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*Number 29 of 2013*

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**MINISTERS AND SECRETARIES (AMENDMENT) ACT 2013**

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ARRANGEMENT OF SECTIONS

Section

1. Amendment of Ministers and Secretaries (Amendment) Act 2011.
  2. Ministerial expenditure ceilings: provision of information to Minister.
  3. Amendment of Fiscal Responsibility Act 2012.
  4. Short title, commencement and collective citation.
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[No. 29.] *Ministers and Secretaries (Amendment) [2013.]  
Act 2013.*

ACTS REFERRED TO

Data Protection Acts 1988 and 2003	
Fiscal Responsibility Act 2012	2012, No. 39
Ministers and Secretaries (Amendment) Act 2011	2011, No. 10
Ministers and Secretaries Acts 1924 to 2011	



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Number 29 of 2013

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**MINISTERS AND SECRETARIES (AMENDMENT) ACT 2013**

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AN ACT TO MAKE PROVISION FOR MEDIUM-TERM EXPENDITURE MANAGEMENT AND FOR THAT PURPOSE TO MAKE PROVISION FOR GOVERNMENT EXPENDITURE CEILINGS AND MINISTERIAL EXPENDITURE CEILINGS, AND TO AMEND THE MINISTERS AND SECRETARIES (AMENDMENT) ACT 2011 AND THE FISCAL RESPONSIBILITY ACT 2012.

[23rd July, 2013]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—The Ministers and Secretaries (Amendment) Act 2011 is amended by substituting the following for section 17:

Amendment of  
Ministers and  
Secretaries  
(Amendment) Act  
2011.

“Government  
expenditure  
ceilings and  
Ministerial  
expenditure  
ceilings.

17.—(1) In this section—

‘Estimates for Public Services’ means the estimates of expenditure in relation to supply grants and appropriations-in-aid in respect of supply services for a financial year prepared by the Minister in the performance of functions transferred to the Minister by section 8(1) and submitted by the Government to Dáil Éireann for approval;

‘Government expenditure’ means the sum of expenditure which is met out of—

- (a) money supplied out of supply grants and appropriations-in-aid in respect of supply services,
- (b) money paid out of the Social Insurance Fund, and
- (c) money paid out of the National Training Fund,

consolidated within and between each of the categories specified in paragraphs (a), (b) and (c).

(2) Each financial year the Government shall, upon a proposal of the Minister for Finance, make a decision approving an upper limit on the amount

of Government expenditure (in this section referred to as the ‘Government expenditure ceiling’) for each of the 3 financial years immediately following the first-mentioned financial year.

(3) Where the Government have made a decision under subsection (2) or this subsection, they may, upon a proposal of the Minister for Finance, make a further decision approving an upper limit on the amount of Government expenditure that is greater or less than the Government expenditure ceiling (in this section referred to as the ‘revised Government expenditure ceiling’), for any one or more of the financial years concerned.

(4) The Minister for Finance shall consult with the Minister in relation to a proposal referred to in subsection (2) and a proposal referred to in subsection (3).

(5) The Minister for Finance shall, on behalf of the Government, inform Dáil Éireann of a decision under subsection (2) or (3) as soon as may be after the decision is made.

(6) Subject to the Government expenditure ceiling or revised Government expenditure ceiling, as the case may be, each financial year the Government shall, upon a proposal of the Minister, make a decision approving the amount of Government expenditure to be apportioned to the area of responsibility of each Minister of the Government (referred to in this section as a ‘Ministerial expenditure ceiling’) for each of the 3 financial years concerned.

(7) Subject to the Government expenditure ceiling or revised Government expenditure ceiling, as the case may be, where the Government have made a decision under subsection (6) or this subsection, they may, upon a proposal of the Minister, make a further decision revising any Ministerial expenditure ceiling for any one or more of the financial years concerned.

(8) The Minister shall, on behalf of the Government, inform Dáil Éireann of a decision under subsection (6) or (7) as soon as may be after the decision is made.

(9) The aggregate of—

- (a) the Estimates for Public Services for a financial year, and
- (b) the estimates of the amount of expenditure in that financial year to be met out of money paid out of the Social Insurance Fund and the National Training Fund,

shall not exceed the Government expenditure ceiling or the revised Government expenditure ceiling, as the case may be, for that financial year.

(10) The Minister for Finance may make recommendations to the Minister as respects the proportion of the Government expenditure ceiling or revised Government expenditure ceiling, as the case may be, that, having regard to fiscal and economic conditions, the Minister for Finance considers should be applied to meet—

- (a) current expenditure requirements, and
- (b) capital expenditure requirements.”.

2.—The Ministers and Secretaries (Amendment) Act 2011 is amended by inserting the following section after section 17:

Ministerial expenditure ceilings: provision of information to Minister.

“17A.—(1) A public service body may, and shall if requested by the Minister, provide to the Minister such information as may be reasonably necessary for the purposes of any function of the Minister under subsection (6) or (7) of section 17.

(2) Information provided to the Minister under subsection (1) shall not include any personal data (within the meaning of the Data Protection Acts 1988 and 2003).

(3) Where the Minister requests information under subsection (1) the information shall be provided in such form and manner and within such period as the Minister may specify.”.

3.—The Fiscal Responsibility Act 2012 is amended in section 8 by substituting the following for subsection (4):

Amendment of Fiscal Responsibility Act 2012.

“(4) The Fiscal Council shall—

- (a) endorse, as it considers appropriate, the macro-economic forecasts prepared by the Department of Finance on which the Budget and stability programme will be based,
- (b) provide an assessment of the official forecasts, and
- (c) in relation to each Budget and stability programme, provide an assessment of whether the fiscal stance for the year or years concerned is, in the opinion of the Fiscal Council, conducive to prudent economic and budgetary management, including by reference to the provisions of the Stability and Growth Pact.”.

4.—(1) This Act may be cited as the Ministers and Secretaries (Amendment) Act 2013.

Short title, commencement and collective citation.

(2) This Act shall come into operation on such day as the Minister for Public Expenditure and Reform may appoint by order.

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[No. 29.] *Ministers and Secretaries (Amendment) [2013.]  
Act 2013.*

(3) The Ministers and Secretaries Acts 1924 to 2011 and this Act (other than *section 3*) may be cited together as the Ministers and Secretaries Acts 1924 to 2013.

(4) The Fiscal Responsibility Act 2012 and *section 3* may be cited together as the Fiscal Responsibility Acts 2012 and 2013.