



STATUTORY INSTRUMENTS.

S.I. No. 275 of 2021



GARDA SÍOCHÁNA (ASSOCIATIONS) (AMENDMENT) REGULATIONS
2021

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I, HEATHER HUMPHREYS, Minister for Justice, in exercise of the powers conferred on me by sections 18, 122 (1)(m) (as amended by section 56(a) of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 (No. 49 of 2015)) and 128 (2) of the Garda Síochána Act 2005 (No. 20 of 2005) (as adapted by the Justice and Equality (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 452 of 2020)) and section 59 (2) of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 (as so adapted) –

- (a) having regard to the risk to human life and public health posed by the spread of the disease known as Covid-19,
- (b) noting that, by reason of the risk referred to in paragraph (a), the Annual Delegate Conference of the Association of Garda Sergeants and Inspectors in the year 2020 did not take place,
- (c) after consulting with the Garda Commissioner and the Policing Authority, and
- (d) with the approval of the Government,

hereby make the following regulations:

Citation

1. (1) These Regulations may be cited as the Garda Síochána (Associations) (Amendment) Regulations 2021.

(2) The Garda Síochána (Associations) Regulations 1978 to 2020 and these Regulations may be cited together as the Garda Síochána (Associations) Regulations 1978 to 2021.

Interpretation

2. In these Regulations –

“2021 Annual Delegate Conference” shall be construed in accordance with Regulation 6;

“Annual Delegate Conference” has the same meaning as it has in the Regulations of 1978;

“Annual General Meeting” has the same meaning as it has in the Regulations of 1978;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 8th June, 2021.*

“Association” means the Association of Garda Sergeants and Inspectors as established under the Regulations of 1978;

“Regulations of 1978” means the Garda Síochána (Associations) Regulations 1978 (S.I. No. 135 of 1978);

“Special Delegate Conference” has the same meaning as it has in the Regulations of 1978;

“special general meeting” has the same meaning as it has in the Regulations of 1978;

“Trustee” has the same meaning as it has in the Regulations of 1978.

Provision for electronic communications technology

3. (1) A relevant meeting or a relevant conference need not be held at a physical venue but may be conducted wholly or partly by the use of electronic communications technology so long as all attendees have a reasonable opportunity to participate in the meeting or conference in accordance with this Regulation.

(2) (a) Provision may be made in standing orders or otherwise for participation in a relevant meeting or relevant conference by the use of electronic communications technology, including for a mechanism for casting votes by an attendee, whether before or during the meeting or conference,

(b) The mechanism referred to in paragraph (a) shall not require the attendee to be physically present at the relevant meeting or relevant conference or require the attendee to appoint a proxy who is to be physically present at the meeting or conference.

(3) Any temporary failure or disruption of electronic communications technology shall not invalidate a relevant meeting or relevant conference merely by virtue of that temporary failure or disruption.

(4) In this Regulation –

“attendee” means –

(a) in relation to a relevant meeting, a member of the branch or any other person attending the meeting, and

(b) in relation to a relevant conference, a delegate to the conference or any other person attending the conference;

“electronic communications technology”, in relation to a relevant meeting or relevant conference, means technology that enables real-time transmission and real-time two-way audio or audio-visual communication enabling attendees to participate in the meeting or conference using such technology from a remote location;

“relevant conference” means any of the following conferences of the Association in the year 2021:

- (a) the Annual Delegate Conference;
- (b) a Special Delegate Conference;

“relevant meeting” means any of the following meetings of the members of a branch of the Association in the year 2021:

- (a) the Annual General Meeting;
- (b) a special general meeting.

Annual General Meetings for the year 2021

4. Notwithstanding Article 3(5) of the Second Schedule to the Regulations of 1978, the Annual General Meeting of the members of each branch of the Association in the year 2021 shall be held –

- (a) as soon as practicable after the making of these Regulations, and
- (b) in advance of the 2021 Annual Delegate Conference.

Annual Delegate Conferences for the year 2020

5. Notwithstanding Article 4(5) of the Second Schedule to the Regulations of 1978, the requirement in that Article shall be deemed not to apply in respect of the Annual Delegate Conference in the year 2020.

Annual Delegate Conference for the year 2021

6. Notwithstanding Article 4(5) of the Second Schedule to the Regulations of 1978, the Annual Delegate Conference in the year 2021 (in these Regulations referred to as the “2021 Annual Delegate Conference”) may be held as soon as is practicable in the year 2021 after the making of these Regulations.

Standing Orders Committee

7. Notwithstanding Article 4(7) of the Second Schedule to the Regulations of 1978 –

- (a) the term of office of the Standing Orders Committee elected by the Annual Delegate Conference held in the year 2019 shall be deemed to have commenced on the date of the election

concerned and to expire at the close of the 2021 Annual Delegate Conference, and

- (b) the Standing Orders Committee referred to in paragraph (a) may perform the functions of a Standing Orders Committee in respect of the 2021 Annual Delegate Conference and any Special Delegate Conference held before that Conference.

Trustees

8. Notwithstanding Article 8 of the Second Schedule to the Regulations of 1978 –

- (a) the term of office of the Trustee who was elected by the Annual Delegate Conference held in 2017 shall be deemed to have commenced on the date of the election concerned and to expire at the close of the 2021 Annual Delegate Conference, and
- (b) the Trustee elected by the 2021 Annual Delegate Conference in accordance with Article 8 of the Second Schedule to the Regulations of 1978 shall hold office until the close of the Annual Delegate Conference held in 2023.

The Government hereby approve of the foregoing Regulations.



GIVEN under the Official Seal of the Government,
11 May, 2021.

MICHEÁL MARTIN,
Taoiseach.



GIVEN under the Official Seal of the Minister for Justice,
11 May, 2021.

HEATHER HUMPHREYS,
Minister for Justice.

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