



STATUTORY INSTRUMENTS.

S.I. No. 568 of 2019



OIREACHTAS (MINISTERIAL AND PARLIAMENTARY OFFICES)
(SECRETARIAL FACILITIES) (AMENDMENT) (NO. 2) REGULATIONS
2019.

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OIREACHTAS (MINISTERIAL AND PARLIAMENTARY OFFICES)
(SECRETARIAL FACILITIES) (AMENDMENT) (NO. 2) REGULATIONS
2019.

The Houses of the Oireachtas Commission, in exercise of the powers conferred on it by section 2(1)(c) of the Oireachtas (Allowances to Members) Act 1962 (No. 32 of 1962) (section 2 having been replaced by the Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices (Amendment) Act 1992 (No. 3 of 1992), and paragraph (c) having been inserted by the Oireachtas (Miscellaneous Provisions) and Ministerial and Parliamentary Offices (Amendment) Act 1996 (No. 39 of 1996)), and by section 10(5) and (13) (inserted by section 2 of the Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Act 2014 (No. 6 of 2014)) of the Ministerial and Parliamentary Offices Act 1938 (No. 38 of 1938), and by section 4(3) of the Houses of the Oireachtas Commission Act 2003 (No. 28 of 2003) (as amended by section 3(c) of the Houses of the Oireachtas Commission (Amendment) Act 2018 (No. 41 of 2018)) as well as by the amendment of Schedule 1 to that Act (as inserted by section 3 of the Houses of the Oireachtas Commission (Amendment) (No. 2) Act 2012 (No. 50 of 2012)) by section 6 of the Houses of the Oireachtas Commission (Amendment) Act 2015 (No. 53 of 2015), hereby makes the following regulations:

Citation and collective citation

1. (a) These Regulations may be cited as the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) (Amendment) (No. 2) Regulations 2019.
- (b) The Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2016 (S.I. No. 599 of 2016), the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) (Amendment) Regulations 2018 (S.I. 426 of 2018), the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) (Amendment) Regulations 2019 (S.I. 167 of 2019), and these Regulations may be cited together as the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2016 to 2019, and shall be construed together as one.

Definitions.

2. In these Regulations—

“Principal Regulations” means the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2016, and

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 19th November, 2019.*

“Regulations of 2018” means the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) (Amendment) Regulations 2018.

Secretarial assistance for qualifying parties with elected members on Oireachtas Committees

3. The Principal Regulations are amended—

- (a) by the substitution of the following for the definition (as substituted by the Regulations of 2018) of “information systems facilities” in Regulation 2—

“‘information systems facilities’ are those facilities (including equipment) provision of which is contemplated by Regulations 8, 8A, and 10A;”

and

- (b) by the insertion of the following Regulation after Regulation 10—

“10A. (1) For the purpose of this Regulation and Schedule 2A a specified party means a qualifying party that is identified in Schedule 2A.

(2) A specified party is, without prejudice to any entitlement of that qualifying party under Regulation 10 of these Regulations or under Regulation 3A of the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) (Amendment) Regulations 2018, also entitled to secretarial facilities consisting of employees in accordance with the allocation set out in Schedule 2A.

(3) The allocation referred to in paragraph (2) and Schedule 2A must be applied subject to the following:

- (a) for the purpose of reckoning each specified party’s entitlement in accordance with Schedule 2A, and, where the context requires, in construing any reference in this Regulation to an employee or to employees, each employee is assumed to be retained at the grade of administrative assistant,

Amendment of the Principal Regulations – updated description of ICT facilities provided

4. The Principal Regulations are amended in Part 1 of Schedule 1 as follows—

- (a) in paragraph (a) by deleting “, the system for the transmission and receipt of fax messages having been integrated into the e-mail system on that network”,
- (b) in paragraph (b) by inserting “access to” before “a multi-function”,
- (c) by deleting paragraph (e), and
- (d) in paragraph (f), by deleting “hardware.”.

Amendment of the Principal Regulations – new Schedules 1A and 2A

5. The Principal Regulations are amended—

- (a) by the insertion after Schedule 1 of the schedule set forth in Part 1 of Schedule 1 to these Regulations, and
- (b) by the insertion after Schedule 2 of the schedule set forth in Part 2 of Schedule 1 to these Regulations.

Amendment of the Regulations of 2018, including provision for additional Seanad Group

6. (1) The Regulations of 2018 are amended in Regulation 2 by substituting the following for the definition of “Group member”—

“‘Group member’, subject to Regulation 3A(6)(ca), means, in respect of a member of the Joint Committee who has been appointed by a Group, either the member of Seanad Éireann who has been appointed to the Joint Committee by the Seanad Independent Group or the member of Seanad Éireann who has been appointed to the Joint Committee by the Civil Engagement Group;”.

(2) Regulation 3A of the Regulations of 2018 is amended—

- (a) by the substitution of the following for paragraph (3):

“(3) (a) The Commission must, subject to such conditions as the Commission directs, provide the Group member

appointed by the Seanad Independent Group with additional secretarial facilities consisting of employees in accordance with the allocation set out in Part 2 of Schedule 1, where like provision was made to that Group member under Regulation 3.

(b) The Commission must, subject to such conditions as the Commission directs, provide the Group member appointed by the Civil Engagement Group with additional secretarial facilities consisting of employees in accordance with the allocation set out in Part 2 of Schedule 1.”,

- (b) in each of sub-paragraphs (b) and (c) of paragraph (4), by the substitution of “a Group member” for “the Group member”,
- (c) in sub-paragraph (c) of paragraph (4), by the substitution of “secretarial facilities” for “secretarial assistance”,
- (d) in sub-paragraph (a) of paragraph (5), by the substitution of “every Group member” for “the Group member”,
- (e) in sub-paragraph (b) of paragraph (5), by the substitution of “a Group member” for “the Group member”,
- (f) in paragraph (5), by the insertion of the following sub-paragraph after sub-paragraph (c):

“(d) Regulations 8 and 9 of the Principal Regulations, where the context allows and with any necessary modifications, apply and are deemed always to have applied to facilities (including equipment) provision of which is contemplated by this paragraph (5).”,

- (g) in sub-paragraph (b) of paragraph (6), by the substitution of “each Group member” for “the Group member”,
- (h) by the substitution of the following for sub-paragraph (c) of paragraph (6):

“(c) The termination date is—

- (i) in the case of a qualifying party, the date on which that party ceases to be a participating party,

- (ii) in the case of a Group member, the date on which that member ceases to be a member of the Joint Committee,
- (iii) in the case of a Group member, the earliest date on which clause (ii) of sub-paragraph (ca) of this paragraph applies in respect of that Group member,
- (iv) in the case either of a qualifying party or a Group member, the date of the disbandment of the Joint Committee, or
- (v) in the case either of a qualifying party or a Group member, the date of dissolution of the 32nd Dáil Éireann,

whichever first applies to the qualifying party or Group member in question.”,

- (i) by the insertion of the following sub-paragraph after sub-paragraph (c) of paragraph (6):

“(ca) (i) Notwithstanding the definitions of ‘Group’ in Regulation 2 of the Principal Regulations and of ‘Group member’ in Regulation 2 of these Regulations, and unless clause (ii) applies, the entitlement under this Regulation of a Group member to secretarial facilities consisting of employees does not cease because a qualifying party comes to be a constituent element of the relevant Group.

- (ii) This clause applies if such a qualifying party comes to form a constituent element of the relevant Group referred to in clause (i), and the Group so constituted, in place of the member of Seanad Éireann it last appointed to the Joint Committee, appoints as a member of that Committee a member of that qualifying party.”,

- (j) in sub-paragraph (d), by the substitution of “sub-paragraphs (b), (c), and (ca)” for “sub-paragraphs (b) and (c)”,

and

- (k) in sub-paragraph (b) of paragraph (8), by the substitution of “a Group member” for “the Group member”.

(3) The Regulations of 2018 are amended by the replacement of Part 2 of Schedule 1 by the substitute Part 2 of Schedule 1 set forth in Schedule 2 to these Regulations.

(4) The Regulations of 2018 are amended—

- (a) in Part 1 of Schedule 2, by the substitution of “that Group member” for “the Group member”, and
- (b) in paragraph 2(c) of Part 2 of Schedule 2, by the substitution of “a Group member” for “the Group member”.

Amendment of the Regulations of 2018 – updated description of ICT facilities provided

7. The Regulations of 2018 are amended in Part 1 of Schedule 2 as follows—

- (a) in paragraph (a) by deleting “, the system for the transmission and receipt of fax messages having been integrated into the e-mail system on that network”,
- (b) in paragraph (b) by inserting “access to” before “a multi-function”,
- (c) by deleting paragraph (e), and
- (d) in paragraph (f), by deleting “hardware,”.

Commencement

8. (1) Subject to paragraph (2) these Regulations are deemed to have come into operation on 24 September 2019.

- (2) (a) Paragraphs (a), (b), and (d) of Regulation 4 are deemed to have come into operation on 8 December 2016.
- (b) Sub-paragraphs (c) and (f) of Regulation 6(2) are deemed to have come into operation on 2 March 2019.
- (c) Regulation 6, apart from sub-paragraphs (c) and (f) of Regulation 6(2), is deemed to have come into operation on 22 October 2019.
- (d) Paragraphs (a), (b), and (d) of Regulation 7 are deemed to have come into operation on 11 October 2018.

Regulation 5

SCHEDULE 1

PART 1

“SCHEDULE 1A

PART 1

A suite of computer equipment consists of the following equipment for use only by the specified party concerned or by persons employed under Regulation 10A to provide secretarial facilities to the specified party—

- (a) a computer (desktop PC or laptop) which may be linked to the network of the Houses of the Oireachtas,
- (b) access to a multi-function print/fax/scan/copy device,
- (c) an e-mail account on the Houses of the Oireachtas network,
- (d) internet access, and
- (e) a software or SMS-based multi-factor authentication token.

PART 2

1. Telephone handsets within Leinster House on the terms set out in paragraph 2.
2. The terms referred to in paragraph 1 are—
 - (a) the handsets must have connectivity for local, national, mobile and international calls, and must include voicemail facilities where required, but must not allow connectivity to premium rate numbers other than directory enquiry services, and
 - (b) one handset must be supplied for each person employed under Regulation 10A and Schedule 2A to provide secretarial facilities to the specified party concerned.”

PART 2

“SCHEDULE 2A

Allocation of additional staff for specified parties is set out below—

Party	Allocation of Employees
Fine Gael	2½
Fianna Fáil	3
Sinn Féin	2
Labour	½
Solidarity - People Before Profit	½
Independents4Change	½
Social Democrats	½
Green Party	½

Regulation 6

SCHEDULE 2

“PART 2

Allocation of secretarial facilities for Group members is set out below—

Group	Allocation of Employees
Seanad Independent Group	½
Civil Engagement Group	½

Given under the Seal of The Houses of the Oireachtas Commission Seal,
Affixed hereto was authenticated by
Member of the Houses of the Oireachtas Commission
7 November 2019

SEÁN Ó FEARGHAÍL,
Ceann Comhairle

Member of staff of the Commission authorized by the Commission:
7 November 2019

ANNE-MARIE FAHY
Secretary
Houses of the Oireachtas Commission

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