



STATUTORY INSTRUMENTS.

S.I. No. 573 of 2014



LOCAL GOVERNMENT ACT 1991 (REGIONAL ASSEMBLIES)
(ESTABLISHMENT) ORDER 2014

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DISSOLVED AND SUCCESSOR REGIONAL ASSEMBLIES

S.I. No. 573 of 2014

LOCAL GOVERNMENT ACT 1991 (REGIONAL ASSEMBLIES)
(ESTABLISHMENT) ORDER 2014

The Minister for the Environment, Community and Local Government, in exercise of the powers conferred on him by sections 3 and 43 (inserted by section 62 of the Local Government Reform Act 2014 (No. 1 of 2014)) of the Local Government Act 1991 (No. 11 of 1991) (as adapted by the Environment, Heritage and Local Government (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 193 of 2011)), by section 115 of the Local Government Act 2001 (No. 37 of 2001) and by sections 4 and 62 of the Local Government Reform Act 2014 (No. 1 of 2014) and with the consent of the Minister for Public Expenditure and Reform, hereby orders as follows:-

Part 1

PRELIMINARY AND GENERAL

Citation

1. This Order may be cited as the Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014.

Interpretation

2. (1) In this Order—

“Act of 1991” means the Local Government Act 1991 (No. 11 of 1991);

“Act of 2000” means the Planning and Development Act 2000 (No. 30 of 2000);

“Act of 2001” means the Local Government Act 2001 (No. 37 of 2001);

“Association of Irish Local Government” means an association under section 225 of the Local Government Act 2001 (No. 37 of 2001);

“2015 establishment day” means the day on which this Order comes into operation;

“Committee of the Regions” has the same meaning as it has in Article 4 of the Treaty Establishing the European Economic Community (as inserted by the Treaty on European Union);

“contract of employment” has the same meaning as it has in the Protection of Employees (Fixed-Term Work) Act 2003 (No. 29 of 2003);

“constituent local authority” means, with respect to the area constituting a region, the county council, city council or city and county council specified in

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 23rd December, 2014.*

column (2) of Schedule 1 opposite the title of that regional assembly specified in column (3) of that Schedule;

“Director of Audit” means a person appointed under section 116 of the Local Government Act 2001 (No. 37 of 2001);

“dissolved regional assembly” means a regional assembly in existence immediately before the 2015 establishment day and dissolved by virtue of Article 62 and shall be read in accordance with column (1) of Schedule 4;

“dissolved regional authority” means a regional authority dissolved by virtue of the Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014 (S.I. No. 228 of 2014);

“fixed-term employee” has the same meaning as it has in the Protection of Employees (Fixed-Term Work) Act 2003 (No. 29 of 2003);

“Greater Dublin Area” has the meaning given to it by section 3 of the Dublin Transport Authority Act 2008 (No. 15 of 2008);

“Minister” means the Minister for the Environment, Community and Local Government;

“National Spatial Strategy” means the ‘National Spatial Strategy: 2002–2020’ published by the Government on 28 November 2002, or any document published by the Government which amends or replaces that strategy;

“Order of 1999” means the Local Government Act 1991 (Regional Authorities) (Establishment) Order 1999 (S.I. No. 226 of 1999);

“public authority” has the meaning given to it by section 2 of the Local Government Act 2001 (No. 37 of 2001);

“public body” has the meaning given to it by section 22A(5) of the Planning and Development Act 2000 (No. 30 of 2000);

“recognised trade union or staff association” has the meaning given to it by paragraph 4(6) of Schedule 4 to the Local Government Reform Act 2014 (No. 1 of 2014);

“regional assembly” means a regional assembly established by this Order and “region” shall be construed accordingly;

“regional spatial and economic strategy” has the meaning given to it in Chapter III of Part II of the Planning and Development Act 2000 (No. 30 of 2000);

“successor regional assembly” shall be read in accordance with Article 62 and column (2) of Schedule 4;

“strategic planning area” shall be read in accordance with Article 42 and Schedule 3.

Commencement

3. This Order comes into operation on 1 January 2015.

Part 2

REGIONAL ASSEMBLY AREAS, ESTABLISHMENT, CONSTITUTION, MEMBERSHIP AND
RELATED PROVISIONS

Establishment and constitution

4. (1) Each area described in column (2) of Schedule 1 shall constitute a region within the meaning of and for the purposes of section 43 of the Act of 1991, and shall be called and known by the name specified in column (1) of that Schedule opposite the description of that area.

(2) There is established in respect of each region specified in column (1) of Schedule 1, a regional assembly to be called and known by the title specified in column (3) of that Schedule opposite the name of the region, and the headquarters of each such regional assembly shall be at the location specified in column (5) of that Schedule opposite the name of the region.

Number of members of regional assembly and appointments

5. (1) A regional assembly specified in column (3) of Schedule 1 shall consist of the number of members specified in column (4) of that Schedule opposite the mention in the said column (3) of that regional assembly.

(2) Every member of a regional assembly shall be appointed by the constituent local authority of which such person is a member.

(3) The number of persons to be appointed to be members of a regional assembly by a constituent local authority shall be as follows:-

(a) in the case of the council of the city of Dublin, 7,

(b) in the case of the council of the county of Cork, 5,

(c) in the case of the councils of the counties of Donegal, Dun Laoghaire — Rathdown, Fingal, Galway, Kerry, Kildare, Mayo, Meath, South Dublin, Tipperary, Wexford and Wicklow and the council of the city and county of Limerick, 3 each, and

(d) in every other case, 2 each.

Timing of appointments

6. (1) In respect of the first term of office of members of a regional assembly, with effect from the 2015 establishment day to the end of that term and as provided for in Article 7, the members of a regional assembly specified in column (3) of Schedule 1 shall be those appointed by a local authority for a local government area specified in column (2) of that Schedule, opposite the title of that assembly in column (3), to a dissolved regional assembly in 2014 in accordance with the provisions of the Order of 1999.

(2) In respect of every other term of office of members of a regional assembly, the persons to be appointed by a local authority in accordance with Article 5 to be members of a regional assembly shall be appointed at the annual meeting of such local authority held next after every election of the members of such local authority, or so soon thereafter as may be.

Tenure of office of members

7. Every member of a regional assembly shall hold office (unless the member sooner dies, resigns or becomes disqualified or membership terminates under Article 10) until the day after the next appointment of members of that assembly in accordance with Article 5.

Disqualification from membership

8. A person is disqualified from being a member of a regional assembly where that member ceases to be (or is disqualified from being) a member of the local authority by which such person was appointed to be a member of the regional assembly.

Resignation from membership

9. A member of a regional assembly may at any time resign from membership of the assembly by giving signed notice in writing to the director of the assembly and the resignation shall take effect from the date of the receipt of the notice by the director.

Resignation from membership due to continuous absence

10. A person shall be deemed to have resigned from membership of a regional assembly where the person is absent from attendance at any meeting of the assembly for a continuous period of 6 consecutive months (“the relevant period”) from the date of his or her last attendance at a meeting of the assembly (“the relevant date”), except where the absence was due to illness or in good faith for another reason approved by the regional assembly before the expiry of that period when the relevant period shall stand extended to 18 months after the relevant date.

Attendance at meeting abandoned due to failure to obtain a quorum

11. Where a meeting of a regional assembly is abandoned because of a failure to obtain a quorum, the names of the members who attended at the time and place appointed for the holding of the meeting shall be recorded and those members shall be deemed to have attended a meeting of the assembly for the purposes of Article 10 or for the purpose of any allowance payable in accordance with this Order or with any directions given by the Minister.

Cessor of membership of other bodies

12. A person who ceases to be a member of a regional assembly under Article 8, 9, or 10 also ceases to be a member of any body to which he or she was nominated or appointed by, or by virtue of membership of, the regional assembly, including the Committee of the Regions.

Savers (membership)

13. Nothing in Article 8 or 10 shall be read so as to affect the validity of anything previously done by the person while a member of the regional assembly or the Committee of the Regions or any other body concerned.

Casual vacancies

14. (1) A casual vacancy in the membership of a regional assembly occurs where a member is disqualified, or resigns, or is deemed to have resigned in accordance with Article 8, 9 or 10, or upon the death of a member.

(2) A casual vacancy shall, as soon as may be, be filled by the local authority which appointed the member in accordance with Article 5.

Savers (vacancies)

15. (1) A regional assembly may act notwithstanding a vacancy or more than one vacancy among its members.

(2) Without prejudice to the requirements of Article 45, the acts, decisions and proceedings of a regional assembly shall not be invalidated only because of a vacancy or vacancies in its membership or because of the disqualification or want of qualification of any of its members or any defect in appointment of a member.

Cathaoirleach and Leas-Chathaoirleach

16. (1) A regional assembly shall, from time to time, elect one of its members to be the Cathaoirleach and one of its members to be the Leas-Chathaoirleach of the assembly in accordance with the procedures set out in Schedule 2.

(2) The Cathaoirleach shall take precedence at all meetings of the regional assembly.

(3) Anything authorised or required by this Order or by a direction given by the Minister or otherwise by law to be done by, to, or with the Cathaoirleach of the assembly may, where necessary, be done by, to or with the Leas-Chathaoirleach.

(4) Where a casual vacancy occurs in the office of Cathaoirleach of a regional assembly, the Leas-Chathaoirleach shall assume the responsibilities of the office pending the election of a Cathaoirleach, in accordance with this Article.

Tenure of office of Cathaoirleach and Leas-Chathaoirleach

17. A Cathaoirleach or Leas-Chathaoirleach shall hold office for the period specified by the assembly when making the appointment unless—

- (a) such person ceases to be, resigns or becomes disqualified from being a member of that assembly,
- (b) such person resigns from the office of Cathaoirleach or Leas-Chathaoirleach in accordance with Article 18, or
- (c) the regional assembly, on foot of a proposal—

- (i) for which not less than two-thirds of the members of the regional assembly present vote in favour, and
- (ii) of which not less than seven days notice was given to every person who was then a member of the assembly,

terminates such person's appointment as either Cathaoirleach or Leas-Chathaoirleach.

Resignation of Cathaoirleach or Leas-Chathaoirleach

18. A Cathaoirleach or Leas-Chathaoirleach of a regional assembly may, at any time, resign the office by giving signed notice in writing to the director of the assembly and the resignation shall take effect from the date of receipt of the notice by the director.

Seal of regional assembly

19. (1) As soon as may be after its establishment, a regional assembly shall provide itself with a seal which shall be retained in the custody of the director of the assembly.

(2) The seal of a regional assembly shall be authenticated by the signature of the Cathaoirleach of the assembly, or of the Leas-Chathaoirleach of the assembly, or of some other member of the assembly, or of the director of the assembly, or of such member of the staff of the assembly as may be authorised by the assembly to act in that behalf.

Part 3

FUNCTIONS AND POWERS OF REGIONAL ASSEMBLIES

General functions of regional assembly

20. (1) Without prejudice to its general functions under section 43(1) of the Act of 1991, and to the matters relating to a regional spatial and economic strategy set out in Chapter III of Part II of the Act of 2000 or any regulations made under those provisions, the functions and powers of a regional assembly shall be as set out in Articles 20 to 40.

(2) In the performance of its functions, a regional assembly shall have regard to the general welfare, strategic planning and sustainable development requirements of the region, including—

- (a) the physical, economic, social, demographic, infrastructural and environmental situation of the region, its economic and other development potential and the protection or improvement of its environmental, heritage, amenity and cultural resources,
- (b) the programmes, plans, policies, proposals and objectives of the Government and of any Minister of the Government and of local authorities and other public authorities, as appropriate, and the need to promote coordination of or consistency with them,

- (c) the resources that are available, or are likely to be available, for the performance of its functions,
- (d) the particular need for coordinated action to promote effectiveness in local government and public services, to promote consistency with the programmes, plans, policies, proposals and objectives of the Government or Minister of the Government, and to ensure coherent spatial planning and sustainable development within and between regions.

Programme of work

21. (1) A regional assembly shall-

- (a) no later than 28 February of each year, adopt a programme of work in relation to the performance of its functions, for that year, and
- (b) provide a copy of the programme of work to its constituent local authorities no later than 31 March each year.

(2) In preparing the programme of work set out in paragraph (1), a regional assembly shall endeavour to address any recommendations made by a constituent local authority, including in relation to the expenditure incurred, value for money achieved, and the performance of its functions by the regional assembly in the previous year.

Compliance reports

22. A regional assembly shall provide such reports as are requested by the National Oversight and Audit Commission, the Minister, other Ministers of the Government or to relevant public bodies, in relation to compliance by local authorities or other public bodies with regional strategies and plans or with national strategies and plans including any national planning framework or strategy.

Training of regional assembly members

23. A regional assembly may, in conjunction with constituent local authorities and the Association of Irish Local Government, support and promote training among regional assembly members in relation to performance of their functions.

Delegation of functions to director

24. A regional assembly may, subject to Chapter III of Part II of the Act of 2000 and any regulations or directions under that Act, delegate any of its functions, other than those provided for in Articles 21, 25, 26, 32, 41, 42, 44, 55(1), 55(2), 56(1), 57(5), 57(8) and 58(3), to the director, as it considers necessary for the effective performance of its functions.

Functions relating to the Planning and Development Acts 2000 to 2014

25. It shall be a function of a regional assembly to perform functions, in accordance with Chapter III of Part II of the Act of 2000 and any regulations or directions under that Act.

Functions relating to local economic and community plans

26. It shall be a function of a regional assembly to perform functions in relation to a local economic and community plan in accordance with sections 66A to 66H of the Act of 2001.

Regional economic forum

27. A regional assembly shall, in accordance with such terms, conditions, requirements or procedures as the Minister may direct, facilitate and support coherent economic development at regional, strategic planning area and local authority levels, including through a regional economic forum in conjunction with relevant public bodies, local authorities, other relevant organisations or individuals.

Provision of assistance to local authorities

28. A regional assembly shall facilitate and, where appropriate, provide assistance to local authorities in engaging with EU institutions on matters related to regional and local development and on programmes and projects where assistance from the European Union may be sought.

Functions in connection with assistance from the European Union

29. The functions of a regional assembly in matters relating to assistance from the European Union shall be as determined by the Minister for Public Expenditure and Reform in accordance with such terms, conditions, requirements or procedures as that Minister may specify and may include, but not be limited to, the following—

- (a) providing such proposals, recommendations, advice or information as may be required by the Minister, the Minister for Public Expenditure and Reform or any other Minister for the purpose of making or supporting an application to the European Union for financial assistance,
- (b) ensuring that that all applications for financial assistance referred to in paragraph (a) are consistent with the objectives of, and contribute to the implementation of, the regional spatial and economic strategy for the region or other relevant national or regional policy, objective or strategy,
- (c) preparing applications and proposals, managing and implementing programmes and projects, and performing all such other functions as are required under the relevant European Union Regulations governing European Union programmes of financial assistance and projects for which European Union financial assistance is provided,
- (d) monitoring the implementation in its region of programmes and projects in respect of which financial assistance is made available by the European Union,
- (e) (i) participating in the preparation, monitoring and implementation of any programme of European Union assistance that involves another Member State or a region of another Member State of the European Union, and

- (ii) establishing and holding on account funds on behalf of Ireland and one or more Member States in respect of European Union programmes of financial assistance for territorial cooperation, and
- (f) paying grants directly to beneficiaries, or contracting with Government Departments or other public bodies to deliver funding in accordance with the relevant European Union Regulations governing European Union programmes of financial assistance.

Technical assistance and other funding

30. The Minister for Public Expenditure and Reform may recoup to each regional assembly the amount of any approved costs incurred by the assembly in the discharge of functions under this Article, which costs shall be shown separately in each estimate and statement of accounts prepared by each such assembly.

Functions in connection with the National Oversight and Audit Commission

31. (1) A regional assembly shall facilitate the performance by the National Oversight and Audit Commission of its functions in accordance with the provisions of section 126C(2) of the Act of 2001.

(2) A regional assembly shall undertake research, studies, surveys or the collection of information, data or statistics, or arrange for such research, studies, surveys or the collection of information, data or statistics to be undertaken, and provide such reports, on any matter to which the functions of the National Oversight and Audit Commission relate, as may be required by the Commission following consultation with the regional assembly from time to time, in accordance with sections 126D and 126E of the Act of 2001.

(3) A regional assembly shall provide a copy of its corporate plan and annual report, within 6 months of their completion, to the National Oversight and Audit Commission.

(4) A regional assembly shall submit a monitoring report, prepared in accordance with section 25A of the Act of 2000, within 2 months of its completion, for consideration by the National Oversight and Audit Commission and shall undertake to implement any recommendations made by the Commission in relation to relevant measures to support the implementation of the regional spatial and economic strategy concerned.

Membership of Committee of the Regions

32. (1) Where a member of a constituent local authority is appointed as a member of the Committee of the Regions but is not a member of the relevant regional assembly under the Schedule 1 then, by virtue of this Article, on and from such appointment such person shall become, and be and hold office as, a member of the relevant regional assembly specified in column (3) of Schedule 1 opposite the local authority specified in column (2) of which that person is a member.

(2) A person who by virtue of paragraph (1) becomes a member of a regional assembly shall hold office as such member subject to him or her remaining a member of the Committee of the Regions.

(3) The membership of each regional assembly concerned, set out in column (4) of Schedule 1, shall be increased in accordance with paragraph (1) of this Article for so long, but only for so long, as a person is a member pursuant to this Article, and Article 5 shall be construed and have effect accordingly.

(4) A member of a regional assembly appointed as a member or as an alternate to the Committee of the Regions shall keep the assembly informed of the proceedings of the Committee and members of the Irish delegation to the Committee shall jointly present an annual report to the assembly in that respect, or at any other time if so requested by the Cathaoirleach of the regional assembly, by the regional assembly, by the Cathaoirleach of a constituent local authority or by resolution of a constituent local authority.

Directions

33. (1) The Minister may give to a regional assembly such general or particular directions on any matter related to its functions.

(2) A direction under paragraph (1) may provide for the designation, for such period as is specified in the direction, of the chief executive of a constituent local authority to be the designated chief executive in respect of the region set out in column (2) of Schedule 1 and on whom shall stand conferred such functions in relation to the regional assembly as may be specified in the direction.

(3) Every other provision of this Order relating to the giving of directions by the Minister shall apply without prejudice to paragraph (1) of this Article.

Powers of regional assembly

34. Subject to the provisions of this Order, a regional assembly may do all such things as arise out of, or are consequential on, or are necessary or expedient for, the effective performance of its functions.

Powers in connection with research, etc.

35. A regional assembly may carry out, or otherwise facilitate or participate in the carrying out of research, studies, surveys or the collection of information, data or statistics in relation to any of its functions.

Consultation by regional assembly

36. A regional assembly may consult with any public body to ensure that any strategies, plans and programmes prepared by the public body are consistent, as far as practicable, with national and regional objectives set out in the National Spatial Strategy, national policies and objectives in relation to economic development and the regional spatial and economic strategy.

Engagement of specialist services

37. (1) A regional assembly may engage such specialist service providers as it considers necessary for the effective performance of its functions, subject to such conditions as may be specified by the Minister and having regard to the

availability of resources for that purpose and to the need to maximise value for money for such resources.

(2) Any fees due to such specialist service provider shall be paid by the assembly out of moneys at its disposal.

Statements or reports by regional assembly in relation to performance of functions

38. (1) A regional assembly may make such statements or reports on any matter relating to or arising from the performance of its functions as the Minister, the Minister for Public Expenditure and Reform, or a constituent local authority may from time to time request.

(2) Where a statement or report is prepared by a regional assembly, the assembly shall—

- (a) furnish a copy of the statement or report to each constituent local authority, to each public body or other body represented on a committee established under Articles 41 or 42 to which the statement or report relates, and to such other local authorities, public bodies, other bodies or persons as the regional assembly considers appropriate,
- (b) publish the statement or report on the regional assembly's website, and
- (c) make copies of the statement or report conveniently available for inspection by any person or for purchase by any person at such price as may be determined by the regional assembly and give notice of the date on and from which the statement or report shall be so made available.

Requests for information

39. A regional assembly may request a local authority or other public authority to provide information in connection with any function of such local authority or public authority and to arrange, for that purpose, for the attendance at a meeting of the regional assembly, or of a committee of the regional assembly, of a representative of such local authority or public authority.

Recovery of costs

40. (1) A regional assembly may recover the costs incurred by it from time to time for, or in connection with, services rendered by it.

(2) A regional assembly may, with the consent of the Minister, the Minister for Public Expenditure and Reform and the Minister for Finance, borrow money on overdraft or otherwise for such purposes as are necessary for the performance of its functions.

(3) A regional assembly, with the consent of the Minister, may purchase or lease any land or premises where necessary for the performance of its functions and with the like consent sell, let, or otherwise dispose of, any land or premises vested in the regional assembly.

Part 4

COMMITTEES OF REGIONAL ASSEMBLIES

Committees of regional assembly

41. (1) A committee established in accordance with section 43(9) of the Act of 1991 shall consist of not less than 3 persons.

(2) A person who is not a member of the regional assembly shall not be appointed to be a member of a committee unless, in the opinion of the assembly, such person is a person having knowledge, qualifications or experience as are necessary for the effective performance by a committee of its functions.

(3) A member of a committee of a regional assembly may be removed from office at any time by the regional assembly.

(4) A committee may act notwithstanding a vacancy or more than one vacancy among its members.

(5) A regional assembly may determine the terms of reference and regulate the procedure of a committee established under this Article.

(6) A committee established under this Article shall provide the regional assembly with such information or reports as the assembly may, from time to time, require in respect of its activities and operation.

(7) Subject to paragraph (5), a committee of a regional assembly shall stand dissolved on the day after the next appointment of members of that assembly in accordance with Article 5.

(8) The provisions of this Article shall also apply to committees established under Article 42.

Strategic planning area committee

42. A regional assembly shall establish a strategic planning area committee in respect of each strategic planning area within the region, specified in column (2) of Schedule 3, consisting of the members of the regional assembly appointed by the constituent local authorities specified in column (3) of that Schedule opposite the mention in the said column (2) of the area, and of persons who are not members of the regional assembly, to perform functions, in respect of such area, in relation to the regional spatial and economic strategy in accordance with Chapter III of Part II of the Act of 2000 and any regulations or directions under that Act.

Part 5

MEETINGS AND PROCEDURES OF REGIONAL ASSEMBLIES

Meetings

43. (1) The first meeting of a regional assembly shall be held no later than 30 days after the appointment of the members in accordance with Articles 5 and 6.

(2) A regional assembly may hold such other meetings as may be necessary for the performance of its functions.

(3) Subject to any conditions, restrictions or requirements specified by a regional assembly under its standing orders, representatives of the media (within the meaning of section 45 of the Act of 2001) and any other person shall be entitled to be present at a meeting of the assembly.

(4) Nothing in this Article shall require a regional assembly to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.

(5) In so far as practicable, the headquarters of the regional assembly shall be the location for all meetings.

(6) Save as is otherwise provided in this Order, all acts and decisions of a regional assembly and all questions arising at a meeting of a regional assembly shall be determined by a majority of the votes of the members of the assembly present and voting on the act, decision or question, and in the case of an equal division of votes, the Cathaoirleach shall have a second or casting vote.

Standing orders

44. (1) Subject to the provisions of this Order and any directions given by the Minister, a regional assembly shall regulate, by standing orders or otherwise, its procedure or business and may amend or revoke standing orders.

(2) Standing orders under this Article may include provisions regulating the business and proceedings of committees established by the regional assembly under Part 4 of this Order.

Quorum

45. (1) The quorum for a meeting of a regional assembly shall be one quarter of the membership of the assembly or, where one quarter of the membership is not a whole number, the next highest whole number.

(2) The quorum for a meeting of a committee established by the regional assembly under section 43(9) of the Act of 1991 shall be one quarter of the membership of the committee or where one quarter of the membership is not a whole number, the next highest whole number but not less than 3 members.

Calling of meeting

46. (1) The Cathaoirleach of a regional assembly may, at any time, call a meeting of the assembly.

(2) The Cathaoirleach shall, at the request in writing of not less than one quarter of the members of the regional assembly, call a meeting of the assembly.

(3) If the Cathaoirleach refuses to call a meeting of the assembly after a request pursuant to paragraph (2) has been made or does not call a meeting of the assembly before the expiration of 7 days after receiving such a request, not less than one quarter of the members of the assembly may call such a meeting.

Notice of meeting

47. (1) The director of the assembly shall, not later than 3 days before a meeting of the assembly called under Article 43 send a notice in writing to each member of the assembly which shall specify—

(a) the place at which, the date on which and the time at which the meeting will take place, and

(b) the matters that will be the subject of the meeting.

(2) A meeting of the regional assembly or any function performed by the assembly at such meeting shall not be invalid by reason only of a member of the assembly not receiving a notice under paragraph (1).

(3) A regional assembly shall make such arrangements as it considers appropriate to give public notice of each meeting of the assembly, including the time and place of the meeting.

Cathaoirleach at meeting

48. (1) At a meeting of a regional assembly—

(a) the Cathaoirleach of the assembly shall, if present, be Cathaoirleach of the meeting,

(b) if and so long as the Cathaoirleach of the assembly is not present or the office of Cathaoirleach is vacant, the Leas-Chathaoirleach, if present, shall be Cathaoirleach of the meeting, and

(c) if and so long as the Cathaoirleach and Leas-Chathaoirleach of the assembly are not present or the offices of Cathaoirleach and Leas-Chathaoirleach are vacant, the members of the regional assembly who are present shall choose one of their number to be Cathaoirleach of the meeting.

(2) Anything authorised or required by this Order to be done by, to or with the Cathaoirleach may, where necessary, be done by, to or with the Leas-Chathaoirleach or member chosen in accordance with subparagraph (c) of paragraph (1).

Minutes of meeting

49. (1) Minutes of the proceedings at a meeting of a regional assembly shall be drawn up and shall be signed by the Cathaoirleach of the meeting or of the next ensuing meeting and retained in the custody of the director of the assembly.

(2) The names of the members of a regional assembly present at a meeting of an assembly shall be recorded in the minutes of the proceedings of the meeting.

(3) The names of the members of a regional assembly voting on any question arising at a meeting of an assembly shall be recorded in the minutes of the proceedings of the meeting and the record shall show which members voted for and which against the question.

Disorderly conduct at meeting

50. (1) If—

- (a) in the opinion of the person chairing a meeting of the regional assembly (“the chair”), any member has been or is disorderly by persistently disregarding a ruling of the chair, or by behaving irregularly, improperly or offensively, or by otherwise obstructing the business of the meeting, and
- (b) the chair has conveyed his or her opinion to the members present by naming the member concerned,

then the chair or any member may move “that the member named leave the meeting” and the motion, if seconded, shall be put and determined without discussion.

(2) Where a regional assembly determines, in accordance with paragraph (1), that a member leave a meeting, that member shall immediately leave the meeting and shall not be entitled to speak or to take any further part in that meeting on that day.

(3) Where—

- (a) in the opinion of the chair there is general disorder which impedes the orderly transaction of business, or
- (b) a member against whom it was resolved that he or she leave the meeting by virtue of this Article refuses to do so,

then the chair may adjourn the meeting for such period as he or she considers necessary in the interests of order.

(4) Where at a meeting—

- (a) it has been resolved in accordance with paragraph (1) that a member leave a meeting and the chair adjourns the meeting under paragraph (3) because the member refuses to leave, and

- (b) it has been resolved by further resolution that the member was the cause of the meeting being so adjourned,

then any allowance payable in accordance with this Order or with any directions given by the Minister shall be reduced in line with the provisions of paragraph 13(4) of Schedule 10 of the Act of 2001.

Part 6

ADMINISTRATION, FINANCE, STAFFING AND GENERAL MATTERS

Appointment of director

51. (1) There shall be a chief officer of the regional assembly who shall be titled the director of the regional assembly and who shall be appointed in accordance with this Article.

- (2) (a) Any person who, immediately before the 2015 establishment day, held the office of director of the Border, Midland and Western Regional Assembly shall, if willing, stand appointed to the office of director of the Northern and Western Regional Assembly specified in Schedule 1, subject to such terms and conditions (including terms and conditions relating to remuneration, superannuation, term of appointment or allowances for expenses) as may be determined by the Minister, with the consent of the Minister for Public Expenditure and Reform.

- (b) Any person who, immediately before the 2015 establishment day, held the office of director of the Southern and Eastern Regional Assembly shall, if willing, stand appointed to the office of director of the Southern Regional Assembly specified in Schedule 1, subject to such terms and conditions (including terms and conditions relating to remuneration, superannuation, term of appointment or allowances for expenses) as may be determined by the Minister, with the consent of the Minister for Public Expenditure and Reform.

(3) In the case of all other appointments under this Article, a regional assembly shall, by virtue of a recommendation of the Chief Executive of the Public Appointments Service and with the consent of the Minister appoint a person to be a director of the assembly and that person shall hold employment under the regional assembly.

(4) No person shall hold office as director while he or she is a member of either House of the Oireachtas, or of a local authority, or of the National Oversight and Audit Commission or is a representative in the European Parliament.

(5) A person appointed under paragraph (1) shall hold office on and subject to such terms and conditions (including terms and conditions relating to remuneration, superannuation, term of appointment, and allowances for expenses) as may be determined by the Minister, with the consent of the Minister for Public Expenditure and Reform.

(6) The director shall not hold any other office or employment or carry on any business without the consent of the Minister.

Functions of director

52. (1) The director shall carry on and manage and control generally, the administration and business of the regional assembly and perform such other functions (if any) as may be determined by the regional assembly, in accordance with the Act of 1991 and this Order, or by the Minister or the Minister for Public Expenditure and Reform.

(2) The director shall be responsible for the efficient and effective operation of the regional assembly and for ensuring without undue delay the implementation of the decisions of the assembly and shall advise and assist the assembly—

(a) generally in the exercise or performance by the assembly of its functions, and

(b) as regards any particular matter or thing in relation to such exercise or performance on or in respect of which the assembly requests the advice or assistance of the director.

(3) The director may, consistent with the policies and decisions of the assembly, represent the assembly on matters relating to its functions or the performance of its functions, and at meetings where the attendance by the regional assembly is requested by the National Oversight and Audit Commission.

(4) The director shall be accountable to the regional assembly for the efficient and effective management of the regional assembly and for the due performance of his or her functions.

(5) (a) The director shall make such staffing and organisational arrangements as may be necessary for the purposes of carrying out the functions of the regional assembly.

(b) The director may delegate to the staff of the regional assembly such functions the delegation of which is necessary for the efficient and effective operation of the assembly, after consultation with the regional assembly and subject to such policies as may be determined from time to time by the regional assembly, by the Minister or by the Minister for Public Expenditure and Reform.

(6) The director shall, when requested by the regional assembly or by a committee of the assembly, report to the assembly or the committee on the actions already taken or planned to be taken in exercise of his or her functions.

(7) The director shall be entitled to attend and speak but not vote at any meeting of the assembly or its committees.

(8) The director shall prepare a draft of the corporate plan required under Article 55 to be considered by the regional assembly or a relevant committee of

the assembly and shall provide such assistance as may be necessary in relation to consideration and adoption of the corporate plan.

(9) It is the duty of the director to carry into effect the provisions of the corporate plan as adopted by the regional assembly.

(10) The director shall support regional assembly members in their role as members of the Committee of the Regions and shall otherwise, as necessary or as requested by the regional assembly or the Minister or the Minister for Public Expenditure and Reform, undertake all such functions as are requested in relation to the promotion of Ireland's economic and spatial planning and sustainable development objectives with relevant European Union bodies or in the context of European Union programmes.

(11) It shall be a function of the director to perform such functions in relation to the regional spatial and economic strategy in accordance with Chapter III of Part II of the Act of 2000 as are specified in any regulations or directions under that Act.

(12) The director may, after consultation with the Cathaoirleach, designate a member of the staff of the assembly to perform the functions of director in his or her absence.

Appointment of staff

53. (1) A regional assembly may appoint such, and such number of, persons as are necessary for the effective and efficient performance of its functions to be members of staff of the assembly with the approval of the Minister and the Minister for Public Expenditure and Reform.

(2) A director shall, with the approval of the Minister and the Minister for Public Expenditure and Reform, determine the grades of staff of the assembly and the numbers of staff in each grade.

(3) A member of staff (other than the director) of a regional assembly shall—

- (a) be paid such remuneration (including allowances for expenses) as the regional assembly with the approval of the Minister and the Minister for Public Expenditure and Reform, may determine,
- (b) be paid out of moneys available to the assembly,
- (c) be employed on such other terms and conditions including superannuation as the regional assembly may, with the approval of the Minister and the Minister for Public Expenditure and Reform, determine, and
- (d) shall perform such functions as determined from time to time by the director.

(4) Schemes made under the Local Government (Superannuation) Act 1980 (No. 8 of 1980) shall apply to a regional assembly as if it were a local authority

and to persons employed by a regional assembly (including the director) as if they were persons employed by a local authority.

Shared services

54. (1) A director may, after consultation with the regional assembly, and for the purposes of assisting the regional assembly in the performance of its functions, enter into an arrangement for—

- (a) the provision by another regional assembly, a local authority or any public authority of such services (including the use of premises, equipment and the services of members of the staff) as are the subject of that arrangement on such terms and conditions (including terms and conditions relating to the making of payments by the regional assembly in consideration of the provision of such services) as may be agreed by the director and the service provider, or
- (b) availing of shared services of the type referred to in section 149A of the Act of 2001.

(2) The director shall ensure that arrangements of the type provided for in subparagraphs (a) and (b) of paragraph (1) are availed of as far as possible in the interests of maximising effectiveness and economy in the performance of the functions of the regional assembly.

Corporate plan

55. (1) Within 9 months of the 2015 establishment day, every regional assembly shall adopt a corporate plan.

(2) In respect of every other term of office of a regional assembly, the assembly shall, within 9 months of the appointment of members under Articles 5 and 6, prepare a statement of strategy for the regional assembly to be known as the corporate plan.

(3) The corporate plan shall be prepared on the basis of an organisation-wide strategic review encompassing the functions and activities of the regional assembly, its internal capacity and resources, and engagement with constituent local authorities.

(4) The corporate plan shall include—

- (a) a mission statement consistent with the functions of the regional assembly,
- (b) a description of the operating environment, including relationships with local authorities and other relevant bodies, and internal capacity and resources,
- (c) a statement of the strategic objectives for the term of the regional assembly including the supporting strategies and actions that are to be put in place to achieve the strategic objectives,

- (d) the manner in which the regional assembly proposes to assess its performance in respect of its functions and activities and the achievement of its strategic objectives, and
- (e) such other matters as may be decided by the regional assembly or directed by the Minister.

(5) The director shall prepare the corporate plan in accordance with any arrangement determined for that purpose.

(6) The director shall take all such steps as are necessary to ensure that the corporate plan is submitted to the regional assembly for approval within the period specified in paragraph (1) or (2).

(7) Where the corporate plan is not submitted within the period specified in paragraph (1) or (2), the Cathaoirleach and the director shall make a joint submission to the regional assembly at its next scheduled meeting outlining the steps to be taken to ensure its completion and when it is proposed to submit the plan to the regional assembly.

(8) The regional assembly shall consider the corporate plan prepared in accordance with paragraph (4) and may make such amendments as it considers appropriate and shall approve it with or without amendments.

(9) The director shall prepare an annual progress report in respect of the regional assembly's corporate plan and such report shall be submitted to the regional assembly as part of the assembly's annual report.

Annual report

56. (1) A regional assembly shall, not later than 30 June in each year, prepare and adopt an annual report containing the following—

- (a) an annual progress report as provided for in Article 55(9),
- (b) annual financial statements as provided for in Article 58,
- (c) such other information as the assembly may determine, or as the Minister may direct, in relation to the performance of the functions of the assembly during the preceding year.

(2) A regional assembly shall, as soon as may be, furnish a copy of the annual report to each member of the regional assembly, to the Minister, to the Minister for Public Expenditure and Reform, to the National Oversight and Audit Commission, to the Cathaoirleach and chief executive of each constituent local authority, and to such other persons as the Cathaoirleach of the regional assembly may determine.

(3) A director shall cause copies of each annual report to be made conveniently available on the regional assembly's website and at the headquarters

of the regional assembly for inspection by members of the public and for purchase by any person at such price as may be determined by the regional assembly.

Financial year

57. (1) The financial year of a regional assembly shall be the period of twelve months ending on 31 December in any year.

(2) A regional assembly shall, in respect of each financial year, prepare a draft budget setting out for the next financial year—

(a) the expenditure estimated to be necessary to carry out its functions, and

(b) the income estimated to accrue to it.

(3) A draft budget shall be prepared under the direction of the director, following consultation with the chief executive designated under Article 33(2), in the manner and in the format that may be directed by the Minister, showing the amounts necessary for the performance of its functions.

(4) A draft budget prepared in accordance with paragraph (2) shall be considered by the members of the regional assembly at a meeting referred to as a “budget meeting”—

(a) at which the director or an employee to whom this Article relates is present,

(b) which is held during the period directed by the Minister, and

(c) of which not less than 7 days’ notice has been given to every member of the regional assembly.

(5) At a budget meeting the regional assembly—

(a) may by resolution amend the draft budget,

(b) shall by resolution adopt the draft budget with or without amendment.

(6) A draft budget shall be adopted—

(a) in respect of the financial year ending on 31 December 2015, as soon as possible after the establishment of the regional assembly, or

(b) in respect of every other financial year, not later than 30 November in the preceding year.

(7) A regional assembly shall, as soon as may be after the adoption of a budget under paragraph (5), send a copy of such budget to the Minister and to each constituent local authority.

(8) At any time after it has adopted a budget, a regional assembly may, by resolution, authorise the incurring of additional expenditure.

(9) Where, as respects any financial year, after consultation with the chief executive designated under Article 33(2), the director is of the opinion that the proper performance of the functions of the regional assembly concerned requires the incurring of additional expenditure, he or she shall submit to the regional assembly a proposal for authorisation to the incurring of such additional expenditure.

(10) Where the director has incurred additional expenditure under paragraph (8), he or she shall inform—

- (a) the Cathaoirleach of the fact without delay, and
- (b) the members of the regional assembly of the fact at the next practicable meeting of the regional assembly following the incurring of the expenditure,

giving details of the additional expenditure and the implications for the regional assembly budget.

(11) The expenses of a regional assembly incurred in accordance with the adopted budget, excluding any amounts recoupable to such regional assembly in relation to the performance of its functions under Articles 29 and 30 or for the recovery of costs arising under Article 54, shall be refunded to the assembly by the constituent local authorities in proportion to the populations of their respective functional areas.

Finance, accounts and audit

58. (1) A regional assembly shall establish and maintain financial systems, accounts, reporting and record keeping procedures, including the preparation of an annual financial statement, which are consistent with such accounting code of practice that the Minister may issue under section 107 of the Act of 2001.

(2) As soon as may be after the end of each financial year, the director shall prepare and submit to the regional assembly and to the chief executive designated under Article 33(2) a financial statement, with a report on it by the director, in respect of that financial year.

(3) The annual financial statement shall be considered at the next practicable meeting of the regional assembly which is held not less than 7 days after the annual financial statement was submitted under paragraph (2).

(4) A regional assembly shall be a body prescribed under section 115(2)(a) of the Act of 2001 as a body which shall be audited by a local government auditor in accordance with the provisions of that Act.

(5) As soon as may be practicable after having been considered under paragraph (3) the annual financial statement shall be transmitted to the Minister and the Director of Audit.

(6) The Director of Audit shall, as soon as may be after the regional assembly receives a copy of an audit opinion, an audited financial statement, an auditor's report or an auditor's special report, send a copy thereof to the Minister, to each member of the regional assembly and to the chief executive designated under Article 33(2).

Allowances and expenses

59. (1) A regional assembly may, in accordance with such directions as may be given by the Minister to the regional assembly, pay to a member of the assembly—

- (a) an annual expenses allowance in respect of expenses reasonably incurred by him or her in connection with the performance of his or her functions during the year;
- (b) a travel and subsistence allowance in respect of expenses reasonably incurred in the attendance by the member at an event authorised by the assembly, other than attendance at meetings already provided for by subparagraph (a).

(2) Subject to any directions under Article 33, the provisions of regulations or guidelines under section 142 of the Act of 2001 shall apply, insofar as applicable, to a travel or subsistence allowance under paragraph (1)(b), as if references in such regulations or guidelines to a local authority were references to a regional assembly.

Allowance for Cathaoirleach

60. A regional assembly may, in accordance with such directions as may be given by the Minister to the regional assembly, pay to the Cathaoirleach of the assembly each year an allowance in respect of expenses reasonably incurred by him or her in connection with the performance of his or her functions during that year.

Part 7

DISSOLUTION OF REGIONAL ASSEMBLIES, REVOCATION OF ESTABLISHMENT ORDERS
AND CONSEQUENTIAL PROVISIONS

Cessor of areas constituting regions

61. On the 2015 establishment day, a region specified in column (1) of Schedule 1 of the Order of 1999, consisting of the corresponding area listed in column (2) of that Schedule opposite the name of that region in column (1) shall cease to constitute a region within the meaning of and for the purposes of section 43 of the Act of 1991.

Dissolution of regional assemblies

62. (1) Subject to paragraphs (2) and (3), on the 2015 establishment day, a regional assembly specified in column (1) of Schedule 4 to this Order shall be dissolved and cease to exist and any right, privilege, benefit or other entitlement of a dissolved regional assembly not specifically transferred or distributed by this Order shall be transferred to or vested in the corresponding successor regional

assembly specified in column (2) of Schedule 4 opposite the title of that assembly in column (1).

(2) Paragraph (1) shall not apply to any rights, privilege, benefit or other entitlement of a dissolved regional assembly which were, immediately before 1 June 2014, vested in the Dublin, Mid-East or Midland Regional Authorities which were dissolved on that date by the Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014 (S.I. No. 228 of 2014).

(3) All rights, privileges, benefits or other entitlements to which paragraph (2) relates shall be transferred to or vested in the Eastern and Midland Regional Assembly specified in column (2) of Schedule 4, save those which were exhausted or extinguished between 1 June 2014 and 31 December 2014.

Provisions consequential on dissolutions, etc

63. The following provisions shall apply in relation to the dissolution of a regional assembly:

Transfer of Assets

(1) All assets, whether real or personal (including choses-in-action) which, immediately before the 2015 establishment day, were vested in or belonged to or were held in trust for a dissolved regional assembly and all rights, powers, licences and privileges relating to or connected with any such assets shall, on the 2015 establishment day, without any conveyance or assignment, but subject where necessary to transfer in the books of any bank, corporation or company, be transferred to and become and be vested in or the property of or held in trust for (as the case may require) the relevant successor regional assembly provided for by Article 62 to such dissolved regional assembly for all the estate, term or interest for which the same, immediately before its dissolution, was vested in or belonged to or was held in trust for such dissolved regional assembly but subject to all trusts and equities affecting the same and then subsisting and capable of being performed.

(2) Any asset transferred by paragraph (1) which, immediately before the 2015 establishment day, was standing in the books of any bank or was registered on the books of any bank, corporation, or company in the name of a dissolved regional assembly shall, upon the request of the relevant successor regional assembly provided for by Article 62 to which such asset was transferred, at any time on or after the 2015 establishment day, be transferred in such books by such bank, corporation or company into the name of the successor regional assembly.

(3) On and from the 2015 establishment day, every chose-in-action transferred in accordance with the provisions of paragraph (1) may be sued upon, recovered or enforced by the relevant successor regional assembly provided for by Article 62 to which it was transferred in its own name, and it shall not be necessary for that assembly to give notice to the person bound by such chose-in-action of the transfer effected by paragraph (1).

Transfer of liabilities

(4) Every debt and other liability (including stock and mortgage debts, and unliquidated liabilities arising from torts or breaches of contract) which immediately before the 2015 establishment day was owing and unpaid or had been incurred and was undischarged by a dissolved regional assembly, shall, on that day, become and be the debt or liability of the relevant successor regional assembly provided for by Article 62 and shall be paid or discharged by and may be recovered from or enforced against the relevant successor regional assembly.

(5) A dissolution under this Order does not invalidate or otherwise affect any payable order or cheque issued by a dissolved regional assembly and which is not presented for payment before the 2015 establishment day or any permission or other authority given by the dissolved regional assembly for the payment of the amount of a paying order, and the relevant successor regional assembly provided for by Article 62 shall make arrangements for the payment of the amount of every such paying order upon due presentation within a reasonable time after the 2015 establishment day.

Transfer of staff

(6) Subject to paragraph (7) every person who, immediately before the 2015 establishment day, was a member of the staff of a dissolved regional assembly shall, on such day, become and be a member of the staff of the relevant successor regional assembly provided for by Article 62.

(7) Every person who, immediately before the 2015 establishment day, was a fixed-term employee of a dissolved regional assembly shall, on such day, become and be a fixed-term employee of the relevant successor regional assembly provided for by Article 62 for the duration of his or her contract of employment.

(8) Nothing in paragraphs (6) and (7) shall be read as affecting the provisions of the Public Service Management (Recruitment and Appointments) Act 2004 (No. 33 of 2004), as amended by the Public Service Management (Recruitment and Appointments) (Amendment) Act 2013 (No. 47 of 2013) that relate to the redeployment of staff of a dissolved regional assembly.

(9) (a) Except in accordance with a collective agreement negotiated with a recognised trade union or staff association concerned, a person referred to in paragraph (6) shall not, on the 2015 establishment day, be brought to less beneficial terms and conditions of service (including those relating to tenure of office) or of remuneration than the terms and conditions of service (including those relating to tenure of office) or of remuneration to which he or she was subject immediately before such day, and

(b) The preceding reference to terms and conditions of remuneration does not include conditions in relation to superannuation.

(10) In relation to a person referred to in paragraph (6), previous service with the dissolved regional assembly from which the person was transferred shall be

reckonable for the purposes of, but subject to any exceptions or exclusions in, the following:

- (a) the Redundancy Payments Acts 1996 to 2011;
- (b) the Protection of Employees (Part-Time Work) Act 2001 (No. 45 of 2001);
- (c) the Protection of Employees (Fixed-Term Work) Act 2003 (No. 29 of 2003);
- (d) the Organisation of Working Time Act 1997 (No. 20 of 1997);
- (e) the Terms of Employment (Information) Acts 1994 to 2012;
- (f) the Minimum Notice and Terms of Employment Acts 1973 to 2005;
- (g) the Unfair Dismissals Acts 1977 to 2007;
- (h) the Maternity Protection Acts 1994 to 2004;
- (i) the Parental Leave Acts 1998 and 2006;
- (j) the Adoptive Leave Acts 1995 and 2005;
- (k) the Carer's Leave Act 2001 (No. 19 of 2001).

(11) Any superannuation benefits awarded to or in respect of a person transferred in accordance with paragraph (6), and the terms and conditions relating to those benefits, shall be no less favourable than those applicable to or in respect of the person immediately before the coming into operation of this Order.

Preservation of continuing contracts

(12) Every bond, guarantee or other security of a continuing character made or given by a dissolved regional assembly to another person or by any person to any dissolved regional assembly and in force immediately before the 2015 establishment day and every contract or agreement in writing made between any dissolved regional assembly and another person and not fully executed and completed before the 2015 establishment day shall, notwithstanding the dissolution of the regional assembly concerned, continue in force on and after the 2015 establishment day but shall be construed and have effect as if the name of the relevant successor regional assembly provided for by Article 62 to the dissolved regional assembly were substituted therein for the name of that dissolved regional assembly, and such security, contract or agreement shall be enforceable by or against the successor regional assembly accordingly.

Saving for certain acts and resolutions

(13) All acts duly done and decisions duly made before the 2015 establishment day by or on behalf of a dissolved regional assembly shall, subject to the

Act of 1991 and this Order, continue to have all such force and effect as they had immediately before that day.

(14) All acts duly done and decisions duly made before the appointed day by or on behalf of a regional authority dissolved by the Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014 (S.I. No. 228 of 2014) shall, subject to the Local Government Reform Act 2014 (No. 1 of 2014) and this Order, continue to have all such force and effect as they had immediately before that day.

(15) Any reference in a document to a dissolved regional assembly or to a dissolved regional authority shall, on and after the 2015 establishment day, be construed as a reference to the relevant successor regional assembly provided for by Article 62.

(16) In paragraph (15)—

(a) “a document” includes—

- (i) a written agreement or other instrument in writing or any scheme, plan, statement, policy, determination, declaration, undertaking, made or adopted by or on behalf of, or to be treated as having been made or adopted by or on behalf of, a dissolved regional assembly,
- (ii) any direction given, revocation made, or to be treated as having been made, by or to a dissolved regional assembly,
- (iii) any lease, licence, way-leave, permit, certificate, permission, consent, approval, authorisation, exemption, relaxation, acknowledgement or dispensation, whether (where appropriate) relating to land or otherwise granted or given, or to be treated as having been granted or given, by or to a dissolved regional assembly,
- (iv) any application, proposal or objection made, or to be treated as having been made, by or to a dissolved regional assembly, and
- (v) any condition or requirement imposed, or to be treated as having been imposed, or any notice served or to be treated as having been served, by or on a dissolved regional assembly.

(b) “relevant successor regional assembly” with respect to a dissolved regional authority means a regional assembly specified in column (2) of Schedule 4 opposite the mention in column (1) of Schedule 4 of the dissolved regional assembly which was the successor to that dissolved regional authority under the Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014 (S.I. No. 228 of 2014).

Documents of dissolved regional assemblies

- (17) (a) All books and other documents directed or authorised by or under any statute or statutory instrument or contract to be kept by a dissolved regional assembly shall be kept by the relevant successor regional assembly provided for by Article 62.
- (b) All such books and other documents which, immediately before the 2015 establishment day, would be receivable in evidence shall, notwithstanding the dissolution of a regional assembly be admitted in evidence after the 2015 establishment day as fully as if the regional assembly had not been dissolved.

Continuance of pending legal proceedings

(18) In any action, suit, prosecution or other legal proceeding which was pending immediately before the 2015 establishment day in any court or tribunal and to which a dissolved regional assembly was a party, the relevant successor regional assembly provided for by Article 62 to that dissolved regional assembly shall on the 2015 establishment day become and be a party in the place of the dissolved regional assembly and that successor regional assembly shall, accordingly, be substituted for such dissolved regional assembly and every such proceeding shall be continued between that successor regional assembly and the other parties to those proceedings, and no such proceeding shall abate or be discontinued or prejudicially affected by reason of the dissolution of the dissolved regional assembly.

Money due

- (19) (a) Without prejudice to subparagraph (b), all money which immediately before the 2015 establishment day is due and payable to a dissolved regional assembly shall on and after that day become due and payable to the relevant successor regional assembly provided for by Article 62 and any such money may be collected and recovered by or on behalf of that successor regional assembly in like manner as they could be collected or recovered by or on behalf of the dissolved regional assembly if this Order had not come into operation.
- (b) All money which immediately before the 2015 establishment day is accruing due to a dissolved regional assembly shall on and after that day accrue and be deemed always to have accrued due to the relevant successor regional assembly provided for by Article 62, and where any such money becomes due and payable the same shall be due and payable to and may be collected and recovered by or on behalf of such successor regional assembly in like manner as it could have been collected or recovered by or on behalf of the dissolved regional assembly if this Order had not come into operation.

Revocation of Orders

64. The following Orders are revoked—

- (a) Local Government Act 1991 (Regional Authorities) (Establishment) Order 1999 (S.I. No. 226 of 1999),

- (b) Local Government Act 1991 (Regional Authorities) (Establishment) Order 1999, (Amendment) Order 2000 (S.I. No. 230 of 2000),
- (c) Local Government Act 1991 (Regional Authorities) (Establishment) Order 1999, (Amendment) Order 2006 (S.I. No. 690 of 2006),
- (d) Local Government Act 1991 (Regional Authorities) (Amendment) Order 2014 (S.I. No. 228 of 2014).

SCHEDULE 1

*Title, Constitution, Members and Headquarters of Regional Assembly**Articles 4 and 5*

Name of Region (1)	Area Constituting Region (2)	Title of Regional Assembly (3)	Number of Members of Regional Assembly (4)	Headquarters (5)
The Northern and Western Region	The administrative area of the county councils of Cavan, Donegal, Leitrim, Galway, Mayo, Monaghan, Roscommon and Sligo and the city council of Galway.	The Northern and Western Regional Assembly	21	Ballaghaderreen, Co. Roscommon
The Southern Region	The administrative area of the county councils of Carlow, Clare, Cork, Kerry, Kilkenny, Tipperary and Wexford, the city council of Cork, and the city and county councils of Limerick and Waterford.	The Southern Regional Assembly	27	Waterford City
The Eastern and Midland Region	The administrative area of the county councils of Dun Laoghaire-Rathdown, Fingal, Kildare, Laois, Longford, Louth, Meath, Offaly, South Dublin, Westmeath and Wicklow and the city council of Dublin.	The Eastern and Midland Regional Assembly	35	Dublin City

SCHEDULE 2

*Method of Election of Cathaoirleach and Leas-Chathaoirleach of Regional Assembly**Article 16*

The following provisions shall apply and have effect in respect of the election of a Cathaoirleach and Leas-Chathaoirleach of a regional assembly—

- (a) the proceedings shall begin by a member or members of the assembly being proposed and seconded by other members of the assembly, and every person so proposed and seconded, and no other person, shall be a candidate;
- (b) where there is only one candidate, such candidate shall be deemed to be elected;
- (c) where there are more than two candidates, a poll shall be taken;
- (d) if at such poll a majority of the members of the assembly present vote for any particular candidate, such candidate shall be elected;
- (e) if at such poll no candidate received the votes of a majority of the members of the assembly present, the candidate receiving the least number of votes shall be excluded from the election and, subject to the provisions of subparagraph (g), one or more further polls (according as may be necessary) shall be taken;
- (f) subparagraphs (d) and (e) shall apply in relation to such further poll or polls;
- (g) where there are only two candidates or where, as a result of one or more polls, all the candidates except two have been eliminated, the question as to which of such candidates shall be elected shall be put to the members of the assembly present and whichever of such candidates receives the greater number of votes on such question shall be elected;
- (h) if because of an equality of votes given to two or more candidates any question arises as to which of such candidates is to be eliminated or as to which of such candidates is to be elected, such question shall be decided by lot;
- (i) in deciding any such question by lot, the names of the candidates concerned shall be written on similar slips of paper, the slips shall be folded so as to prevent identification and mixed and drawn at random, and the candidate whose name is first drawn shall, where the question concerns an elimination, be the candidate who is to be eliminated or, where the question concerns an election, be the candidate who is to be elected.

SCHEDULE 3

*Strategic Planning Areas**Article 42*

Title of Regional Assembly (1)	Strategic Planning Area Committees (2)	Constituent local authorities (3)
The Northern and Western Regional Assembly	Border	The councils of the counties of Cavan, Donegal, Leitrim, Louth, Sligo and Monaghan.
	West	The councils of the counties of Galway, Mayo, Roscommon and the city of Galway.
The Southern Region	Mid-West	The councils of the counties of Clare and Tipperary and the city and county of Limerick.
	South-West	The councils of the counties of Cork and Kerry and the city of Cork.
	South-East	The councils of the counties of Carlow, Kilkenny, Tipperary and Wexford and the city and county of Waterford.
The Eastern and Midland Region	Dublin	The councils of the counties of Dun Laoghaire-Rathdown, Fingal and South Dublin, and the city of Dublin.
	Eastern	The councils of the counties of Kildare, Louth, Meath and Wicklow.
	Midland	The councils of the counties of Laois, Longford, Offaly and Westmeath.

SCHEDULE 4

*Dissolved and Successor Regional Assemblies**Article 62*

Dissolved Regional Assembly (1)	Successor Regional Assembly (2)
The Border, Midland and Western Regional Assembly.	Where paragraph (1) of Article 62 applies: The Northern and Western Regional Assembly Where paragraphs (2) and (3) of Article 62 apply: The Eastern and Midland Regional Assembly
The Southern and Eastern Regional Assembly.	Where paragraph (1) of Article 62 applies: The Southern Regional Assembly Where paragraphs (2) and (3) of Article 62 apply: The Eastern and Midland Regional Assembly



GIVEN under the Official Seal of the Minister for the Environment,
Community and Local Government
15 December 2014.

ALAN KELLY,
Minister for the Environment, Community and Local
Government.

The Minister for Public Expenditure and Reform hereby consents to the foregoing Order.



GIVEN under the Official Seal of the Minister for Public Expenditure
and Reform
16 December 2014.

BRENDAN HOWLIN,
Minister for Public Expenditure and Reform.

EXPLANATORY NOTE.

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

This Order provides for the establishment of 3 regional assemblies with a broad range of functions including in relation to assistance from the EU, functions under the Planning and Development Act 2000 (No. 30 of 2000) and in relation to the National Oversight and Audit Commission. The Order provides for the constitution, membership, meeting procedures, administration, finance, staffing and other matters relating to the operation of the new assemblies.

It also provides for the dissolution of the Southern and Eastern and Border, Midland and Western Regional Assemblies, established by the Local Government Act 1991 (Regional Authorities) (Establishment) Order 1999 (S.I. No. 226 of 1999), and the appointment of the 3 new regional assemblies as their successors. The Order makes a number of provisions to facilitate the transfer of staff, assets, and liabilities to the successor assemblies as well as addressing other matters related to the dissolution of the regional assemblies.

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