



Number 34 of 2006

INDUSTRIAL DEVELOPMENT ACT 2006

ARRANGEMENT OF SECTIONS

Section

1. Definition.
 2. Amendment of Act of 1993 — insertion of new section 21A.
 3. Amendment of Second Schedule to Act of 1993.
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[No. 34.] *Industrial Development Act 2006.* [2006.]

ACTS REFERRED TO

Industrial Development (Enterprise Ireland) Act 1998	1998, No. 34
Industrial Development Act 1993	1993, No. 19
Industrial Development Acts 1986 to 2003	



Number 34 of 2006

INDUSTRIAL DEVELOPMENT ACT 2006

AN ACT TO AMEND AND EXTEND THE INDUSTRIAL DEVELOPMENT ACT 1993.

[18th December, 2006]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act “Act of 1993” means the Industrial Development Act 1993. Definition.

2.—The Act of 1993 is amended by inserting the following section after section 21: Amendment of Act of 1993 — insertion of new section 21A.

“Transfer of staff from Shannon Free Airport Development Company Ltd. to Forfás.

21A.—(1) In this section—

‘Company’ means Shannon Free Airport Development Company Limited;

‘recognised trade union or staff association concerned’ means a trade union or a staff association recognised by Forfás or any other Agency or body mentioned in the Industrial Development Acts 1986 to 2003, as the case may be, for the purposes of negotiations which are concerned with the transfer of staff to Forfás or the other Agency or body, as the case may be, as well as remuneration, conditions of employment or working conditions of employees;

‘transfer date’ means the date specified in a designation under subsection (2) with effect from which a member of the staff of the Company stands transferred to the staff of Forfás.

(2) The Minister may designate in writing such and so many members of the staff of the Company as he or she decides to be persons who shall stand transferred, with effect from a date specified in the designation, to the staff of Forfás.

(3) A member of staff of the Company designated under subsection (2) shall, with effect from the transfer date, stand transferred to the staff of Forfás and become and be a member of the staff of Forfás accordingly.

(4) Save in accordance with a collective agreement negotiated with any recognised trade union or staff association concerned, a person who is transferred by virtue of a designation under subsection (2) to the staff of Forfás shall not, while he or she is in the service of Forfás, receive a lesser scale of pay or be made subject to less beneficial terms and conditions of service (including those relating to tenure of office) than the scale of pay to which he or she was entitled and the terms and conditions of service (including those relating to tenure of office) to which he or she was subject immediately before the transfer date.

(5) Superannuation benefits granted to or in respect of a person who is transferred by virtue of a designation under subsection (2) to the staff of Forfás and the terms and conditions relating to those benefits shall be no less favourable than those to which he or she was entitled immediately before the transfer date.”.

Amendment of
Second Schedule to
Act of 1993.

3.—Paragraph 2(2) of the Second Schedule to the Act of 1993 is amended by substituting “A person accepted into the employment of Forfás under section 21, transferred into such employment under section 21A or under section 39 or 40 of the Industrial Development (Enterprise Ireland) Act 1998 or appointed to Forfás under this paragraph” for “A person accepted into the employment of Forfás under section 21 or appointed to Forfás under this section”.

Short title and
collective citation.

4.—(1) This Act may be cited as the Industrial Development Act 2006.

(2) The Industrial Development Acts 1986 to 2003 and this Act may be cited together as the Industrial Development Acts 1986 to 2006.