 7, to delete “the Scheme contributions” and substitute “his or her contributions”..

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(vii) Alt 18.

(vii) Section 18.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

57. In page 23, line 35, after “23,” to insert “23,”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(viii) Alt 19.

(viii) Section 19.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

58.In page 23, subsection (1), line 47, after “23,” to insert “23,”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

59. In page 24, subsection (1), line 1, after “subject to section 51” to insert the following:

“and upon application being made to the relevant authority”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

60. In page 24, subsection (1), lines 3 to 14, to delete paragraphs (a) and (b) and substitute the following:

“(a) an annual pension equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year for the pension, and

(b) a lump sum payment equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year for the lump sum.”.

Cuireadh an Cheist:- “Go ndéanfar an leasú” – agus cinneadh gur freagra aontach a tugadh uirthi.

Question:- “That the amendment be made”- put, and *decided in the affirmative.*

Tairgeadh leasú (*An Teachta Seán Ó Pléamonn*):

Amendment proposed (Deputy Seán Fleming):

64. In page 24, between lines 46 and 47, to insert the following subsection:

“(3) Where a formula is being used for the calculation of retirement benefits, the Minister shall publish the basis for such formula, prior to the enactment of this Bill.”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

4. AN CRUINNÍÚ AR FIONRAÍ.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 4.50 p.m. (An tAire Caiteachais Phoiblí agus Athchóirithe)

4. MEETING SUSPENDED.

Ordered: That the Meeting be now suspended until 4.50 p.m. (Minister for Public Expenditure and Reform).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 4.40 p.m.

The Meeting was accordingly suspended at 4.40 p.m.

Ar 4.50 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 4.50 p.m.

5. AN BILLE UM PINSIN (SCÉIM AONAIR) AGUS LUACH SAOTHAIR NA SEIRBHÍSE POINBLÍ, 2011.

5. PUBLIC SERVICE PENSIONS (SINGLE SCHEME) AND REMUNERATION BILL 2011.

D’athchrom an Coiste ar an mBille a

The Committee resumed consideration of

bhreithniú.	the Bill.
(i) Alt 20.	(i) Section 20.
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
65. In page 24, subsection (1), line 49, after “subject to <i>section 51</i> ” to insert the following:	
<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
67. In page 25, subsection (4), line 12, to delete “for the Scheme” and substitute “of the Scheme”.	
<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
<i>Aontaíodh an t-alt, mar a leasaíodh.</i>	Section, as amended, <i>agreed to</i> .
(ii) Alt 21.	(ii) Section 21.
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
68. In page 25, subsection (1), lines 15 to 17, to delete all words from and including “Where” in line 15 down to and including “shall” in line 17 and substitute the following:	
“A person having completed the vesting period and been the holder of a qualifying office who has attained normal pension age, shall”.	
<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
69. In page 25, subsection (1), line 17, after “subject to <i>section 51</i> ” to insert the following:	
“and upon application being made to the relevant authority”.	
<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
71. In page 25, subsection (3), line 45, to delete “any”.	
<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
Tairgeadh leasú (<i>An Teachta Seán Ó Pléamonn</i>):	Amendment proposed (<i>Deputy Seán Fleming</i>):
72. In page 26, subsection (6), line 10, after “servant” to insert the	

following:

“, however the combined pensions earned may not exceed an annualised pension payment rate of €60,000”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, *withdrawn*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(iii) Alt 22.

(iii) Section 22.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

73. In page 26, subsection (2), line 28, after “shall” to insert the following:

“, upon application being made to the relevant authority,”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

75. In page 26, subsection (3)(a), line 48, to delete “for the Scheme” and substitute “of the Scheme”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(iv) Alt nua.

(iv) New section.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

76. In page 27, before section 23, to insert the following new section:

23.—(1) A person having completed the vesting period and having been a holder of the office of Comptroller and Auditor General shall, subject to *section 51*, be eligible to receive a pension and a lump sum as provided for by this section if he or she either—

(a) has attained the normal pension age and has ceased to be a holder of that office before reaching the retirement age for such a holder prescribed by law, or

(b) has attained the retirement age for such a holder as so prescribed.

(2) A person who is a Scheme member or former Scheme member to whom *subsection (1)* relates shall, upon application being made to the relevant authority, be eligible to receive upon his or her retirement—

- (a) an annual pension equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year as a holder of the office of Comptroller and Auditor General, subject to a maximum equivalent to one-half of the annualised rate at that time of the pensionable remuneration that stands provided for the person concerned at the time he or she ceased to be a holder of that office, and
 - (b) a lump sum payment equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year as a holder of the office of Comptroller and Auditor General, subject to a maximum equivalent to one and a half times the annualised rate at that time of the pensionable remuneration that stands provided for the person concerned at the time he or she ceased to be a holder of that office.
- (3) In this section “referable amounts in respect of each calendar year or part of a calendar year”, in relation to a calendar year or part of a calendar year of service,
- (a) where the office of Comptroller and Auditor General is held on a basis which is not fully insured for social welfare purposes, means—
 - (i) in the case of an annual pension an amount calculated at a rate of 2.5 per cent of the Scheme member’s pensionable remuneration for that year or part of a year as a holder of the office of Comptroller and Auditor General, and
 - (ii) in the case of a lump sum payment an amount calculated at a rate of 7.5 per cent of the Scheme member’s pensionable remuneration for that year or part of a year as a holder of the office of Comptroller and Auditor General,

as adjusted thereafter, until payment of the pension and lump sum arises in accordance with this Part, by reference to such adjustments as may arise as provided for in *section 39*,
 - (b) where the office of Comptroller and Auditor General is held on a basis which is fully insured for social welfare purposes, means—
 - (i) in the case of an annual pension, an amount calculated at a rate of—
 - (I) 0.58 per cent of the Scheme member’s pensionable remuneration for that year or part of a year as a holder of the office of Comptroller and Auditor General that is less than or equal to 3.74 times the value of the contributory State Pension at that time, and

(II) 2.5 per cent of the Scheme member's pensionable remuneration for that year or part of a year as a holder of the office of Comptroller and Auditor General that is greater than 3.74 times the value of the contributory State Pension at that time,

and

(ii) in the case of a lump sum payment an amount calculated at a rate of 7.5 per cent of the Scheme member's pensionable remuneration for that year or part of a year as a holder of the office of Comptroller and Auditor General,

as adjusted thereafter, until payment of the pension and lump sum arises in accordance with this Part, by reference to such adjustments as may arise as provided for in *section 39*."

Cuireadh agus *aontaíodh* an Cheist:- "Go gcuirfear an t-alt nua isteach ansin".

Question:- "That the new section be there inserted" - put, and *agreed to*.

(v) Alt 23.

(v) Section 23.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

77. In page 27, to delete lines 8 to 11 and substitute the following:

"23.—(1) A person having completed the vesting period and having been a member of either House of the Oireachtas shall, subject to *section 51*, be eligible to receive a pension and a lump sum as provided for by this section if he or she either—".

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

78. In page 27, subsection (2), line 21, after "shall" to insert the following:

“, upon application being made to the relevant authority,”.

Aontaíodh an leasú.

Amendment *agreed to*.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(vi) Alt 24.

(vi) Section 24.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

80. In page 28, lines 1 to 26, to delete subsection (1) and substitute the following:

“24.—(1) A person having completed the vesting period and having been a designated office holder shall, subject to *section 51* and upon application being made to the relevant authority, be eligible to receive a pension and a lump sum as provided for by this section if he or she either—

- (a) has attained normal pension age and is no longer a designated office holder, or
- (b) after attaining normal pension age ceases, other than by death, to be a designated office holder.

(2) A person who is a Scheme member or former Scheme member to whom *subsection (1)* relates shall be eligible to receive—

- (a) an annual pension equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year as a designated office holder, subject to a maximum of one-half of the annualised rate at that time of the pensionable remuneration that stands provided for the person concerned at the time of his or her retirement, and
- (b) a lump sum payment equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year but—
 - (i) in the case of a designated office holder who last held one of the designated offices set out in *paragraphs (e), (f), (g) or (h)* of the definition of “designated office holder” in *subsection (2)*, subject to a maximum equivalent to three-quarters of the annualised rate at that time of the pensionable remuneration that stands provided for the designated office holder at the time of his or her retirement, and
 - (ii) in the case of any other designated office holder, subject to a maximum equivalent to one and a half times the annualised rate at that time of the pensionable remuneration that stands provided for that designated office holder at the time of his or her retirement.”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

81a. In page 29, subsection (2)(a)(ii)(I), line 17, to delete “*subsection (1)(b)(i)*” and substitute “*subsection (2)(b)(i)*”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

81b. In page 29, subsection (2)(a)(ii)(II), line 20, to delete “*subsection*”

(1)(b)(ii)” and substitute “*subsection (2)(b)(ii)*”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

82. In page 29, subsection (2)(b), to delete lines 33 to 50 and substitute the following:

“(i) for the purpose of the calculation of an annual pension, an amount calculated at a rate of—

(I) 0.58 per cent of the Scheme member’s pensionable remuneration for that year or part of a year as a designated office holder that is less than or equal to 3.74 times the value of the contributory State Pension at that time, adjusted, when not working on a full-time basis, by reference to the proportion that the number of hours worked bears to the number of hours that would have been worked if working on a full-time basis, and

(II) 1.67 per cent of the Scheme member’s pensionable remuneration for that year or part of a year as a designated office holder that is greater than 3.74 times the value of the contributory State Pension at that time, adjusted, when not working on a full-time basis, by reference to the proportion that the number of hours worked bears to the number of hours that would have been worked if working on a full-time basis,”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

82a. In page 30, subsection (2)(b)(ii)(I), line 4, to delete “*subsection (1)(b)(i)*” and substitute “*subsection (2)(b)(i)*”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

82b. In page 30, subsection (2)(b)(ii)(II), line 7, to delete “*subsection (1)(b)(ii)*” and substitute “*subsection (2)(b)(ii)*”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to*.

(vii) Alt 25.

(vii) Section 25.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

83. In page 30, subsection (1)(b)(i), line 26, to delete “for immediate payment” and substitute “to immediate payment”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

84. In page 30, to delete lines 38 to 44 and substitute the following:

“(2) A person who is a Scheme member or former Scheme member to whom *paragraph (a), (b)(i), (c) or (d) of subsection (1)* relates and who—

(a) has completed the vesting period, and

(b) attains the age to which that paragraph relates,

shall, subject to *section 51* and upon application being made to the relevant authority, be eligible to receive upon commencement of retirement or discharge—”.

Aontaíodh an leasú.

Amendment *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

85. In page 31, lines 9 to 11, to delete subsection (3) and substitute the following:

“(3) (a) A person who is a Scheme member or former Scheme member to whom *paragraph (b)(ii) of subsection (1)* relates and who has completed the vesting period shall, subject to *paragraph (b)* and upon application being made to the relevant authority, be eligible to receive—

(i) an annual pension equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year as a Scheme member to whom *subsection (1)* applies, and

(ii) a lump sum payment equivalent to the sum of the referable amounts in respect of each calendar year or part of a calendar year as a Scheme member to whom *subsection (1)* applies.

(b) For the purposes of *paragraph (a)*—

(i) where the person concerned is retired or discharged from the Permanent Defence Force on completion of a specified period of service or on age grounds or in accordance with *subsection (1)(b)(ii)*, then, without prejudice to *section 27(5)* or *28*, the commencement of payment of retirement benefits shall not be earlier than the age at which a person is entitled to the pension and lump sum payment under *section 27(1)(a)*,

(ii) where the person concerned retires, resigns or is dismissed or discharged from the Permanent Defence Force—

(I) as a consequence of any fault, omission or action of that person, or

(II) otherwise than in accordance with *subsection (1)(b)(ii)*,

then, without prejudice to *section 27(5)* or *28*, the commencement of payment of retirement benefits shall not be earlier than the age at which a person is entitled to the pension and lump sum payment under *section 27(1)(b)*.

(4) *Section 13* shall be read subject to this section.”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

86. In page 31, lines 28 to 30, to delete all words from and including “adjusted” in line 28 down to and including “basis” in line 30 and substitute the following:

“as adjusted, when not working on a full-time basis, by reference to the proportion that the number of hours worked bears to the number of hours that would have been worked if working on a full-time basis”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

87. In page 31, lines 35 to 37, to delete all words from and including “adjusted” in line 35 down to and including “basis” in line 37 and substitute the following:

“as adjusted, when not working on a full-time basis, by reference to the proportion that the number of hours worked bears to the number of hours that would have been worked if working on a full-time basis”.

Aontaíodh an leasú.

Amendment agreed to.

Cuireadh an Cheist:- “Go bhfanfaidh an t-Alt 25, mar a leasaíodh, mar chuid den Bhille”: rinne an Coiste vótáil: Tá, 7; Níl, 3.

Question:- “That Section 25, as amended, stand part of the Bill” - put: the Committee divided: For, 7; Against, 3.

Tá:- *An tAire Caiteachais Phoiblí agus Athchóirithe*, na Teachtaí Heather Mac Unfraidh, Caoimhín Mac Unfraidh, Peadar Mac Mathúna, Oilibhia Mistéil, Art Mac An Earraigh agus Alastar de Faoite.

For:- *The Minister for Public Expenditure and Reform*, Deputies Heather Humphreys, Kevin Humphreys, Peter Mathews, Olivia Mitchell, Arthur Spring and Alex White.

Níl:- Na Teachtaí Stephen Donnelly, Seán Ó Pléamonn agus Mary Lou McDonald.

Against:- Deputies Stephen Donnelly, Seán Fleming and Mary Lou McDonald.

Faisnéiseadh dá réir sin go rabhthas tar éis glacadh leis an gCeist.

The Question was declared carried accordingly.

(viii) Alt 26.

(viii) Section 26.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

- 88.** In page 32, subsection (2)(b), line 16, to delete “preserved pension and lump sum benefits” and substitute “pension and lump sum benefits”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, *agreed to.*

(ix) Alt 27.

(ix) Section 27.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

- 89.** In page 33, subsection (1), lines 1 and 2, to delete paragraph (a) and substitute the following:
- “(a) in the case of a person to whom *section 25(1)(b)(ii)* applies other than where *section 25(3)(b)(ii)** also applies, upon attaining the age of 60 years, and”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

- 90.** In page 33, subsection (1), to delete line 3 and substitute the following:

“(b) in any other case (including a case to which *section 25(3)(b)(ii)* applies)”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

91. In page 33, subsection (3), line 20, to delete “adjustment” and substitute “adjustments”.

Aontaíodh an leasú.

Amendment agreed to.

*Cuireadh an Cheist:- “Go bhfanfaidh an t-
Alt 27, mar a leasaíodh, mar chuid den
Bhille” – agus cinneadh gur freagra
aontach a tugadh uirthi.*

*Question:- “That Section 27, as amended,
stand part of the Bill”- put, and decided in
the affirmative.*

(x) Alt 28.

(x) Section 28.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

92. In page 35, subsection (7), lines 15 and 16, to delete “shall not exceed 7 times the value” and substitute “shall not exceed 10 times the value”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An Teachta Seán Ó
Pléamonn):*

*Amendment proposed (Deputy Seán
Fleming):*

94. In page 35, subsection (7), line 17, to delete “member” and substitute the following:

“member—

(a) so long as the scheme member does not retire, is retired or discharged on medical grounds within 7 years of last promotion,

(b) where a scheme member retires within 7 years of promotion, the gross amount of an enhancement to any pension and lump sum that may be made by virtue of regulations under *subsection (6)* shall be calculated based on—

(i) a career average, or

(ii) salary rate paid prior to promotion,

whichever is greater”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

- 95.** In page 35, subsection (8)(iii), line 35, to delete “retirement on medical grounds,” and substitute “retirement or discharge on medical grounds.”

—An tAire Caiteachais Phoiblí agus Athchóirithe.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

- 96.** In page 35, subsection (8), to delete lines 36 and 37.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xi) Alt 29.

(xi) Section 29.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

- 97.** In page 36, subsection (1), line 11, to delete “member’s actual pensionable remuneration” and substitute “member’s pensionable remuneration”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xii) *Aontaíodh alt 30.*

(xii) Section 30 *agreed to.*

(xiii) Alt 31.

(xiii) Section 31.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

- 100.** In page 36, subsection (1), lines 37 and 38, to delete “a preserved benefit” and substitute “a preserved pension or a preserved lump sum”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xiv) Alt 32.

(xiv) Section 32.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

- 101.** In page 37, subsection (2), line 47, after “retired” to insert “or been retired or discharged”.

<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Aontaíodh an t-alt, mar a leasaíodh.</i>	<i>Section, as amended, agreed to.</i>
(xv) Alt 33.	(xv) Section 33.
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
102. In page 39, lines 10 to 16, to delete subsection (6).	
<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
Cuireadh an Cheist:- “Go bhfanfaidh an t-Alt 33, mar a leasaíodh, mar chuid den Bhille”: rinne an Coiste vótáil: Tá, 7; Níl, 3.	Question:- “That Section 33, as amended, stand part of the Bill” - put: the Committee divided: For, 7; Against, 3.
Tá:- <i>An tAire Caiteachais Phoiblí agus Athchóirithe</i> , na Teachtaí Micheál Ó Críod, Heather Mac Unfraidh, Peadar Mac Mathúna, Oilibhia Mistéil, Art Mac An Earraigh agus Alastar de Faoite.	For:- <i>The Minister for Public Expenditure and Reform</i> , Deputies Michael Creed, Heather Humphreys, Peter Mathews, Olivia Mitchell, Arthur Spring and Alex White.
Níl:- Na Teachtaí Stephen Donnelly, Seán Ó Pléamonn agus Mary Lou McDonald.	Against:- Deputies Stephen Donnelly, Seán Fleming and Mary Lou McDonald.
Faisnéiseadh dá réir sin go rabhthas tar éis glacadh leis an gCeist.	The Question was declared carried accordingly.
(xvi) <i>Aontaíodh alt 34.</i>	(xvi) Section 34 <i>agreed to.</i>
(xvii) Alt 35.	(xvii) Section 35.
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
103. In page 39, subsection (1), line 28, to delete “Subject to <i>subsections</i> (2) to (5)” and substitute “Subject to <i>subsections</i> (2) to (7)”.	
<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
104. In page 40, subsection (3), lines 3 and 4, to delete all words from and including “any children” in line 3 down to and including “members” in line 4 and substitute the following: “any children of deceased members or of a class or classes of deceased members”.	

<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Aontaíodh an t-alt, mar a leasaíodh.</i>	<i>Section, as amended, agreed to.</i>
<i>(xviii) Aontaíodh alt 36.</i>	<i>(xviii) Section 36 agreed to.</i>
<i>(xix) Alt 37.</i>	<i>(xix) Section 37.</i>
<i>Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):</i>	<i>Amendment proposed (Minister for Public Expenditure and Reform):</i>
<p>105. In page 41, subsection (2), line 14, to delete “or <i>subparagraphs (i) to (iii) of subsection (2)(a)</i>” and substitute the following:</p> <p>“in respect of <i>subparagraphs (i) to (iii) of paragraph (a)</i>”.</p>	
<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):</i>	<i>Amendment proposed (Minister for Public Expenditure and Reform):</i>
<p>106. In page 41, subsection (4), line 26, after “the Minister or” to insert the following:</p> <p>“, subject to <i>subsections (5) and (6)</i>,”</p>	
<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):</i>	<i>Amendment proposed (Minister for Public Expenditure and Reform):</i>
<p>107. In page 41, subsection (4), lines 28 and 29, to delete all words from and including “where” in line 28 down to and including “equitable” in line 29 and substitute the following:</p> <p>“where such a direction is made, the Minister or the relevant authority (as the case may be) may, if considered just and equitable”.</p>	
<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):</i>	<i>Amendment proposed (Minister for Public Expenditure and Reform):</i>
<p>108. In page 41, subsection (5), lines 34 and 35, to delete all words from and including “regarding” in line 34 down to and including “paid” in line 35 and substitute the following:</p> <p>“regarding or relating to the conditions under which a children’s pension may be paid”.</p>	
<i>Aontaíodh an leasú.</i>	<i>Amendment agreed to.</i>
<i>Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):</i>	<i>Amendment proposed (Minister for Public Expenditure and Reform):</i>
<p>109. In page 41, subsection (6), line 38, to delete “In making a determination” and substitute “In exercising or not exercising a</p>	

discretion”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xx) Aontaíodh ailt 38 agus 39.

(xx) Sections 38 and 39 agreed to.

(xxi) Alt 40.

(xxi) Section 40.

Tairgeadh leasú (An Teachta Seán Ó Pléamonn):

Amendment proposed (Deputy Seán Fleming):

113. In page 43, subsection (1), line 6, to delete “may, from time to time” and substitute “shall, at intervals of six years or less”.

Tarraingíodh siar an leasú, faoi chead.

Amendment, by leave, withdrawn.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

114. In page 43, subsection (4)(c), line 36, after “23,” to insert “23,*”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxii) Alt 41.

(xxii) Section 41.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

115. In page 44, subsection (1), line 17, to delete “section 40” and substitute “section 40(4)”.

Aontaíodh an leasú.

Amendment agreed to.

Cuireadh an Cheist:- “Go bhfanfaidh an t-Alt 41, mar a leasaíodh, mar chuid den Bhille” agus cinneadh gur freagra aontach.

Question:- “That Section 41, as amended, stand part of the Bill” - put, and decided in the affirmative.

(xxiii) Alt 42.

(xxiii) Section 42.

Tairgeadh leasú (An tAire Caiteachais Phoiblí agus Athchóirithe):

Amendment proposed (Minister for Public Expenditure and Reform):

116. In page 45, subsection (1), lines 5 to 8, to delete paragraphs (a) and (b) and substitute the following:

“(a) the contributions paid by the Scheme member concerned in each pay period, and

(b) the referable amounts accrued by the Scheme member in each

pay period.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

117. In page 45, subsection (2), line 13, to delete “concerned”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

118. In page 45, subsection (2)(b), line 18, to delete “during such tax year” and substitute “in such tax year”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

119. In page 45, subsection (3)(a), line 30, to delete “pension”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxiv) Alt 43.

(xxiv) Section 43.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

120. In page 46, subsection (1), lines 4 to 9, to delete paragraph (a) and substitute the following:

“(a) in respect of any Scheme member to whom *section 20, 21, 22 or 23** applies, be paid out of the Central Fund or the growing produce of that fund by or on behalf of the Minister, and”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxv) *Aontaíodh alt 44.*

(xxv) *Section 44 agreed to.*

(xxvi) Alt 45.

(xxvi) Section 45.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

121. In page 46, subsection (2), line 41, to delete “employment” and substitute “employments”.

Aontaíodh an leasú.

Amendment agreed to.

<i>Aontaíodh an t-alt, mar a leasaíodh.</i>	Section, as amended, <i>agreed to</i> .
(xxvii) Alt nua.	(xxvii) New section.
Tairgeadh leasú (<i>An Teachta Seán Ó Pléamonn</i>):	Amendment proposed (<i>Deputy Seán Fleming</i>):
<p>122. In page 47, before section 46, but in Chapter 3, to insert the following new section:</p> <p>“46.—The Minister, notwithstanding that contained in <i>section 8</i> in relation to pre-existing public service pension schemes, shall, before any changes are made to pre-existing public service pension schemes, provide for a period of consultation with all interested stakeholders.”.</p>	
<i>Tarraingíodh siar an leasú, faoi chead.</i>	Amendment, by leave, <i>withdrawn</i> .
(xxviii) Alt 46.	(xxviii) Section 46.
Cuireadh an Cheist:- “Go bhfanfaidh an t-Alt 46 mar chuid den Bhille” agus cinneadh gur freagra aontach.	Question:- “That Section 46 stand part of the Bill” - put, and <i>decided in the affirmative</i> .
(xxix) <i>Aontaíodh alt 47.</i>	(xxix) Section 47 <i>agreed to</i> .
(xxx) Alt 48.	(xxx) Section 48.
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
<p>123. In page 47, subsection (2), line 39, after “deceased member” to insert the following:</p> <p>“or a deceased member of a pre-existing public service pension scheme, as the case may be,”.</p>	
<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
<p>124. In page 48, subsection (2), line 4, to delete “that deceased member” and substitute “any such deceased member”.</p>	
<i>Aontaíodh an leasú.</i>	Amendment <i>agreed to</i> .
Tairgeadh leasú (<i>An tAire Caiteachais Phoiblí agus Athchóirithe</i>):	Amendment proposed (<i>Minister for Public Expenditure and Reform</i>):
<p>125. In page 48, subsection (3), line 7, after “deceased member” to insert the following:</p> <p>“or a deceased member of a pre-existing public service pension</p>	

scheme, as the case may be,”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

126. In page 48, subsection (4), line 15, after “deceased member” to insert the following:

“or a deceased member of a pre-existing public service pension scheme, as the case may be,”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

127. In page 48, subsection (5)(a), lines 22 and 23, to delete all words from and including “a relevant” in line 22 down to and including “operation” in line 23 and substitute the following:

“a relevant authority or other body concerned (being the authority or body that would be responsible for, or would authorise, the payment of the pension concerned) such information as is necessary for the proper operation of the Scheme or the pre-existing public service pension scheme”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

128. In page 48, subsection (5)(b), line 28, before “such” to insert the following:

“or other body concerned (being the authority or body that is responsible for, or authorises, the payment of the pension concerned)”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

129. In page 48, between lines 30 and 31, to insert the following subsection:

“(6) Any person who—

(a) applies for or is in receipt of more than one pension under either or both the Scheme and a pre-existing public service pension scheme (whether in respect of himself or herself or otherwise), or

(b) applies for one or more than one such pension while in receipt of one or more than one such pension,

shall give to the relevant authority or other body concerned (being the authority or body that is or would be responsible for, or authorises or would authorise, the payment of any of the pensions concerned) such information as is necessary to identify, in relation to him or her or any other person in respect of whom the pension is payable or applied for, all such pensions and applications for pensions.”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

130. In page 48, subsection (6), line 42, to delete “*subsection (1), (2), (3) or (4)*” and substitute “*subsection (1), (2), (3), (4), (5) or (6*)*”.

Aontaíodh an leasú.

Amendment agreed to.

Cuireadh an Cheist:- “Go bhfanfaidh an t-Alt 48, mar a leasaíodh, mar chuid den Bhille” agus cinneadh gur freagra aontach.

Question:- “That Section 48, as amended, stand part of the Bill” - put, and decided in the affirmative.

(xxxi) Alt 49.

(xxxi) Section 49.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

131. In page 49, subsection (1)(a), lines 3 and 4, to delete “the payment of the pension to the person” and substitute the following:

“the payment to the person of the pension or of any lump sum that relates to that pension entitlement”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

132. In page 49, subsection (1)(b)(i), line 9, after “Scheme” to insert “or a pre-existing public service pension scheme”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

133. In page 49, subsection (1)(b)(ii), line 10, after “transfer” to insert “or exchange”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

134. In page 49, subsection (1), line 14, after “transferred” to insert “or exchanged”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxxii) Alt 50.

(xxxii) Section 50.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

135. In page 49, subsection (1)(b)(i), lines 24 and 25, to delete all words from and including “retirement” in line 24 down to and including “benefits” in line 25 and substitute the following:

“any preserved pension or any preserved lump sum or any other retirement benefit”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

136. In page 49, subsection (2), line 31, after “declaration” to insert “to the relevant authority concerned”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

137. In page 49, subsection (2), lines 31 and 32, to delete “any other benefits or preserved benefits” and substitute the following:

“any preserved pension or any preserved lump sum or any other retirement benefit”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

138. In page 49, subsection (3), line 36, after “declaration” to insert “to the relevant authority concerned”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public
Expenditure and Reform*):

139. In page 49, subsection (3), line 37, to delete “they are” and substitute “he or she is”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxxiii) Alt 51.

(xxxiii) Section 51.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

140. In page 50, lines 1 and 2, to delete paragraph (b) and substitute the following:

“(b) the pensioner is appointed to a position in respect of which remuneration is paid by a public service body.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

141. In page 50, subsection (1), line 16, to delete “as may be specified” and substitute the following:

“since that day as may be specified by the Minister”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

142. In page 50, between lines 38 and 39, to insert the following subsection:

“(5) Nothing in *section 3* or *subsection (4)* affects any discretion exercised by the Minister under *section 1(2)* of the Pensions (Abatement) Act 1965 in respect of a person where the person continues to hold the position to which the discretion relates.”.

Aontaíodh an leasú.

Amendment agreed to.

Tairgeadh leasú (*An tAire Caiteachais
Phoiblí agus Athchóirithe*):

*Amendment proposed (Minister for Public
Expenditure and Reform):*

143. In page 51, between lines 9 and 10, to insert the following subsection:

“(7) Nothing in this section affects the provisions of the Oireachtas (Allowances to Members) Act 1938, in particular in respect of any person to whom either or both subsection (2) of *section 4* and subsection (2) of *section 16* of that Act (as amended by the Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices

Act 2009) applies or apply, as the case may be, and those subsections shall apply to Scheme members to whom the Oireachtas (Allowances to Members) Act 1938 relates.”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxxiv) Alt 52.

(xxxiv) Section 52.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

144. In page 51, subsection (1)(a), line 12, to delete “is dismissed or resigns” and substitute the following:

“is dismissed, retired or discharged, or resigns or retires,”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

145. In page 51, subsection (2)(b), line 33, to delete “relates” and substitute “relate”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

146. In page 51, subsection (2)(b), line 34, to delete “any benefit or preserved benefit” and substitute the following:

“any preserved pension, any preserved lump sum or any other benefit”.

Aontaíodh an leasú.

Amendment agreed to.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

147. In page 51, subsection (2)(b), line 36, to delete “(including, in either case, any lump sum)”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an t-alt, mar a leasaíodh.

Section, as amended, agreed to.

(xxxv) Ailt nua.

(xxxv) New sections.

*Tairgeadh leasú (An tAire Caiteachais
Phoiblí agus Athchóirithe):*

*Amendment proposed (Minister for Public
Expenditure and Reform):*

148. In page 52, before section 53, but in Chapter 4, to insert the following new section:

53.—(1) Where a person would, but for this subsection, be eligible to receive—

- (a) more than one survivor's pension to which *section 32* relates, or
- (b) more than one survivor's pension (by whatever name called) paid under a pre-existing public service pension scheme, or
- (c) one or more than one pension to which *paragraph (a)* relates and one or more than one pension to which *paragraph (b)* relates,

then, subject to *subsection (2)*, that person shall be eligible to receive only one of those pensions.

(2) Where—

- (a) a deceased member,
- (b) a deceased member of any pre-existing public service pension scheme, or
- (c) a deceased person to whom both *paragraphs (a)* and *(b)* relate,

was duly in receipt of, or eligible to receive, more than one pension in respect of his or her public service, then the person eligible to receive in respect of such service a survivor's pension to which *subsection (1)* relates shall be eligible to receive each such pension as relates to the public service of any one such deceased member.”.

Cuireadh agus aontaíodh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

149. In page 52, before section 53, but in Chapter 5, to insert the following new section:

54.—The Public Service Superannuation (Miscellaneous Provisions) Act 2004 is amended—

(a) in section 3 by substituting the following for subsection (1):

“(1) A person who is a new entrant to the public service shall not be obliged to retire on age grounds unless—

- (a) otherwise provided for by this Act, or
- (b) he or she is a member of the Single Public Service Pension Scheme other than a member of that

Scheme who is the President, a member of either House of the Oireachtas or a qualifying office holder for the purposes of the *Public Service Pensions (Single Scheme and Other Provisions) Act 2012.*”,

and

(b) in section 5 by substituting the following for subsection (2):

“(2) The Superannuation Acts 1834 to 1963 shall have effect in respect of—

(a) with effect from 16 February 1988, the class of officers who are prison governors, and

(b) with effect from 1 March 2012, the class of officers, who are appointed to the position of Prison Campus Governor by the Minister for Justice and Equality,

subject to the Superannuation (Prison Officers) Act 1919 as if each class of officers concerned had been prescribed under and for the purposes of section 1(1) (as adapted by the Superannuation (Prison Officers) Act 1919, Adaptation Order 1933 (S.R. & O. No. 71 of 1933)) of the Superannuation (Prison Officers) Act 1919.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xxxvi) *Scríosadh* alt 53.

(xxxvi) Section 53 *deleted*.

(xxxvii) *Aontaíodh* ailt 54 go 59, go huile.

(xxxvii) Sections 54 to 59, inclusive, *agreed to*.

(xxxviii) Ailt nua.

(xxxviii) New sections.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

150. In page 55, before section 60, but in Part 3, to insert the following new section:

60.—In this Part—

“Act of 1961” means the Courts of Justice and Court Officers (Superannuation) Act 1961;

“Act of 1991” means the Courts (Supplemental Provisions) (Amendment) Act 1991.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais*)

Amendment proposed (*Minister for Public*)

151. In page 55, before section 60, but in Part 3, to insert the following new section:

61.—Section 2 of the Act of 1961 is amended—

(a) in subsection (2), by substituting “Subject to subsection (2A) of this section, upon the grant of a pension” for “Upon the grant of a pension”, and

(b) by inserting the following subsection after subsection (2):

“(2A) Upon the grant of a pension, to any person to whom this section applies, pursuant to regulations under section 5 of the Courts (Supplemental Provisions) (Amendment) Act 1991 where the amount of the pension payable is actuarially reduced by reason of that person not having reached the appropriate age within the meaning of section 6 of that Act, the amount of a gratuity granted to that person under subsection (2) of this section shall be actuarially reduced by reference to—

(a) the age of that person on the date on which he or she ceases to hold office as a judge of the Supreme Court, the High Court, the Circuit Court or the District Court, as the case may be, and

(b) the appropriate age as aforesaid of that person,

in accordance with actuarial tables approved and issued from time to time by the Minister.”.

Cuireadh agus aontaíodh an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

152. In page 55, before section 60, but in Part 3, to insert the following new section:

62.—Section 4 of the Act of 1961 is amended—

(a) in subsection (2), by substituting “Subject to subsection (2A) of this section, upon the grant of a pension” for “Upon the grant of a pension”, and

(b) by inserting the following subsection after subsection (2):

“(2A) Upon the grant of a pension, to any person to whom this section applies, pursuant to regulations

under section 5 of the Courts (Supplemental Provisions)(Amendment) Act 1991 where the amount of the pension payable is actuarially reduced by reason of that person not having reached the appropriate age within the meaning of section 6 of that Act, the amount of a gratuity granted to that person under subsection (2) of this section shall be actuarially reduced by reference to—

(a) the age of that person on the date on which he or she ceases to hold office as the Master of the High Court or Taxing Master, as the case may be, and

(b) the appropriate age as aforesaid of that person,

in accordance with actuarial tables approved and issued from time to time by the Minister.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

153. In page 55, before section 60, but in Part 3, to insert the following new section:

63.—Section 5(1) of the Act of 1991 is amended—

(a) in paragraph (a), by substituting “2 or more years of service” for “five years’ service or upwards”, and

(b) in paragraph (b), by substituting “2 or more years of service” for “five or more years of service”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

154. In page 55, before section 60, but in Part 3, to insert the following new section:

64.—Section 6 of the Act of 1991 is amended—

(a) in subsection (1), by substituting the following paragraphs for paragraphs (a) and (b):

“(a) to or in respect of a judge, including a judge of the District Court, otherwise than on his or her having reached the appropriate age or upon his or her death, and

(b) to or in respect of a person holding the office of Master of the High Court, Taxing Master or county registrar otherwise than on his or her having reached the appropriate age or upon his or her death.”,

(b) by inserting the following subsection after subsection (1):

“(1A) Notwithstanding the provisions of subsection (1) of this section as to age or lapse of time, regulations under section 5 of this Act providing for the grant of a pension mentioned in subsection (1)(a) or (1)(b) of that section to or in respect of a judge, including a judge of the District Court, or the Master of the High Court or Taxing Master may provide for the grant of such a pension to or in respect of such a judge or such officer who vacates or ceases to hold office having reached the specified age but before reaching the appropriate age, provided that the pension payable in such circumstances is actuarially reduced by reference to—

(a) the age of such a judge or such officer on the date of such vacation of office or ceasing to hold office, as the case may be, and

(b) the appropriate age of such a judge or such officer, as the case may be,

in accordance with actuarial tables approved and issued from time to time by the Minister.”,

and

(c) by adding the following subsection after subsection (5):

“(6) In this section—

‘appropriate age’ means—

(a) in relation to a judge of the Supreme Court, the High Court or the Circuit Court—

(i) 70 years of age, or

(ii) the earliest age (being not less than 65 years of age) at which 15 years have elapsed since—

(I) the date of his or her appointment to the office which he or she vacated, or

(II) the date of his or her appointment to the first office in which he or she served (where his or her service consists of service in more than one office),

whichever age is reached first,

(b) in relation to a judge of the District Court, 65 years of age, and

(c) in relation to a holder of the office of Master of the High Court, Taxing Master or county registrar, 65 years of age;

‘pension’ includes gratuity upon death;

‘specified age’ means—

(a) in relation to a judge, including a judge of the District Court, 60 years of age, and

(b) in relation to a holder of the office of Master of the High Court or Taxing Master, 60 years of age.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xxxix) *Scríosadh* ailt 60 go 64, go huile.

(xxxix) Sections 60 to 64, inclusive, *deleted*.

(xl) Ailt nua.

(xl) New sections.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

155. In page 57, before section 65, but in Part 4, to insert the following new section:

65.—In this Part “Act of 2010” means the Financial Emergency Measures in the Public Interest Act 2010.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

156. In page 58, before section 65, but in Part 4, to insert the following new section:

66.—Section 1 of the Act of 2010 is amended—

(a) by inserting the following definitions:

“ ‘aggregation of public service pensions’ means the aggregation under subsection (1A) of section 2 of two or more public service pensions payable to a pensioner for the purposes of the application of subsection (1) of that section in

relation to the pensioner;

‘pension adjustment order’ means an order under—

- (a) section 12 of the Family Law Act 1995,
- (b) section 17 of the Family Law (Divorce) Act 1996,
- (c) section 121 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, or
- (d) section 187 of that Act;”,

and

- (b) in the definition of “public service pension scheme”, by substituting “but, other than a scheme made in respect of the Central Bank of Ireland, does not include” for “but does not include”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xli) *Scríosadh* ailt 65, 66 agus 67.

(xli) Sections 65, 66 and 67 *deleted*.

(xlii) Ailt nua.

(xlii) New sections.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

157. In page 58, after line 34, to insert the following new section:

68.—Section 2 of the Act of 2010 is amended by inserting the following subsections after subsection (1):

“(1A) If two or more public service pensions are payable to a pensioner, all such pensions shall be aggregated for the purposes of applying subsection (1) in relation to the pensioner.

(1B) Where a pension adjustment order has been made in relation to a public service pension, the annualised amount of the public service pension shall be reduced under this section before it is paid in accordance with the provisions of the pension adjustment order.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

158. In page 58, after line 34, to insert the following new section:

69.—Section 4 of the Act of 2010 is amended by substituting the following subsection for subsection (1):

“(1) Without prejudice to subsection (2), reductions of public service pensions under section 2 shall be paid or disposed of as the Minister may direct and, in particular, the Minister may, for the purposes of the aggregation of public service pensions, direct a paying authority—

- (a) to reduce the annualised amount of a public service pension payable by the paying authority to a pensioner by the total amount of the reduction that applies in relation to the pensioner under section 2 in respect of all public service pensions payable to him or her, or
- (b) not to reduce the annualised amount of a public service pension payable by the paying authority to a pensioner in accordance with section 2.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

159. In page 58, after line 34, to insert the following new section:

70.—Section 5 of the Act of 2010 is amended—

- (a) in subsection (1)(b), by inserting “subject to a direction given by the Minister under section 4(1) for the purposes of the aggregation of public service pensions,” before “no paying authority is entitled to pay”, and
- (b) in subsection (2), by substituting “Subject to a direction given by the Minister under section 4(1) for the purposes of the aggregation of public service pensions, if a paying authority pays to a pensioner” for “If a paying authority pays to a pensioner”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

160. In page 58, after line 34, to insert the following new section:

71.—The Act of 2010 is amended by inserting the following section after section 6:

“6A.—(1) A pensioner shall, in relation to himself or herself, provide to a paying authority such information as is necessary for the purposes of the aggregation of public service pensions in

relation to that pensioner.

(2) Any person, other than a pensioner, who is in receipt (whether in respect of himself, herself or otherwise) of a public service pension, or a part thereof, payable to the pensioner shall provide to a paying authority such information as is necessary for the purposes of the aggregation of public service pensions in relation to that pensioner.

(3) A paying authority may transfer to the Minister or any other paying authority such information that is provided to the paying authority under subsection (1) or (2)—

(a) as the paying authority considers necessary,

(b) as may be requested by the Minister, or

(c) as may be requested by that other paying authority,

for the purposes of the aggregation of public service pensions in relation to the pensioner concerned.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

161. In page 58, after line 34, to insert the following new section:

72.—The Act of 2010 is amended by inserting the following section after section 6A (inserted by *section 71*):

“6B.—(1) A pensioner shall, in relation to a public service pension, supply his or her personal public service number to the paying authority concerned.

(2) A person, other than a pensioner, who is in receipt (whether in respect of himself, herself or otherwise) of a public service pension, or a part thereof, payable to the pensioner shall, in relation to the public service pension, supply the personal public service number of the pensioner to the paying authority concerned.

(3) A paying authority may use the personal public service number of a pensioner as a unique identifier to record information in respect of a public service pension payable to the pensioner and, whenever it transfers information in relation to that pensioner to the Minister or another paying authority, it may use that number which shall, where appropriate, be deemed to have been supplied under subsection (1) or (2), as the case may be.

(4) In this section ‘personal public service number’, in relation to a pensioner, has the meaning it has in section 262 of the Social Welfare Consolidation Act 2005.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

Tairgeadh leasú (*An tAire Caiteachais Phoiblí agus Athchóirithe*):

Amendment proposed (*Minister for Public Expenditure and Reform*):

162. In page 58, after line 34, to insert the following new section:

73.—The Act of 2010 is amended by substituting the following section for section 12:

“12.—(1) Subsection (2) applies where a doubt, question or dispute arises in the operation of this Act in respect of—

- (a) whether a person is or is not a person whose public service pension is subject to section 2, or
- (b) a case in which section 2 applies to a public service pension, the manner in which it so applies, including in circumstances where a pension adjustment order has been made in relation to the public service pension.

(2) The doubt, question or dispute concerned shall—

- (a) be submitted to the Minister by the paying authority in relation to the public service pension concerned, and
- (b) be determined by the Minister after consulting such persons (if any) as the Minister considers appropriate in the circumstances,

and the determination of the doubt, question or dispute by the Minister shall be final.”.”.

Cuireadh agus *aontaíodh* an Cheist:- “Go gcuirfear an t-alt nua isteach ansin”.

Question:- “That the new section be there inserted” - put, and *agreed to*.

(xliii) Aontaíodh an Sceideal.

(xliii) Schedule agreed to.

(xliv) An Teideal.

(xliv) Title.

Tairgeadh leasú (*An tAire Caiteachais*)

Amendment proposed (*Minister for Public*)

Phoiblí agus Athchóirithe):

Expenditure and Reform):

164. In page 7, lines 23 to 34, to delete all words from and including “TO” in line 23 down to and including “RECITALS);” in line 34 and substitute the following:

“TO PROVIDE FOR THE AMENDMENT OF THE PUBLIC SERVICE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT 2004; TO PROVIDE FOR CERTAIN OTHER CONSEQUENTIAL AMENDMENTS; TO MAKE PROVISION FOR COST NEUTRAL EARLY RETIREMENT FOR JUDGES AND CERTAIN COURT OFFICERS; TO AMEND THE FINANCIAL EMERGENCY MEASURES IN THE PUBLIC INTEREST ACT 2010;”.

Aontaíodh an leasú.

Amendment agreed to.

Aontaíodh an Teideal, mar a leasaíodh.

Title, as amended, agreed to.

6. CRÍOCHNÚ AN GHNÓ.

6. CONCLUSION OF BUSINESS.

Chríochnaigh an Coiste a bhreithniú ar an mBille ar 7.30 p.m.

The Committee concluded its consideration of the Bill at 7.30 p.m.

7. TEACHTAIREACHT CHUIG DÁIL ÉIREANN.

7. MESSAGE TO DÁIL ÉIREANN.

Cuireadh teachtaireacht chun na Dála á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an mBille agus go raibh leasuithe déanta aige air agus go raibh leasú déanta aige ar an Teideal chun go léifidh sé mar a leanas:

Message sent to the Dáil acquainting it that the Committee had completed its consideration of the Bill and had made amendments thereto and had amended the Title to read as follows:

TO PROVIDE FOR A SINGLE PUBLIC SERVICE PENSION SCHEME TO BE ESTABLISHED AND TO APPLY TO NEW ENTRANTS INTO THE PUBLIC SERVICE, TO PROVIDE FOR OTHER PUBLIC SERVICE PENSION SCHEMES NOT TO APPLY TO NEW ENTRANTS, TO PROVIDE FOR PENSIONS AND OTHER BENEFITS IN RESPECT OF SERVICE IN THE PUBLIC SERVICE BY NEW ENTRANTS AND TO PROVIDE FOR PENSIONS UNDER THE SINGLE PUBLIC SERVICE PENSION SCHEME TO BE INDEX-LINKED; TO ENABLE PENSIONS UNDER OTHER PUBLIC SERVICE PENSION SCHEMES TO BE INDEX-LINKED; TO PROVIDE FOR THE PROVISION OF INFORMATION NECESSARY FOR THE PROPER OPERATION OF PUBLIC SERVICE PENSION SCHEMES; TO MODERNISE THE LAW RELATING TO THE ABATEMENT OF PENSIONS IN CERTAIN

CIRCUMSTANCES; TO PROVIDE FOR THE AMENDMENT OF THE PUBLIC SERVICE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT 2004; TO PROVIDE FOR CERTAIN OTHER CONSEQUENTIAL AMENDMENTS; TO MAKE PROVISION FOR COST NEUTRAL EARLY RETIREMENT FOR JUDGES AND CERTAIN COURT OFFICERS; TO AMEND THE FINANCIAL EMERGENCY MEASURES IN THE PUBLIC INTEREST ACT 2010; AND TO PROVIDE FOR RELATED MATTERS

8. ATHLÁ.

Chuaigh an Coiste ar athló ar 7.30 p.m.
sine die.

8. ADJOURNMENT.

The Committee adjourned at 7.30 p.m.
sine die.

ALEX WHITE, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM CHAITEACHAS PHOIBLÍ AUGS ATHCHÓIRIÚ

PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON PUBLIC EXPENDITURE AND REFORM

Dé Céadaoin, 28 Samhain 2012

Wednesday, 28 November 2012

1. Chruinnigh an Coiste ar 2.10 p.m.

1. The Committee met at 2.10 p.m.

2. COMHALTAÍ I LÁTHAIR²³.

2. MEMBERS PRESENT²⁴.

Bhí na comhaltaí seo a leanas i láthair:

The following Members were present:

An Teachta Ciarán Ó Loinsigh (*i gCeannas*), An Teachta Brian Ó hAodha, (*an tAire Stáit ag an Roinn Airgeadais*), na Teachtaí Seán Ó Pléamonn, Heather Mac Unfraidh, Peadar Mac Mathúna, Mary Lou McDonald, Dara F. Ó Murchú, Art Mac An Earraigh agus Liam Ó Tuama.

Deputy Ciarán Lynch (*in the Chair*), Deputy Brian Hayes (*Minister of State at the Department of Finance*), Deputies Seán Fleming, Heather Humphreys, Peter Mathews, Mary Lou McDonald, Dara Murphy, Arthur Spring and Liam Twomey.

3. AN CRUINNIÚ AR FIONRAÍ.

Ordaíodh: An Cruinniú a chur ar fionraí anois go dtí 2.10 p.m. (*An Teachta Ciarán Ó Loinsigh*).

3. MEETING SUSPENDED.

Ordered: That the Meeting be now suspended until 2.10p.m. (*Deputy Ciarán Lynch*).

Cuireadh an Cruinniú ar fionraí dá réir sin ar 2.10 p.m.

The Meeting was accordingly suspended at 2.10 p.m.

Ar 2.10 p.m. athchromadh ar an gCruinniú.

The Meeting was resumed at 2.10 p.m.

3. BREITHNIÚ AR MHEASTACHÁIN I GCOMHAIR SEIRBHÍSÍ POIBLÍ.

3. CONSIDERATION OF ESTIMATES FOR PUBLIC SERVICES.

²³ Ghlac an Teachta Brian Ó hAodha (*Aire Stáit ag an Roinn Airgeadais*) ionad an Aire Caiteachais Phoiblí agus Athchóirithe [B.O. 92(1)].
Ghlac an Teachta Liam Ó Tuama ionad an Teachta Mícheál Ó Críod [B.O. 92(2)].

²⁴ Deputy Brian Hayes (*Minister of State at the Department of Finance*) substituted for the Minister for Public Expenditure and Reform [S.O. 92(1)].
Deputy Liam Twomey substituted for Deputy Michael Creed [S.O. 92(2)].

Bhreithnigh an Coiste an Meastachán seo a leanas i gcomhair Seirbhísí Poiblí don bhliain dar críoch an 31 Nollaig, 2012 –

Vóta 12 (Aoisliúntas agus Liúntais Scoir) (Meastachán Forlíontach).

Críochnaíodh an breithniú ar an Meastachán.

Cuireadh teachtaireacht chun na Dála de réir Bhuan-Ordú 87 á chur in iúl di gur chríochnaigh an Coiste a bhreithniú ar an Meastachán.

4. ATHLÁ.

Chuaigh an Coiste ar athló ar 3.30 p.m. *sine die*.

The Committee considered the following Estimate for Public Services for the year ending 31st December, 2012 –

Vote 12 (Superannuation and Retired Allowances) (Supplementary Estimate).

Consideration of the Estimate was concluded.

Message sent to the Dáil in accordance with Standing Order 87 acquainting it that the Committee had completed its consideration of the Estimate.

4. ADJOURNMENT.

The Committee adjourned at 3.30 p.m. *sine die*

CIARÁN LYNCH, T.D.
Chairman

IMEACHTAÍ AN ROGHFHOCHOISTE UM ROINN AN TAOISIGH
PROCEEDINGS OF THE SELECT SUB-COMMITTEE ON THE DEPARTMENT OF
THE TAOISEACH

Déardaoín, 19 Aibreán, 2012

Thursday, 19 April, 2012

1. Chruinnigh an Coiste ar 1.50 p.m.

1. The Committee met at 1.50 p.m.

2. COMHALTAÍ I LÁTHAIR.:

2. MEMBERS PRESENT.

An Teachta Alastar de Faoite (*i gCeannas*), An Taoiseach, an Teachta Pól Mac Eochaidh (*an tAire Stáit ag Roinn an Taoisigh agus ag an Roinn Cosanta*) na Teachtaí Séamus Ó Dálaigh, Seán Ó Pléamonn, Heather Mac Unfraidh, Caoimhín Mac Unfraidh, Oilibhia Mistéil agus Liam Ó Tuama.

Deputy Alex White (*in the Chair*), An Taoiseach, Deputy Paul Kehoe (*Government Chief Whip and Minister of State at the Departments of An Taoiseach and Defence*), Deputies Jim Daly, Sean Fleming, Heather Humphreys, Kevin Humphreys, Olivia Mitchell and Liam Twomey.

3. BREITHNIÚ AR MHEASTACHÁIN I GCOMHAIR SEIRBHÍSÍ POIBLÍ.

3. CONSIDERATION OF ESTIMATES FOR PUBLIC SERVICES.

Bhreithnigh an Coiste na Meastacháin seo a leanas i gcomhair Seirbhísí Poiblí don bhliain dar críoch an 31 Nollaig, 2012 –

The Committee considered the following Estimates for Public Services for the year ending 31st December, 2012 –

Vóta 1 (Teaghlachas an Uachtaráin)
(Meastachán Athbhreithnithe)

Vote 1 (President's Establishment)
(Revised Estimate)

Vóta 2 (Roinn an Taoisigh)
(Meastachán Athbhreithnithe Breise)

Vote 2 (Department of the Taoiseach) (Further Revised Estimate)

Vóta 3 (Oifig an Ard-Aighne)
(Meastachán Athbhreithnithe Breise)

Vote 3 (Office of the Attorney General) (Further Revised Estimate)

Vóta 4 (An Phríomh-Oifig Staidrimh) (Meastachán Athbhreithnithe)

Vote 4 (Central Statistics Office) (Revised Estimate)

Vóta 5 (Oifig an Stiúrthóra Ionchúiseamh Poiblí) (Meastachán

Vote 5 (Office of the Director of Public Prosecutions) (Revised

Athbhreithnithe)

Vóta 6 (Oifig an Phríomh-Aturnae
Stáit) (Meastachán Athbhreithnithe)

Críochnaíodh an breithniú ar an
Meastachán.

Cuireadh teachtaireacht chun na Dála de
réir Bhuan-Ordú 87 á chur in iúl di gur
chríochnaigh an Coiste a bhreithniú ar an
Meastachán.

4. ATHLÁ.

Chuaigh an Coiste ar athló ar 3 p.m. *sine
die*.

Estimate)

Vote 6 (Office of the Chief State
Solicitor) (Revised Estimate)

Consideration of the Estimate was
concluded.

Message sent to the Dáil in accordance
with Standing Order 87 acquainting it that
the Committee had completed its
consideration of the Estimate.

4. ADJOURNMENT.

The Committee adjourned at 3 p.m. *sine
die*.

Alex White T.D.
Chairman

APPENDIX 7: Meetings of the Joint sub-Committee

The following are the details, in date order, of the scheduled meetings of the Joint sub-Committee on EU Scrutiny-Finance and Public Expenditure which took place during the period under report.

Meeting No.	Date	Topic	Organisations, Groups and Individuals who attended
SCES-FPE-02	02/02/2012	Private Meeting	
SCES-FPE-03	16/02/2012	Private Meeting	
SCES-FPE-04	08/03/2012	Private Meeting	
SCES-FPE-05	22/03/2012	Scrutiny of two draft EU Regulations on strengthening economic and fiscal surveillance of euro area countries: COM (2011)819 and COM(2011)821	The Committee stood adjourned, a quorum not being present.
SCES-FPE-06	16/05/2012	Private Meeting	
SCES-FPE-07	06/06/2012	Private Meeting	

APPENDIX 8: Minutes of Proceedings of the Joint sub-Committee

JOINT SUB-COMMITTEE ON EU SCRUTINY MINUTES OF MEETING OF FEBRUARY 2012

The Sub-Committee met in private session at 2.14 p.m. in Committee Room 2, LH 2000, a quorum being present.

MEMBERS PRESENT

The following members were present:

Deputies: Pádraig MacLochláinn, Liam Twomey and Alex White (*in the chair*).

Senators: Thomas Byrne

1. ITEM DISCUSSED IN PRIVATE SESSION

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

Alex White, T.D.

Chairman

16 February 2012

JOINT SUB-COMMITTEE ON EU SCRUTINY
MINUTES OF MEETING OF 16 FEBRUARY 2012

The Sub-Committee met in private session at 2.36 p.m. in CR2, LH 2000, a quorum being present.

MEMBERS PRESENT

The following members were present:

Deputies: Michael McNamara, Liam Twomey and Alex White (*in the chair*)

Senators: Thomas Byrne

Apologies were received from Deputy Michael McGrath.

1. ITEM DISCUSSED IN PRIVATE SESSION

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

Alex White, T.D.

Chairman

8 March 2012

JOINT SUB-COMMITTEE ON EU SCRUTINY

MINUTES OF MEETING OF 8 MARCH 2012

The Sub-Committee met in private session at 2.37 p.m. in CR4, LH 2000, a quorum being present.

MEMBERS PRESENT

The following members were present:

Deputies: Joe Higgins, Michael McNamara, Liam Twomey and Alex White (*in the chair*)

Senators: Mark Daly (in substitution for Thomas Byrne)

Deputy Richard Boyd Barrett was also in attendance.

Apologies were received from Deputy Michael McGrath.

1. ITEM DISCUSSED IN PRIVATE SESSION

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

Alex White, T.D.

Chairman

22 March 2012

JOINT SUB-COMMITTEE ON EU SCRUTINY

MINUTES OF MEETING OF 16 MAY 2012

The Sub-Committee met in private session at 2.06 p.m. in CR4, LH 2000, a quorum being present.

MEMBERS PRESENT

The following members were present:

Deputies: Jim Daly, Pearse Doherty, Joe Higgins, Kevin Humphries (*in substitution for Michael McNamara*), Michael McGrath, Liam Twomey and Alex White (*in the Chair*)

Apologies were received from Senator Thomas Byrne. Deputies Peter Matthews and Olivia Mitchell, and Senator Catherine Noone were also in attendance.

1. ITEM DISCUSSED IN PRIVATE SESSION

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

Alex White, T.D.

Chairman

6 June 2012

JOINT SUB-COMMITTEE ON EU SCRUTINY

MINUTES OF MEETING OF 6 JUNE 2012

The Sub-Committee met in private session at 2.06 p.m. in CR4, LH 2000, a quorum being present.

MEMBERS PRESENT

The following members were present:

Deputies: Jim Daly, Joe Higgins, Michael McGrath, Kevin Humphreys*, Heather Humphreys**, and Alex White (*in the Chair*)

Senators: Senator Pat O'Neill***

Other Members Attending: Deputy Richard Boyd Barrett and Deputy Peter Mathews

*In substitution for Deputy Michael McNamara

**In substitution for Deputy Liam Twomey

***In part substitution for Senator Tom Sheahan

1. ITEM DISCUSSED IN PRIVATE SESSION

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

Ciarán Lynch, T.D.

Chairman

19 December 2012

JOINT SUB-COMMITTEE ON EU SCRUTINY
MINUTES OF MEETING OF 14 NOVEMBER 2012

The Sub-Committee met in private session at 2.08 p.m. in CR4, LH 2000, a quorum being present.

MEMBERS PRESENT

The following members were present:

Deputies: Pearse Doherty, Joe Higgins and Ciarán Lynch (*in the Chair*)

Senators: Senator Thomas Byrne

Other Members Attending: Senator Marie Moloney

1. ITEM DISCUSSED IN PRIVATE SESSION

2. ITEM DISCUSSED IN PRIVATE SESSION.

3. ITEM DISCUSSED IN PRIVATE SESSION

Ciarán Lynch, T.D.

Chairman

19 December 2012

JOINT SUB-COMMITTEE ON EU SCRUTINY
MINUTES OF MEETING OF 19 DECEMBER 2012

The Sub-Committee met in private session at 2.03 p.m. in CR4, LH 2000, a quorum being present.

MEMBERS PRESENT

The following members were present:

Deputies: Pearse Doherty, Joe Higgins, Ciarán Lynch (*in the Chair*), Dara Murphy*
and Ann Phelan**

Senators: Senators Thomas Byrne and Aideen Hayden***

*In substitution for Deputy Simon Harris

**In substitution for Deputy Aodhán Ó Ríordáin

***In substitution for Senator Tom Sheahan

1. ITEM DISCUSSED IN PRIVATE SESSION

2. ITEM DISCUSSED IN PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

Ciarán Lynch, T.D.

Chairman

31 January 2013