



STATUTORY INSTRUMENTS.

S.I. No. 486 of 2023



LOCAL GOVERNMENT ACT 1991 (REGIONAL ASSEMBLIES)
(ESTABLISHMENT) (AMENDMENT) ORDER 2023

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(ESTABLISHMENT) (AMENDMENT) ORDER 2023

I, DARRAGH O'BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 3 and 43 of the Local Government Act 1991 (No. 11 of 1991) (as amended by section 62 of the Local Government Reform Act 2014 (No. 1 of 2014)) and with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform hereby order as follows:-

Citation

1. This Order may be cited as the Local Government Act 1991 (Regional Assemblies) (Establishment) (Amendment) Order 2023.

Interpretation

2. "*Principal Order*" means the Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014 (S.I. No. 573 of 2014).

Amendment of Principal Order

3. The Principal Order is amended by inserting after Article 51 the following:

"Tenure of Director

51A A person who holds the position of director of a regional assembly may seek to have his or her tenure period extended where written notification is given by the director to the Cathaoirleach of the regional assembly concerned.

51B A director seeking to have his or her tenure period extended under article 51A shall provide written notification of this a minimum of 3 months in advance of the expiration date of his or her contract.

51C A written notification provided by a director to the Cathaoirleach of a regional assembly prior to this amendment coming into operation shall be deemed as valid for the purpose of Article 51B.

51D On receipt of notification the Cathaoirleach of the regional assembly concerned shall—

- (a) inform the members of the regional assembly of it at the next meeting of that regional assembly, and
- (b) transmit a copy of it to the Minister and to the chief executive of the Public Appointments Service.

51E A regional assembly may, with the approval of the Minister, extend the contract of employment of a director subject to such terms and conditions as may be specified by the Minister with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform.

51F In no case shall the tenure period of a director's contract be extended so as to exceed 10 years' service in total.

51G In cases where notification is not provided under Articles 51A to 51D then a director's employment shall cease with effect from the expiration date of his or her contract of employment."

GIVEN under my hand,
4 October 2023

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage

The Minister for Public Expenditure, National Development Plan Delivery and Reform hereby consents to the Local Government Act 1991 (Regional Assemblies) (Establishment) (Amendment) Order 2023.



GIVEN under the Official Seal of the
Minister for Public Expenditure, National
Development Plan Delivery and Reform,
28 September, 2023.

PASCHAL DONOHOE,
Minister for Public Expenditure, National Development
Plan Delivery and Reform.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order amends the Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014.

This Order provides clarification on the provision for extension of a director's contract of employment by a regional assembly and sets a maximum period of tenure of 10 years.

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