



STATUTORY INSTRUMENTS.

**S.I. No. 191 of 2018**



NATIONAL TREASURY MANAGEMENT AGENCY (DELEGATION  
OF CLAIMS FOR COSTS MANAGEMENT FUNCTIONS) ORDER 2018

## NATIONAL TREASURY MANAGEMENT AGENCY (DELEGATION OF CLAIMS FOR COSTS MANAGEMENT FUNCTIONS) ORDER 2018

Whereas each of the following Ministers of the Government, namely, the Taoiseach and Minister for Defence, the Minister for Justice and Equality, the Minister for Finance, the Minister for Education and Skills, the Minister for Housing, Planning and Local Government, the Minister for Employment Affairs and Social Protection, the Minister for Foreign Affairs and Trade, the Minister for Public Expenditure and Reform, the Minister for Culture, Heritage and the Gaeltacht, the Minister for Health, the Minister for Agriculture, Food and the Marine, the Minister for Communications, Climate Action and Environment, the Minister for Rural and Community Development, the Minister for Transport, Tourism and Sport, the Minister for Business, Enterprise and Innovation, and the Minister for Children and Youth Affairs, has requested the Government to delegate by order under section 34(1) of the National Treasury Management Agency (Amendment) Act 2014 (No. 23 of 2014) to the National Treasury Management Agency the management of any claims for costs to which the following order applies against or in favour of him or her or a state authority specified in column (2) of Schedule 1 or 2, functions in relation to which are vested in him or her;

Now, the Government in exercise of the powers conferred on them by section 34(1) of the National Treasury Management Agency (Amendment) Act 2014 (No. 23 of 2014) hereby order as follows:

1. This Order may be cited as the National Treasury Management Agency (Delegation of Claims for Costs Management Functions) Order 2018.

2. In this Order—

“Act of 2014” means National Treasury Management Agency (Amendment) Act 2014 (No. 23 of 2014);

“claim for costs” has the same meaning as it has in Part 5 of the Act of 2014;

“State authority” has the same meaning as it has in Part 5 of the Act of 2014.

3. This Order applies to a claim for costs that—

(a) is against or in favour of the State, a Minister of the Government, the Attorney General or a State authority specified in column (2) of Schedule 1 or 2, either alone or with any other person, and

(b) either—

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 1st June, 2018.*

- (i) arises before the date of this Order and is a claim for costs which the Agency and the State authority concerned determine should be managed by the agency, or
- (ii) arises after such date.

4. The management of claims for costs to which this Order applies is delegated to the Agency.

5. It is declared that the Agency shall have the functions specified in section 34(5) of the Act of 2014.

6. The National Treasury Management Agency (Delegation of Claims for Costs Management Functions) Order 2015 (S.I. No. 505 of 2015) is revoked.

## SCHEDULE 1

## Article 3

State authorities to which paragraph (i) of the definition of “State authority” applies

Minister of the Government in whom are vested functions in relation to a State authority mentioned in column (2) opposite the mention of that Minister of the Government in this column	State authority
(1)	(2)
Minister for Education and Skills	Irish Research Council Residential Institutions Statutory Fund Board
Minister for Housing, Planning and Local Government	<p>The following persons, in so far as the claim relates to their performance of functions under the Electoral Act 1992:</p> <ul style="list-style-type: none"> <li>(a) A person who stands or was previously appointed as a returning officer for a constituency under section 30(2)(a) of the Electoral Act 1992;</li> <li>(b) A person who stands or was previously appointed as an assistant returning officer under section 30(2)(b) of the Electoral Act 1992;</li> <li>(c) A person who stands or was previously appointed as a deputy returning officer under section 30(3) of the Electoral Act 1992;</li> <li>(d) A person who stands or was previously appointed to act as a returning officer under section 30(6) or (7) of the Electoral Act 1992.</li> </ul> <p>The following persons, in so far as the claim relates to their performance of functions under the Presidential Elections Act 1993:</p> <ul style="list-style-type: none"> <li>(a) A person who stands or was previously appointed as a presidential returning officer under section 9(1) of the Presidential Elections Act 1993;</li> <li>(b) A person who stands or was previously appointed to act as a presidential returning officer under section 9(2) of the Presidential Elections Act 1993;</li> <li>(c) A person who stands or was previously appointed as a local returning officer under section 10(1) of the Presidential Elections Act 1993;</li> <li>(d) A person who stands or was previously appointed to act as a local returning officer under section 10(2) of the Presidential Elections Act 1993;</li> <li>(e) A person who stands or was previously appointed as a deputy local returning officer under section 10(4) of the Presidential Elections Act 1993;</li> <li>(f) A person who stands or was previously appointed as an assistant local returning officer under section 10(6) of the Presidential Elections Act 1993.</li> </ul>

Minister of the Government in whom are vested functions in relation to a State authority mentioned in column (2) opposite the mention of that Minister of the Government in this column	State authority
	<p>The following persons, in so far as the claim relates to their performance of functions under the Referendum Act 1994:</p> <ul style="list-style-type: none"> <li>(a) A person who stands or was previously appointed as a referendum returning officer under section 14(1) of the Referendum Act 1994;</li> <li>(b) A person who stands or was previously appointed to act as a referendum returning officer under section 14(2) of the Referendum Act 1994;</li> <li>(c) A person who stands or was previously appointed as a local returning officer under section 15(1) of the Referendum Act 1994;</li> <li>(d) A person who stands or was previously appointed to act as a local returning officer under section 15(2) of the Referendum Act 1994;</li> <li>(e) A person who stands or was previously appointed as a deputy local returning officer under section 15(4) of the Referendum Act 1994;</li> <li>(f) A person who stands or was previously appointed as an assistant local returning officer under section 15(7) of the Referendum Act 1994.</li> </ul> <p>The following persons, in so far as the claim relates to their performance of functions under the European Parliament Elections Act 1997:</p> <ul style="list-style-type: none"> <li>(a) A person who stands or was previously appointed as a chief returning officer under section 15A(1) of the European Parliament Elections Act 1997;</li> <li>(b) A person who stands or was previously appointed as a returning officer under section 16(1) of the European Parliament Elections Act 1997;</li> <li>(c) A person who stands or was previously appointed to act as a returning officer under section 16(3) of the European Parliament Elections Act 1997;</li> <li>(d) A person who stands or was previously appointed as a local returning officer under section 17(1) of the European Parliament Elections Act 1997;</li> <li>(e) A person who stands or was previously appointed as a deputy local returning officer under section 17(3) of the European Parliament Elections Act 1997;</li> <li>(f) A person who stands or was previously appointed to act as a local returning officer under section 17(4) of the European Parliament Elections Act 1997.</li> </ul>
Minister for Finance	Tax Appeals Commission
Minister for Health	Cappagh National Orthopaedic Hospital The Mater Misericordiae University Hospital Ltd National Rehabilitation Hospital Peamount Hospital The Rotunda Hospital The National Maternity Hospital, Holles Street St Vincent's University Hospital St Michael's Hospital, Dun Laoghaire The Children's University Hospital Ltd., Temple Street The Royal Hospital Donnybrook St. John's Hospital, Limerick Incorporated Orthopaedic Hospital

Minister of the Government in whom are vested functions in relation to a State authority mentioned in column (2) opposite the mention of that Minister of the Government in this column	State authority
	Coombe Women and Infants University Hospital Our Lady's Children's Hospital, Crumlin Mercy University Hospital, Cork Royal Victoria Eye and Ear Hospital South Infirmary —Victoria Hospital Limited Central Remedial Clinic
Minister for Business, Enterprise and Innovation	Companies Registration Office Director of Corporate Enforcement National Employment Rights Authority
Minister for Justice and Equality	Probation Service

## SCHEDULE 2

## Article 3

State authorities to which an Order under paragraph (j) of the definition of “State authority” applies

Minister of the Government in whom are vested functions in relation to a State authority mentioned in column (2) opposite the mention of that Minister of the Government in this column	State authority
(1)	(2)
Taoiseach	Central Statistics Office The commission established by the Commission of Investigation (Certain Matters relative to An Garda Síochána and other persons) Order 2014 (S.I. No. 192 of 2014) The commission established by the Commission of Investigation (Irish Bank Resolution Corporation) Order 2015 (S.I. No. 253 of 2015) The tribunal appointed under the Tribunals of Inquiry (Evidence) Acts 1921 and 1979 (No. 2) Order 1997 Law Reform Commission National Economic and Social Council National Economic and Social Development Office Office of the Attorney General Office of the Director of Public Prosecutions President’s Establishment
Minister for Agriculture, Food and the Marine	Aquaculture Licences Appeals Board An Bord Iascaigh Mhara Marine Institute Sea Fisheries Protection Authority
Minister for Culture, Heritage and the Gaeltacht	National Library of Ireland National Gallery of Ireland National Museum of Ireland Oifig Choimisinéir na dTeangacha Oifigiúla Waterways Ireland
Minister for Children and Youth Affairs	Adoption Authority of Ireland Office of the Ombudsman for Children Child and Family Agency Children Detention School The commission established by the Commission of Investigation (Mother and Baby Homes and certain related Matters) Order 2015 (S.I. No. 57 of 2015)
Minister for Defence	Office of the Ombudsman for the Defence Forces
Minister for Education and Skills	Board of management of a community school, or a comprehensive school, which is a recognised school within the meaning of section 2 of the Education Act 1998 (No. 51 of 1998) An Chomhairle um Oideachais Gaeltachta agus Gaelscolaíochta Grangegorman Development Agency Higher Education Authority

Minister of the Government in whom are vested functions in relation to a State authority mentioned in column (2) opposite the mention of that Minister of the Government in this column	State authority
	National Council for Curriculum & Assessment National Council for Special Education Qualifications and Quality Assurance Authority of Ireland Seirbhís Oideachais Leanúnaigh Agus Scileanna State Examinations Commission Teaching Council
Minister for Housing, Planning and Local Government	Housing and Sustainable Communities Agency Pyrite Resolution Board The tribunal appointed under the Tribunals of Inquiry (Evidence) Acts 1921 and 1979 (No. 3) Order 1997
Minister for Finance	Comptroller and Auditor General Credit Union Restructuring Board Irish Fiscal Advisory Council Revenue Commissioners National Assets Management Agency National Treasury Management Agency
Minister for Health	Health Information and Quality Authority Health Service Executive Adelaide and Meath incorporating the National Children's Hospital Beaumont Hospital Dublin Dental School and Hospital St. James's Hospital
Minister for Business, Enterprise and Innovation	Controller of Patents, Designs and Trade Marks Employment Appeals Tribunal Equality Tribunal Labour Court Labour Relations Commission Registrar of Friendly Societies
Minister for Justice and Equality	Censorship of Publications Appeal Board Censorship of Publications Board Charities Regulatory Authority Classification of Films Appeal Board The commission established by the Commission of Investigation (Ronan MacLochlainn) Order 2014 (S.I. No. 346 of 2014) The commission established by the Commission of Investigation (Certain Matters relative to the Cavan/Monaghan Division of the Garda Síochána) Order 2015 (S.I. No. 38 of 2015) The tribunal appointed under the Tribunals of Inquiry (Evidence) Act 1921 (Establishment of Tribunal) Instrument 2002 The tribunal appointed under the Tribunals of Inquiry (Evidence) Act 1921 (Establishment of Tribunal) Instrument 2005 Commissioner of the Garda Síochána Courts Service Criminal Assets Bureau Data Protection Commissioner Garda Síochána Inspectorate

Minister of the Government in whom are vested functions in relation to a State authority mentioned in column (2) opposite the mention of that Minister of the Government in this column	State authority
	Garda Síochána Ombudsman Commission Governor of a prison Insolvency Service of Ireland Irish Film Classification Office Legal Aid Board Private Security Authority Private Security Appeal Board Property Registration Authority Property Services Appeal Board Property Services Regulatory Authority
Minister for Public Expenditure and Reform	Commissioners for Public Service Appointments Commissioners of Public Works in Ireland Commissioner of Valuation Houses of the Oireachtas Commission Houses of the Oireachtas Service Office of the Ombudsman Public Appointments Service State Laboratory Valuation Tribunal
Minister for Employment Affairs and Social Protection	Office of the Pensions Ombudsman Social Welfare Tribunal
Minister for Transport, Tourism and Sport	Marine Casualty Investigation Board Road Safety Authority



GIVEN under the Official Seal of the Government,  
29 May 2018.

LEO VARADKAR,  
Taoiseach.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

---

€3.05



Wt. (B33518). 285. 6/18. Essentra. Gr 30-15.