



Number 50 of 2022

Tailte Éireann Act 2022



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CONTENTS

PART 1

PRELIMINARY AND GENERAL

Section

1. Short title and commencement
2. Interpretation
3. Laying of orders
4. Expenses
5. Repeals

PART 2

ESTABLISHMENT OF TAILTE ÉIREANN

6. Establishment day
7. Establishment of Tailte Éireann
8. Functions of Tailte Éireann
9. Board of Tailte Éireann
10. Functions of Board
11. Chief executive of Tailte Éireann
12. Resignation, removal of chief executive
13. Functions of chief executive
14. Acting chief executive
15. Consultation by chief executive with Board
16. Delegation of functions of chief executive
17. Membership of either House of Oireachtas or European Parliament or local government
18. Accountability of chief executive to Oireachtas Committees
19. Staff of Tailte Éireann
20. Consultants and advisers
21. Disclosure of interests
22. Strategy statement

23. Reports to Minister
24. Confidential Information
25. Fees
26. Expenses of Tailte Éireann

PART 3

DISSOLUTION OF BODIES, TRANSFER OF FUNCTIONS AND RELATED MATTERS

CHAPTER 1

Dissolution of bodies and transfer of functions

27. Dissolution of bodies
28. Transfer of functions to Tailte Éireann
29. References in enactments
30. Transfer of land and other property
31. Transfer of rights and liabilities, and continuation of leases, licences and permissions granted by dissolved body
32. Liability for loss occurring before establishment day, continuance of pending legal proceedings
33. Provisions consequent upon conferral of functions or transfer of assets and liabilities
34. Saver for certain matters

CHAPTER 2

Transfer of staff and superannuation

35. Transfer of staff to Tailte Éireann
36. Further provisions regarding superannuation - Ordnance Survey Ireland

CHAPTER 3

Records and accounts

37. Records of dissolved bodies, Commissioner of Valuation, Boundary Surveyor
38. Final accounts, final annual report of dissolved bodies, Commissioner of Valuation, Boundary Surveyor

PART 4

AMENDMENTS TO OTHER ENACTMENTS

39. Amendment of Act of 1997
40. Amendments to Act of 2001
41. Amendment of Act of 2006

[2022.]

Tailte Éireann Act 2022.

[No. 50.]

SCHEDULE 1

SCHEDULE 2

ACTS REFERRED TO

Adoptive Leave Acts 1995 and 2005
Boundary Survey (Ireland) Act 1854 (17 & 18 Vict. c.17)
Carer's Leave Act 2001 (No. 19)
Civil Service Regulation Act 1956 (No. 46)
Civil Service Regulation Acts 1956 to 2005
Companies Act 2014 (No. 38)
Comptroller and Auditor General (Amendment) Act 1993 (No. 8)
Comptroller and Auditor General Acts 1866 to 1998
Ethics in Public Office Act 1995 (No. 22)
Ethics in Public Office Acts 1995 and 2001
European Parliament Elections Act 1997 (No. 2)
Maternity Protection Acts 1994 and 2004
Minimum Notice and Terms of Employment Acts 1973 to 2005
Ordnance Survey Ireland Act 2001 (No. 43)
Organisation of Working Time Act 1997 (No. 20)
Parent's Leave and Benefit Act 2019 (No. 35)
Parental Leave Acts 1998 to 2019
Paternity Leave and Benefit Act 2016 (No. 11)
Protected Disclosures Act 2014 (No. 14)
Protection of Employees (Fixed-Term Work) Act 2003 (No. 29)
Protection of Employees (Part-Time Work) Act 2001 (No. 45)
Public Service Management (Recruitment and Appointments) Act 2004 (No. 33)
Public Service Management Act 1997 (No. 27)
Redundancy Payments Acts 1967 to 2014
Registration of Deeds and Title Act 2006 (No. 12)
Registration of Title Act 1964 (No. 16)
Terms of Employment (Information) Acts 1994 to 2014
Unfair Dismissals Acts 1977 to 2015
Valuation Act 2001 (No. 13)



Number 50 of 2022

TAILTE ÉIREANN ACT 2022

An Act to provide for the establishment of a body to be known as Tailte Éireann; to provide for the dissolution of the Property Registration Authority and Ordnance Survey Ireland and to provide for the transfer of their functions to Tailte Éireann; to provide for the transfer of the functions of the Commissioner of Valuation and the Boundary Surveyor to Tailte Éireann; to amend the Public Service Management Act 1997, the Valuation Act 2001 and the Registration of Deeds and Title Act 2006; to provide for the repeal of certain enactments; and to provide for related matters. [21st December, 2022]

Be it enacted by the Oireachtas as follows:

PART 1

PRELIMINARY AND GENERAL

Short title and commencement

1. (1) This Act may be cited as the Tailte Éireann Act 2022.
- (2) This Act (other than *section 39*) shall come into operation on such day or days as the Minister may by order or orders appoint either generally or with reference to any particular purpose or provision, and different days may be so appointed for different purposes or different provisions and for the repeal of different enactments or provisions of enactments effected by *section 5*.
- (3) *Section 39* shall come into operation on such day or days as the Minister for Public Expenditure and Reform may, after consultation with the Minister, by order or orders appoint either generally or with reference to any particular purpose or provision, and different days may be so appointed for different purposes and different provisions.

Interpretation

2. (1) In this Act—
 - “Act of 1964” means the Registration of Title Act 1964;
 - “Act of 1997” means the Public Service Management Act 1997;
 - “Act of 2001” means the Valuation Act 2001;

“Act of 2006” means the Registration of Deeds and Title Act 2006;

“Act of 2014” means the Companies Act 2014;

“Board” has the meaning given to it by *section 9*;

“Boundary Surveyor” shall be construed in accordance with the Boundary Survey (Ireland) Act 1854;

“chief executive” has the meaning given to it by *section 11*;

“Commissioner of Valuation” means the Commissioner of Valuation appointed under section 9(5) of the Act of 2001;

“company” means a company formed and registered under the Act of 2014 or an existing company within the meaning of that Act;

“dissolved body” has the meaning given to it by *section 27*;

“empowered person” means a person referred to in paragraph (b) of the definition of “officer of the Commissioner” in section 3 of the Act of 2001;

“enactment” means—

- (a) an Act of the Oireachtas,
- (b) a statute that was in force in Saorstát Éireann immediately before the date of the coming into operation of the Constitution and that continues in force by virtue of Article 50 of the Constitution, or
- (c) an instrument made under—
 - (i) an Act of the Oireachtas, or
 - (ii) a statute referred to in *paragraph (b)*;

“establishment day” means the day appointed by order under *section 6*;

“Minister” means the Minister for Housing, Local Government and Heritage;

“officer of the Commissioner” has the meaning given to it by section 3 of the Act of 2001;

“OSI Act 2001” means the Ordnance Survey Ireland Act 2001;

“strategy statement” means the strategy statement, within the meaning of section 5 of the Act of 1997, of Tailte Éireann.

- (2) A reference in this Act to the Boundary Surveyor includes a reference to that person, howsoever described in any enactment or otherwise, including where described as the Chief Boundary Surveyor.

Laying of orders

- 3. Every order (other than an order under *section 1(2)* or *(3)* or *section 6*) made under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21

days on which that House has sat after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done under it.

Expenses

4. The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Public Expenditure and Reform, be paid out of moneys provided by the Oireachtas.

Repeals

5. The enactments specified in *column (2)* of *Schedule 2* are repealed to the extent specified in *column (3)* of that Schedule.

PART 2

ESTABLISHMENT OF TAILTE ÉIREANN

Establishment day

6. The Minister shall, by order, appoint a day to be the establishment day for the purposes of this Act.

Establishment of Tailte Éireann

7. (1) There shall stand established on the establishment day a body which shall be known as Tailte Éireann to perform the functions conferred on it by or under this Act.
(2) Tailte Éireann shall be a body corporate with perpetual succession and an official seal and shall have power to sue, and may be sued, in its corporate name and shall, with the consent of the Minister given with the approval of the Minister for Public Expenditure and Reform, have the power to acquire, hold and dispose of land or an interest in land and shall have the power to acquire, hold and dispose of any other property.
(3) The seal of Tailte Éireann shall be authenticated by—
 - (a) the signatures of both the chief executive and a member of the Board authorised by the Board to act in that behalf, or
 - (b) the signatures of a member of the staff of Tailte Éireann authorised by the chief executive to act in that behalf and a member of the Board authorised by the Board to act in that behalf.
(4) Judicial notice shall be taken of the seal of Tailte Éireann and any document purporting to be an instrument made by, and to be sealed with the seal of, Tailte Éireann authenticated in accordance with *subsection (3)*, shall, unless the contrary is

shown, be received in evidence and be deemed to be such instrument without further proof.

Functions of Tailte Éireann

8. (1) The function of Tailte Éireann shall be to perform—
- (a) the functions assigned to it by or under this Act,
 - (b) the functions transferred to it by *section 28*, and
 - (c) such other functions as may be assigned to it from time to time by or under any other enactment.
- (2) Tailte Éireann shall have all such powers as are necessary or expedient for the performance of its functions.
- (3) The Minister may, after consultation with Tailte Éireann and any other Minister of the Government, who in the opinion of the Minister is concerned, by order confer on Tailte Éireann such additional functions connected with the functions for the time being of Tailte Éireann or services or activities that Tailte Éireann may provide or carry on as the Minister considers appropriate.
- (4) An order under *subsection (3)* may contain such incidental, supplementary provisions as appear to the Minister to be necessary or appropriate for the purposes of the order.
- (5) Tailte Éireann shall, in the performance of its functions under this Act, have regard to any policy or objective of the Government or a Minister of the Government in so far as it may affect or relate to the functions of Tailte Éireann.
- (6) Tailte Éireann shall, subject to the provisions of this Act, be independent in the performance of its functions.
- (7) The Minister may inform Tailte Éireann of any policy or objective of the Government or of a Minister of the Government referred to in *subsection (5)*.

Board of Tailte Éireann

9. (1) There shall be a Board of Tailte Éireann (in this Act referred to as “the Board”).
- (2) The provisions of *Schedule 1* shall have effect in relation to the Board.

Functions of Board

10. (1) The Board shall have the following functions:
- (a) to guide generally the strategic direction of Tailte Éireann;
 - (b) to guide and advise the chief executive in relation to the performance by Tailte Éireann of its functions where the Board is consulted by, or such advice and guidance is requested by, the chief executive in accordance with *section 15*;
 - (c) to oversee the implementation by the chief executive of the strategy statement;

- (d) to advise or make recommendations to the Minister in relation to policies of the Government or a Minister of the Government affecting the functions of Tailte Éireann.
- (2) The Board may do anything which it considers necessary or expedient to enable it to perform its functions.
- (3) The Board, in the performance of its functions under this Act, shall have regard to any policy or objective of the Government or a Minister of the Government in so far as it may affect or relate to the functions of Tailte Éireann.
- (4) The Minister may inform the Board of any policy or objective of the Government or of a Minister of the Government referred to in *subsection (3)*.
- (5) Nothing in this section shall be construed as enabling the Board to exercise any power or control in relation to the performance, in a particular case or in particular circumstances, of functions conferred on Tailte Éireann by or under this Act.

Chief executive of Tailte Éireann

- 11.** (1) Subject to *subsection (2)*, the Minister shall appoint a person recruited in accordance with the Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Act 1956 to be the chief executive of Tailte Éireann (in this Act referred to as the “chief executive”).
- (2) *Subsection (1)* shall not apply to a person appointed to be the first chief executive of Tailte Éireann under *subsection (6)*.
- (3) The chief executive shall hold office on such terms and conditions (including those relating to term of office, remuneration, allowances and superannuation) as may be determined by the Minister with the consent of the Minister for Public Expenditure and Reform.
- (4) The chief executive shall not hold any other office or position without the consent of the Minister.
- (5) Where, before the establishment day, a competition has been held under section 47 of the Public Service Management (Recruitment and Appointments) Act 2004 for the purpose of appointing a chief executive of Tailte Éireann, the Minister may designate the successful candidate as the person to be appointed to be the first chief executive of Tailte Éireann.
- (6) If, immediately before the establishment day, a person stands designated by the Minister under *subsection (5)*, the Minister shall on the establishment day appoint that person to be the first chief executive.
- (7) The chief executive of Tailte Éireann shall hold a position in the Civil Service of the State.

Resignation, removal of chief executive

- 12.** (1) The chief executive may resign from office by giving notice in writing to the Minister of his or her resignation and the resignation shall take effect on the date specified in the notice or the date on which the Minister receives the notice, whichever is later.
- (2) The Minister may, at any time, remove the chief executive for stated reasons.

Functions of chief executive

- 13.** (1) The chief executive shall be the accounting officer, for the purposes of the Comptroller and Auditor General Acts 1866 to 1998, in relation to the appropriation accounts of Tailte Éireann.
- (2) The chief executive shall be the principal officer and the Head of Tailte Éireann for the purposes of the Act of 1997.
- (3) Tailte Éireann shall act through, and its functions shall be performed in the name of Tailte Éireann by the chief executive or another member of staff of Tailte Éireann duly authorised in that behalf by the chief executive.
- (4) The chief executive shall—
- (a) carry out and manage and control generally the staff, administration and business of Tailte Éireann,
 - (b) at the request of the Board, promptly provide it with such information (including financial information) as the Board may require, in particular in relation to—
 - (i) the functions of the chief executive and the implementation by him or her of the policies of the Government or a Minister of the Government affecting the functions of Tailte Éireann,
 - (ii) the strategic direction of Tailte Éireann, and
 - (iii) the implementation by the chief executive of the strategy statement,and
 - (c) provide the Minister with such information relating to the performance of the functions of the chief executive as the Minister may require.

Acting chief executive

- 14.** (1) Subject to *subsection (2)*, the Minister may appoint a person to perform the functions of the chief executive during—
- (a) any period or periods when the chief executive is absent from duty or from the State or is, for any other reason, unable to perform the functions of chief executive,
 - (b) any suspension from office of the chief executive, or
 - (c) any vacancy in the office of chief executive.

- (2) A person shall not be appointed to perform the functions of the chief executive for a continuous period of more than 12 months during a vacancy in the office of chief executive.
- (3) The Minister may at any time terminate an appointment under this section.

Consultation by chief executive with Board

15. (1) The chief executive may consult with, or request the guidance or advice of, the Board on any matter relating to a function of Tailte Éireann.
- (2) Without prejudice to the generality of *subsection (1)*, the chief executive shall consult with, and request the guidance and advice of, the Board when he or she is preparing a strategy statement.
- (3) The chief executive shall have regard to any guidance or advice of the Board pursuant to a request under this section before performing any function to which the guidance or advice relates.

Delegation of functions of chief executive

16. (1) The chief executive may delegate the performance of any functions transferred to Tailte Éireann under *section 28* to any member of the staff of Tailte Éireann and that member of staff shall be accountable to the chief executive for the performance of that function.
- (2) The person to whom the performance of a function is delegated under *subsection (1)* shall perform the function under the general direction and subject to the general control of the chief executive and in accordance with such (if any) limitations as may be specified in the delegation in relation to the area or period in which or the extent to which he or she is to perform the function.
- (3) Any function, when performed by a person to whom it has been delegated under this section, shall be deemed to have been performed by the chief executive.
- (4) Any delegation under this section may relate to the performance generally of a function or to the performance of a function in a particular case or class of case or in relation to property in a particular area.
- (5) The chief executive may revoke a delegation under this section at any time either generally or in relation to a particular case or class of case or in relation to property in a particular area.
- (6) Where, in relation to a particular case or class of case, a delegation of a function is revoked at a time when the function has not been fully performed, the chief executive, or another member of the staff of Tailte Éireann to whom a delegation in respect of that function has been made under this section, may continue the performance of the function in respect of the case or class.

Membership of either House of Oireachtas or European Parliament or local government

17. (1) Where a member of the Board or the chief executive is—

- (a) nominated as a member of Seanad Éireann,
- (b) elected as a member of either House of the Oireachtas or to be a member of the European Parliament,
- (c) regarded, pursuant to Part XIII of the Second Schedule to the Act of 1997, as having been elected to that Parliament, or
- (d) elected or co-opted to be a member of a local authority,

he or she shall thereupon cease to be a member of the Board or chief executive, as the case may be.

(2) Where a member of the staff of Tailte Éireann is—

- (a) nominated as a member of Seanad Éireann,
- (b) elected as a member of either House of the Oireachtas or to be a member of the European Parliament,
- (c) regarded pursuant to Part XIII of the Second Schedule to the Act of 1997 as having been elected to that Parliament,

he or she shall thereupon stand seconded from employment by Tailte Éireann and shall not be paid by, or be entitled to receive from Tailte Éireann, any remuneration or allowances in respect of the period commencing on such nomination or election, or when he or she is so regarded as having been so elected (as the case may be), and ending when such person ceases to be a member of either such House or such Parliament, as the case may be.

(3) A person who is for the time being—

- (a) entitled under the Standing Orders of either House of the Oireachtas to sit therein,
- (b) a member of the European Parliament, or
- (c) entitled under the standing orders of a local authority to sit as a member thereof,

shall, while he or she is so entitled or is such a member, as the case may be, be disqualified for being a member of the Board, the chief executive or a member of staff, as the case may be, of Tailte Éireann.

(4) A period mentioned in *subsection (2)* shall not, for the purposes of any superannuation benefit, be reckoned as service with Tailte Éireann.

(5) In this section, “Act of 1997” means the European Parliament Elections Act 1997.

Accountability of chief executive to Oireachtas Committees

18. (1) In this section, “Committee” means a Committee appointed by either House of the Oireachtas or jointly by both Houses of the Oireachtas (other than a Committee on Members’ Interests of Dáil Éireann or a Committee on Members’ Interests of Seanad Éireann) or a subcommittee of such a Committee.

- (2) Subject to *subsection (3)*, the chief executive shall, at the request in writing of a Committee, attend before it to give account for the general administration of Tailte Éireann.
- (3) The chief executive shall not be required to give account before a Committee for any matter which is or has been or may at a future time be the subject of proceedings before a court or tribunal in the State.
- (4) Where the chief executive is of the opinion that a matter in respect of which he or she is requested to give account before a Committee is a matter to which *subsection (3)* applies, he or she shall inform the Committee of that opinion and the reasons for the opinion and, unless the information is conveyed to the Committee at a time when the chief executive is before it, the information shall be so conveyed in writing.
- (5) Where the chief executive has informed a Committee of his or her opinion in accordance with *subsection (4)* and the Committee does not withdraw the request referred to in *subsection (2)* in so far as it relates to a matter the subject of that opinion—
 - (a) the chief executive may, not later than 21 days from the date of being informed by the Committee of its decision not to do so, apply to the High Court in a summary manner for determination of the question whether the matter is one to which *subsection (3)* applies, or
 - (b) the Chairperson of the Committee may, on behalf of the Committee, make such an application,and the High Court shall determine the matter.
- (6) Pending the determination of an application under *subsection (5)*, the chief executive shall not attend before the Committee to give account for the matter the subject of the application.
- (7) If the High Court determines that the matter concerned is one to which *subsection (3)* applies, the Committee shall withdraw the request referred to in *subsection (2)* but if the High Court determines that *subsection (3)* does not apply, the chief executive shall attend before the Committee to give account for the matter.
- (8) In the performance of his or her duties under this section, the chief executive shall not question or express an opinion on the merits of—
 - (a) any policy of the Government or of a Minister of the Government, or
 - (b) the objectives of such a policy.
- (9) The chief executive shall be an accounting officer for the purposes of section 19 of the Comptroller and Auditor General (Amendment) Act 1993.

Staff of Tailte Éireann

19. (1) Subject to *subsection (2)*, the chief executive, with the approval of the Minister and the consent of the Minister for Public Expenditure and Reform—

- (a) may appoint such number of persons to be members of the staff of Tailte Éireann as he or she may determine, and
 - (b) shall determine the grades of the members of staff and the number of staff at each grade.
- (2) A member of the staff of Tailte Éireann shall be a civil servant (within the meaning of the Civil Service Regulation Act 1956) in the Civil Service of the State.
- (3) The chief executive is the appropriate authority (within the meaning of the Civil Service Regulation Act 1956) in relation to the members of the staff of Tailte Éireann.

Consultants and advisers

- 20.** (1) Tailte Éireann may engage such consultants and advisers as it considers necessary for the performance of any or all of its functions.
- (2) Tailte Éireann shall comply with any directions concerning the appointment of consultants and advisers which may from time to time be given to it by the Minister with the consent of the Minister for Public Expenditure and Reform.
- (3) Any fees due to a consultant or adviser engaged under this section shall, having regard to guidelines issued from time to time by the Minister for Public Expenditure and Reform, be paid by Tailte Éireann out of moneys at its disposal.

Disclosure of interests

- 21.** (1) Where a member of the Board has a pecuniary interest or other beneficial interest in, or material to, any matter to be considered by the Board in relation to the functions of Tailte Éireann, including—
- (a) an arrangement to which Tailte Éireann is a party,
 - (b) an arrangement to which Tailte Éireann proposes to become a party,
 - (c) a contract or other arrangement with Tailte Éireann, or
 - (d) a proposed contract or other arrangement with Tailte Éireann,
- he or she shall—
- (i) in advance of any consideration of the matter, disclose that interest and its nature to the Board,
 - (ii) take no part in any deliberation of the matter or make any recommendation in relation to the matter,
 - (iii) not influence, or seek to influence any decision to be made in relation to the matter,
 - (iv) absent himself or herself from any meeting at which the matter is being discussed, and
 - (v) not vote on any decision in relation to the matter.

- (2) Without prejudice to the generality of *subsection (1)*, a person is regarded for the purposes of this section as having a beneficial interest if—
 - (a) he or she or any connected relative, any nominee of his or hers or any connected relative of the nominee is a member of a company or any other entity which has a beneficial interest in, or material to, a matter to be considered by the Board or the person in relation to the functions of Tailte Éireann,
 - (b) he or she or any connected relative is in partnership with or in the employment of a person who has a beneficial interest in, or material to, such a matter,
 - (c) he or she or any connected relative is a party to any arrangement or agreement (whether or not enforceable) concerning land to which such a matter relates, or
 - (d) any connected relative has a beneficial interest in, or material to, such a matter.
- (3) For the purposes of this section, a person shall not be regarded as having a beneficial interest in, or material to, any matter by reason only of an interest of the person, or of any company or other entity or person referred to in *subsection (2)*, which is so remote or insignificant that it could not reasonably be regarded as likely to influence a person in considering, discussing or voting on any question with respect to the matter or in performing any function in relation to it.
- (4) Where a question arises as to whether or not a course of conduct, if pursued by a person, would constitute a failure by the person to comply with *subsection (1)*, the question may, subject to *subsection (5)*, be determined by the chairperson of the meeting, whose decision shall be final, and where the determination is so made shall be recorded in the minutes of the meeting.
- (5) Where, at a meeting of the Board, the chairperson of the meeting is the person in respect of whom a question to which *subsection (4)* applies falls to be determined, the other members of the Board attending the meeting shall choose one of their members to be the chairperson of the meeting for the purposes of determining the question concerned.
- (6) Where a disclosure under *subsection (1)* is made to the Board, particulars of the disclosure shall be recorded in the minutes of the meeting concerned and for so long as the matter which is the subject of the disclosure is being dealt with at the meeting, the person by whom the disclosure is made shall not be counted in the quorum for the meeting.
- (7) Where the Minister is satisfied, on being informed by the Board, that a member of the Board has contravened *subsection (1)*, the Minister shall determine the appropriate action (including removal from office) to be taken in relation to that person.
- (8) Where the Board is satisfied that a person other than a member of the Board has contravened *subsection (1)*, the Board shall determine the appropriate action (including termination of contract) to be taken.
- (9) In this section—
 - (a) “connected relative”, in relation to a person, means—

- (i) a spouse, civil partner, parent, brother, sister or child of that person, or
 - (ii) a spouse or civil partner of a child of that person,
- and
- (b) a reference to the Board includes a reference to a committee of the Board appointed under *paragraph 5 of Schedule 1*.

Strategy statement

22. Paragraph (b) of section 4(1) of the Act of 1997 shall apply to Tailte Éireann subject to the modification that, in relation to the first strategy statement of Tailte Éireann, subparagraph (i) of that paragraph shall be construed as if it referred to a period of within 6 months after the establishment day.

Reports to Minister

23. (1) Subject to *subsections (2) and (3)* Tailte Éireann shall, not later than 30 June in each year, prepare and submit to the Minister a report (in this section referred to as the “annual report”) in writing on its activities in the immediately preceding financial year.
- (2) The first annual report shall be prepared in respect of the period beginning on the establishment day and ending on the next following 31 December.
 - (3) If, under *subsection (2)* the first annual report would relate to a period of less than 6 months, that report shall, notwithstanding *subsection (1) and (2)*, relate to the activities of Tailte Éireann during that period and the financial year of Tailte Éireann immediately following that period and Tailte Éireann shall prepare, and submit to the Minister, the first annual report as soon as may be, but not later than 6 months, after that financial year.
 - (4) The annual report shall include information in relation to—
 - (a) the performance of the functions of Tailte Éireann during the period to which it relates including in relation to the implementation of the strategy statement, and
 - (b) such other information in such form as the Minister may specify or as Tailte Éireann thinks fit.
 - (5) The Minister shall cause a copy of the annual report to be laid before each House of the Oireachtas as soon as practicable after it has been submitted to him or her.
 - (6) Tailte Éireann may, from time to time, prepare and submit to the Minister such other reports in relation to its activities as it considers appropriate.
 - (7) The Minister may give a direction, in writing, to Tailte Éireann to prepare and submit to him or her a report, in writing, not later than such date as the Minister specifies in the direction, in relation to any particular matter relating to the functions of Tailte Éireann as the Minister considers appropriate.
 - (8) Tailte Éireann shall comply with a direction under *subsection (7)*.

- (9) This section shall not operate to require Tailte Éireann to include information in the annual report or other report referred to in this section that, in its opinion, would prejudice the performance by Tailte Éireann of any of its functions.
- (10) In this section, “financial year” means the financial year of Tailte Éireann.

Confidential Information

24. (1) Except in the circumstances specified in *subsection (2)*, a person shall not disclose confidential information obtained by him or her while performing functions—
- (a) as a member of the Board or a committee of the Board,
 - (b) as an empowered person,
 - (c) as an adviser or consultant to Tailte Éireann or the Board or as the staff of such adviser or consultant.
- (2) *Subsection (1)* shall not operate to prohibit the disclosure of confidential information by a person referred to in that subsection where—
- (a) the Board authorises the disclosure,
 - (b) the disclosure is made to the Board, the chief executive or a member of the staff of Tailte Éireann,
 - (c) the disclosure is made in the performance of functions of Tailte Éireann,
 - (d) the disclosure is made by or on behalf of Tailte Éireann to the Minister,
 - (e) the disclosure is made to the Valuation Tribunal for the purpose of the performance by it of its functions under the Act of 2001,
 - (f) the disclosure is made in compliance with a requirement of this Act or is otherwise required by law,
 - (g) the disclosure is made by a person in the circumstances referred to in section 35(2) of the Ethics in Public Office Act 1995,
 - (h) where the disclosure is a protected disclosure (within the meaning of the Protected Disclosures Act 2014), or
 - (i) the disclosure is made to a member of the Garda Síochána and, in the opinion of the person making the disclosure, the information may relate to the commission of an offence (whether an offence under this Act or not).
- (3) In this section, “confidential information” means information that is expressed to be confidential either as regards particular information or as regards information of a particular class or description, and includes information that, immediately before their repeal, is confidential information under—
- (a) section 23 of the OSI Act 2001,
 - (b) section 68 of the Act of 2001, or
 - (c) section 15 of the Act of 2006.

- (4) A person who contravenes *subsection (1)* is guilty of an offence and is liable on summary conviction to a class A fine.

Fees

- 25.** (1) The Minister may, having consulted with the chief executive and with the consent of the Minister for Public Expenditure and Reform, by order, specify—

- (a) the fees payable to Tailte Éireann in relation to the performance by it of its functions,
- (b) the persons by whom such fees are to be paid,
- (c) when such fees are to be paid,
- (d) any general or specific exemptions from the payment of fees,

and different provision may be made in respect of different classes or types of functions and different services or activities provided or carried out by Tailte Éireann in connection with the performance of those functions.

- (2) An order under *subsection (1)* may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the order.
- (3) Fees payable pursuant to an order under *subsection (1)* shall be collected and taken in such manner as the Minister for Public Expenditure and Reform may from time to time direct and be paid into and disposed of for the benefit of the Exchequer in accordance with the directions of that Minister.
- (4) The chief executive shall determine—
- (a) the manner or method of payment of any fees chargeable, and
 - (b) the form in which the payment of any such fees shall be recorded, including the provision of a receipt in respect of such payment.
- (5) Any enactment—
- (a) specifying, prescribing or otherwise setting out the fees payable in respect of the performance of functions transferred to Tailte Éireann under *section 28* or the provision of services or the carrying out of activities in connection with the performance of those functions, and
 - (b) that is in force on the establishment day,

shall be deemed to be an order made under this section and, accordingly, be liable to amendment or revocation by an order made under this section and shall continue in force, with any fees payable thereunder being payable to Tailte Éireann, until it is so amended or revoked.

Expenses of Tailte Éireann

- 26.** The expenses incurred by Tailte Éireann in the performance of its functions shall, to such

extent as may be sanctioned by the Minister, be paid out of monies provided by the Oireachtas.

PART 3

DISSOLUTION OF BODIES, TRANSFER OF FUNCTIONS AND RELATED MATTERS

CHAPTER 1

Dissolution of bodies and transfer of functions

Dissolution of bodies

27. Each of the following bodies (in this Act referred to as a “dissolved body”) is dissolved on the establishment day:
- (a) the Property Registration Authority;
 - (b) Ordnance Survey Ireland.

Transfer of functions to Tailte Éireann

28. On the establishment day, all functions that, immediately before the establishment day, were vested in—
- (a) a dissolved body,
 - (b) the Commissioner of Valuation, or
 - (c) the Boundary Surveyor,
- are transferred to Tailte Éireann.

References in enactments

29. References in any enactment (other than this Act) or any instrument made under such an enactment, to—
- (a) a dissolved body,
 - (b) the Commissioner of Valuation,
 - (c) the Boundary Surveyor,
- shall, on and after the establishment day, be construed as references to Tailte Éireann.

Transfer of land and other property

30. (1) On the establishment day, all lands that, immediately before that day, were vested in a dissolved body, the Commissioner of Valuation or the Boundary Surveyor and all rights, powers and privileges relating to or connected with such lands shall, without any conveyance or assignment, stand vested in Tailte Éireann for all the estate or

interest therein that, immediately before the establishment day was vested in the dissolved body, the Commissioner of Valuation or the Boundary Surveyor, as the case may be, but subject to all trusts and equities affecting the lands concerned continuing to subsist and capable of being performed.

- (2) On the establishment day, all property (other than land), including choses-in-action, that, immediately before that day, was vested in a dissolved body, the Commissioner of Valuation or the Boundary Surveyor, shall stand vested in Tailte Éireann without any assignment.
- (3) Every chose-in-action vested in Tailte Éireann by virtue of *subsection (2)* may, on and from the establishment day, be sued on, recovered or enforced by Tailte Éireann in its own name and it shall not be necessary for Tailte Éireann or a dissolved body, the Commissioner of Valuation or the Boundary Surveyor, as the case may be, to give notice to any person bound by any such chose-in-action of the vesting by this section.

Transfer of rights and liabilities, and continuation of leases, licences and permissions granted by dissolved body

- 31.** (1) All rights and liabilities of a dissolved body, the Commissioner of Valuation or the Boundary Surveyor arising by virtue of any contract or commitment (expressed or implied) entered into by it before the establishment day shall on that day stand transferred to Tailte Éireann.
- (2) Every right and liability transferred by *subsection (1)* to Tailte Éireann may, on and after the establishment day, be sued on, recovered or enforced by or against Tailte Éireann in its own name, and it shall not be necessary for Tailte Éireann, or a dissolved body, the Commissioner of Valuation or the Boundary Surveyor, as the case may be, to give notice to the person whose right or liability is transferred by that subsection of such transfer.
 - (3) Every lease, licence, wayleave or permission granted by a dissolved body, the Commissioner of Valuation or the Boundary Surveyor in relation to land or other property vested in Tailte Éireann by or under this Act, and in force immediately before the establishment day, shall continue in force as if granted by Tailte Éireann.

Liability for loss occurring before establishment day, continuance of pending legal proceedings

- 32.** (1) A claim in respect of any loss or injury alleged to have been suffered by any person arising out of the performance before the establishment day of any of the functions of a dissolved body, the Commissioner of Valuation or the Boundary Surveyor shall on and after that day, lie against Tailte Éireann and not against the dissolved body concerned, the Commissioner of Valuation or the Boundary Surveyor, as the case may be.
- (2) Any legal proceedings pending immediately before the establishment day to which a dissolved body, the Commissioner of Valuation or the Boundary Surveyor is a party, that relate to a function of the dissolved body, the Commissioner of Valuation or the Boundary Surveyor, as the case may be, shall be continued, with the substitution in

the proceedings of Tailte Éireann, in so far as they so relate, and the proceedings shall not abate by reason of such substitution.

- (3) Where, before the establishment day, agreement has been reached between the parties concerned in settlement of a claim to which *subsection (1)* relates, the terms of the agreement have not been implemented, or judgment in such a claim has been given in favour of a person but has not been enforced, the terms of the agreement or judgment, shall, in so far as they are enforceable against a dissolved body, the Commissioner of Valuation or the Boundary Surveyor, as the case may be, be enforceable against Tailte Éireann and not the dissolved body concerned, the Commissioner of Valuation or the Boundary Surveyor, as the case may be.
- (4) Any claim made or proper to be made by a dissolved body, the Commissioner of Valuation or Boundary Surveyor in respect of any loss or injury arising from the act or default of any person before the establishment day shall, on and after the establishment day, be regarded as having been made by or proper to be made by Tailte Éireann and may be pursued and sued for by Tailte Éireann as if the loss or injury had been suffered by Tailte Éireann.

Provisions consequent upon conferral of functions or transfer of assets and liabilities

- 33.** (1) Anything commenced and not completed before the establishment day by or under the authority of a dissolved body, the Commissioner of Valuation or the Boundary Surveyor may, in so far as it relates to a function conferred on Tailte Éireann by this Act, be carried on or completed on or after that day by Tailte Éireann.
- (2) Every instrument made under enactment and every document (including any certificate) granted or made, by a dissolved body, the Commissioner of Valuation or the Boundary Surveyor, if and in so far as it was operative immediately before the establishment day, shall have effect on and after that day as if it had been granted or made by Tailte Éireann.
- (3) References to a dissolved body, the Commissioner of Valuation or the Boundary Surveyor in the memorandum of association or articles of association of any company relating to a function conferred on Tailte Éireann by this Act shall, on and after the establishment day, be construed as references to Tailte Éireann.
- (4) All moneys, stocks, shares and securities transferred by *section 30* that, immediately before the establishment day, were standing in the name of any of a dissolved body, the Commissioner of Valuation or the Boundary Surveyor shall, on the request of Tailte Éireann, be transferred to Tailte Éireann in its own name.
- (5) A certificate signed by the Minister that any property, right or liability has or, as the case may be, has not vested in Tailte Éireann under *section 30* or *31* shall be sufficient evidence, unless the contrary is shown, of the fact so certified for all purposes.

Saver for certain matters

- 34.** An application made to a dissolved body, the Commissioner of Valuation or the Boundary Surveyor before the establishment day under the Act of 2006, the OSI Act

2001, the Act of 2001 or the Boundary Survey (Ireland) Act 1854, as the case may be, shall, where the application was not determined by the dissolved body, the Commissioner of Valuation or the Boundary Surveyor, as the case may be, before the establishment day, be treated as an application made to Tailte Éireann.

CHAPTER 2

Transfer of staff and superannuation

Transfer of staff to Tailte Éireann

- 35.** (1) The following persons shall, on the establishment day, become and be a member of the staff of Tailte Éireann and shall hold or continue to hold, as the case may be, a position in the Civil Service of the State:
- (a) the chief executive, immediately before the establishment day, of a dissolved body;
 - (b) the person holding office as the Commissioner of Valuation immediately before the establishment day;
 - (c) the person appointed to be the Boundary Surveyor immediately before the establishment day;
 - (d) every person who, immediately before the establishment day, was—
 - (i) a member of the staff of a dissolved body, or
 - (ii) an officer of the Commissioner, other than an empowered person.
- (2) Save in accordance with a collective agreement negotiated with any recognised trade union or staff association, a person referred to in *subsection (1)* shall not on the establishment day be subject to less favourable terms and conditions of service including terms and conditions relating to remuneration than the terms and conditions of service, including terms and conditions relating to remuneration, to which the person was subject immediately before that day.
- (3) In relation to persons transferred to the staff of Tailte Éireann under *subsection (1)*, previous service with the dissolved body concerned, service as the Commissioner of Valuation, the Boundary Surveyor or as an officer of the Commissioner, as the case may be, shall be reckonable for the purposes of, but subject to any exclusions in—
- (a) the Redundancy Payments Acts 1967 to 2014;
 - (b) the Protection of Employees (Part-Time Work) Act 2001;
 - (c) the Protection of Employees (Fixed-Term Work) Act 2003;
 - (d) the Organisation of Working Time Act 1997;
 - (e) the Minimum Notice and Terms of Employment Acts 1973 to 2005;
 - (f) the Unfair Dismissals Acts 1977 to 2015;
 - (g) the Terms of Employment (Information) Acts 1994 to 2014;

- (h) the Maternity Protection Acts 1994 and 2004;
 - (i) the Parental Leave Acts 1998 to 2019;
 - (j) the Adoptive Leave Acts 1995 and 2005;
 - (k) the Carer's Leave Act 2001;
 - (l) the Paternity Leave and Benefit Act 2016;
 - (m) the Parent's Leave and Benefit Act 2019.
- (4) Subject to *subsection (5)*, any superannuation benefits awarded to, or in respect of, a person referred to in *subsection (1)* and the terms relating to those benefits shall be no less favourable than those applicable to, or in respect of, that person immediately before the establishment day.
- (5) *Subsection (4)* shall not apply in respect of a provision in a scheme or arrangement in relation to superannuation in respect of which the consent or approval of the Minister for Finance, the Minister for Public Expenditure and Reform or any other Minister of the Government was required by or under any enactment but not obtained.
- (6) The pension payments and other superannuation liabilities of a person referred to in *subsection (1)* become, on the establishment day, the liabilities of the Minister for Public Expenditure and Reform.
- (7) A person referred to in *subsection (1)* shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005 and the Ethics in Public Office Acts 1995 and 2001.
- (8) (a) Tailte Éireann shall not, from the date on which this subsection comes into operation, make a scheme under section 17(1) of the OSI Act 2001.
- (b) *Paragraph (a)* shall not affect the validity of any scheme made under section 17(1) of the OSI Act 2001 before the date on which this subsection comes into operation.
- (9) In this section, “recognised trade union or staff association” means a trade union or staff association recognised by the Minister for the purposes of negotiations which are concerned with the remuneration or conditions of employment, or the working conditions of employees.

Further provisions regarding superannuation - Ordnance Survey Ireland

36. (1) A person who held a specified position, and who, before the establishment day—

- (a) had retired from that position, or
- (b) was deceased,

shall, on and from that day, be deemed to be a retired or deceased member of the Civil Service of the State in respect of that specified position for the purposes of this section.

- (2) A person, other than a person referred to in *subsection (1)*, who held a specified position, and who, before the establishment day, resigned or otherwise ceased to hold that position shall, on and from that day, be deemed to be a former member of the Civil Service of the State in respect of that specified position for the purposes of this section.
- (3) Subject to *subsection (4)*, any superannuation benefits to which *subsection (5)* applies awarded to or in respect of a person referred to in *subsection (1)* or *(2)* in respect of a specified position held by that person and the terms relating to those benefits shall be no less favourable than those applicable to or in respect of that person immediately before establishment day.
- (4) *Subsection (3)* shall not apply in respect of an arrangement in relation to superannuation in respect of which the consent or approval of the Minister for Finance, the Minister for Public Expenditure and Reform or any other Minister of the Government was required by or under any enactment but not obtained.
- (5) The pension payments and other superannuation liabilities in respect of a person referred to in *subsection (1)* or *(2)* in respect of a specified position held by that person become, on the establishment day, the liabilities of the Minister for Public Expenditure and Reform.
- (6) In this section, “specified position” means a position held as a member of the staff of Ordnance Survey Ireland.

CHAPTER 3

*Records and accounts***Records of dissolved bodies, Commissioner of Valuation, Boundary Surveyor**

37. Each record held immediately before the establishment day by—

- (a) a dissolved body,
- (b) the Commissioner of Valuation, or
- (c) the Boundary Surveyor,

shall, on that day, stand transferred to Tailte Éireann and shall, on and after that day, be property of Tailte Éireann and be regarded as being held by Tailte Éireann.

Final accounts, final annual report of dissolved bodies, Commissioner of Valuation, Boundary Surveyor

38. (1) Tailte Éireann shall, in respect of the period specified in *subsection (3)*, prepare final accounts of each dissolved body and the Commissioner of Valuation and Boundary Surveyor.
- (2) The accounts referred to in *subsection (1)* shall be submitted by Tailte Éireann to the Comptroller and Auditor General for audit not later than 3 months after the establishment day.

- (3) For the purposes of *subsection (1)*, the Minister may specify a period that is longer or shorter than the financial year of the dissolved body concerned or the Commissioner of Valuation or Boundary Surveyor, as the case may be.
- (4) Tailte Éireann shall prepare the final annual report for each dissolved body and the Commissioner of Valuation and Boundary Surveyor and submit the reports to the Minister not later than 5 months after the establishment day.

PART 4

AMENDMENTS TO OTHER ENACTMENTS

Amendment of Act of 1997

39. The Act of 1997 is amended in Part II of the Schedule by—

- (a) the deletion of reference number 8, and
- (b) by the insertion of the following after reference number 13:
“14. Tailte Éireann”.

Amendments to Act of 2001

40. The Act of 2001 is amended—

- (a) in section 3, in the definition of “officer of the Commissioner”, by the substitution of the following paragraph for paragraph (a):
“(a) a member of the staff of Tailte Éireann,”
- (b) in section 4—
 - (i) by the substitution of the following subsection for subsection (1):
“(1) In this section, as reference to a proceeding before the Tribunal shall be construed as a reference to—
 - (a) an appeal made to the Tribunal under section 34, or
 - (b) a requirement made of the Tribunal under section 39(2),
 and a reference to the person bringing such proceeding shall be a reference to the person making that appeal or requirement.”
 - (ii) in subsection (2) by the deletion of “the Commissioner and” and “the Commissioner or”
 - (iii) in subsection (4)—
 - (I) by the substitution of “required by the Tribunal” for “required by the Commissioner or the Tribunal, as the case may be,”
 - (II) by the substitution of “before the Tribunal” for “before the Commissioner or the Tribunal”, and

- (III) by the substitution of “considered by the Tribunal” for “considered by the Commissioner or the Tribunal, as the case may be”,
- (iv) by the deletion of subsection (5), and
- (v) in subsection (7)(b), by—
 - (I) the substitution of “enabling the Tribunal” for “enabling the Commissioner or the Tribunal, as the case may be,”, and
 - (II) by the deletion of “or application”,
- (c) in section 23, by the insertion of the following subsection after subsection (4):
 - “(5) (a) A valuation list that has been replaced in accordance with subsection (3)(a) (in this subsection referred to as a ‘replaced valuation list’) may be made available for inspection at such place or in such manner as Tailte Éireann may determine.
 - (b) A person may apply in writing to Tailte Éireann for information from a replaced valuation list.”,
- (d) in section 53—
 - (i) in subsection (1), by the substitution of “Tailte Éireann” for “the Commissioner”,
 - (ii) in subsection (3)(a), by the deletion of “the Minister for the Environment and Local Government and”,
 - (iii) in subsection (5), by the substitution of “in the opinion of Tailte Éireann” for “in the opinion of the Commissioner” in each place where it occurs,
 - (iv) in subsection (6)—
 - (I) by the substitution of “Tailte Éireann” for “the Commissioner”, and
 - (II) by the deletion of “the Minister for the Environment and Local Government and”,
 - (v) in subsection (7), by the substitution of “Tailte Éireann” for “the Commissioner”,
 - (vi) in subsection (8)—
 - (I) by the substitution of “Tailte Éireann” for “The Commissioner”, and
 - (II) by the substitution of “any other Minister of the Government who, in the opinion of the Minister, is concerned in the matter” for “the Minister for Environment and Local Government”,
 - (vii) in subsection (9), by the substitution of “Tailte Éireann” for “the Commissioner” in each place where it occurs,
 - (viii) in subsection (10)—

- (I) by the substitution of “Tailte Éireann shall” for “The Commissioner shall”,
 - (II) by the substitution of “the Minister and to any other Minister of the Government who, in the opinion of Tailte Éireann, is concerned in the matter” for “the Minister for the Environment and Local Government”, and
 - (III) by the substitution of “such other information as Tailte Éireann considers appropriate” for “such other information as the Commissioner considers appropriate”,
- (ix) in subsection (11)—
- (I) by the substitution of “Tailte Éireann shall” for “The Commissioner shall”, and
 - (II) by the substitution of “, the Minister and any other Minister of the Government who, in the opinion of Tailte Éireann, is concerned in the matter and Tailte Éireann shall issue the notice referred to in subsection (12) to the undertaking concerned and the Minister and such other Minister of the Government, if any, who was issued with a copy of the certificate.” for “and the Minister for Housing, Planning and Local Government and the Commissioner shall issue the notice referred to in subsection (12) to the undertaking concerned and that Minister of the Government.”,
- (x) by the substitution of the following subsection for subsection (12):
- “(12) The notice mentioned in subsection (11) is a notice stating that, if the undertaking concerned or the Minister or such other Minister of the Government, if any, who was issued with a copy of the certificate referred to in subsection (11) is dissatisfied with any material particular stated in the copy of the certificate referred to in that subsection, it or the Minister or such other Minister of the Government, if any, as was issued with a copy of the certificate may, within 40 days from the date of the issuing of the copy to it or him or her, make submissions under this subsection to Tailte Éireann in relation to the matter (and such an undertaking and the Minister and such other Minister of the Government, if any, issued with a copy of the certificate may make such submissions, within that period to Tailte Éireann accordingly).”,
- and
- (xi) in subsection (14), by the substitution of “Tailte Éireann” for “The Commissioner”,
- (e) in section 56(2), by the substitution of “revision manager” for “revision officer” in each place where it occurs,

(f) in section 60(1) and (2), by the substitution of “a valuation list or a valuation list that has been replaced in accordance with section 23 or part” for “a valuation list or part”,

(g) in section 67A, by the substitution of the following subsection for subsection (6):

“(6) The production to a court or Tailte Éireann of a certificate issued under subsection (4), purporting to state the value of a property determined under subsection (2), shall, without proof of the signature of the person duly authorised to issue such a certificate, be sufficient evidence, until the contrary is proven, of the matters stated in the certificate.”,

and

(h) in section 67B, by the substitution of the following subsection for subsection (4):

“(4) The production to a court or Tailte Éireann of a certified copy extract of a valuation list issued under subsection (1), purporting to be an extract of a valuation list, shall, without proof of the signature of the person duly authorised to certify such a copy extract, be sufficient evidence, until the contrary is proven, of the matters stated in the document.”.

Amendment of Act of 2006

41. Section 74(2) of the Act of 2006 is amended—

(a) by the substitution of “the chairperson of the Board of Tailte Éireann” for “the chairperson of the Authority”, and

(b) by the substitution of the following paragraph for paragraph (c):

“(c) the chief executive of Tailte Éireann or such member of the staff of Tailte Éireann as the chief executive may nominate for that purpose,”.

SCHEDULE 1

Section 9

1. (1) The Board shall consist of the following members:
 - (a) a chairperson;
 - (b) 6 ordinary members.
 - (2) The Minister may, where he or she considers it necessary having regard to the volume of business coming before Tailte Éireann and the need to ensure the effective and efficient discharge by Tailte Éireann of its functions, by order, increase the number of members of the Board to not more than 12 for such period as the Minister shall specify in the order, which period shall not, in any case, be longer than 2 years from the date on which the order comes into operation.
 - (3) The chairperson and the ordinary members of the Board shall be appointed by the Minister.
 - (4) The Minister shall, in so far as is practicable, endeavour to ensure that among the members of the Board there is an equitable balance between men and women.
 - (5) A member of the Board shall hold office for the period of 5 years from the date of his or her appointment.
 - (6) Subject to *subparagraph (5)*, a member of the Board whose term of office expires by the efflux of time shall be eligible for reappointment to the Board.
 - (7) A person who is reappointed to the Board in accordance with *subparagraph (6)* shall not hold office for periods the aggregate of which exceeds 10 years.
 - (8) A member of the Board shall, subject to the provisions of this Act, hold office upon such terms and conditions (including terms and conditions relating to remuneration, allowances or expenses) as may be determined by the Minister, with the consent of the Minister for Public Expenditure and Reform.
 - (9) There may be paid by the Minister to members of the Board such allowances in respect of expenses (if any) incurred by them as the Minister may, with the consent of the Minister for Public Expenditure and Reform, determine.
2. (1) A member of the Board may resign from office by giving notice in writing to the Minister of his or her resignation and the resignation shall take effect on the day on which the Minister receives the notice.
 - (2) The Minister may at any time remove from office a member of the Board if, in the Minister's opinion—
 - (a) the member has become incapable through ill-health of performing his or her functions,
 - (b) the member has committed stated misbehaviour, or
 - (c) the member's removal appears to the Minister to be necessary for the effective performance by the Board of its functions.

- (3) A member of the Board shall cease to be qualified for office and shall cease to hold office if he or she—
 - (a) is adjudicated bankrupt,
 - (b) makes a composition or arrangement with his or her creditors,
 - (c) is sentenced by a court of competent jurisdiction to a term of imprisonment,
 - (d) is convicted of an offence involving fraud or dishonesty,
 - (e) has a conflict of interest of such significance that, in the opinion of the Minister, requires that he or she should not hold or should cease to hold such office,
 - (f) has a declaration under section 819 of the Act of 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or
 - (g) is subject, or is deemed to be subject, to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Act of 2014, whether by virtue of that Chapter or any other provision of that Act.
3. (1) If a member of the Board dies, resigns, ceases to be qualified for office or is removed from office, the Minister may appoint a person to be a member of the Board to fill the casual vacancy so occasioned in the same manner as the member of the Board who occasioned the casual vacancy was appointed.
- (2) A person appointed to be a member of the Board pursuant to *subparagraph (1)* shall hold office for that period of the term of office of the member who occasioned the casual vacancy concerned that remains unexpired at the end of his or her appointment and shall, subject to *paragraph 1(7)*, be eligible for reappointment as a member of the Board on the expiry of the said period.
4. (1) The Board shall hold such and so many meetings as may be necessary for the due fulfilment of its functions.
- (2) The Minister shall fix the date, time and place of the first meeting of the Board.
- (3) At a meeting of the Board—
 - (a) the chairperson of the Board shall, if present, be the chairperson of the meeting, or
 - (b) if and so long as the chairperson of the Board is not present or if that office is vacant, the other members of the Board who are present shall choose one of their number to be chairperson of the meeting.
- (4) At a meeting of the Board—
 - (a) subject to *clause (b)*, each member of the Board present has one vote,
 - (b) every question at a meeting of the Board shall be determined by a majority of the votes of the members of the Board present and voting on the question,

and, in the case of an equal division of votes, the chairperson shall have a second or casting vote.

- (5) Subject to *subparagraph (6)*, the Board may act notwithstanding one or more vacancies among its members.
 - (6) The quorum for a meeting of the Board shall, unless the Minister otherwise directs, be 5.
 - (7) Subject to the provisions of this Act, the Board shall regulate its procedure by rules or otherwise.
5. (1) The Board may establish committees, consisting in whole or in part of persons who are members of the Board, to—
- (a) assist and advise it in relation to the performance of any or all of its functions, and
 - (b) perform such functions of the Board as may stand delegated to them under *subparagraph (6)*.
- (2) In appointing members of a committee established under this paragraph, the Board shall—
- (a) have regard to the range of qualifications and experience necessary for the proper and effective discharge of the functions of the committee, and
 - (b) in so far as is practicable, endeavour to ensure that among the members of the committee there is an equitable balance between men and women.
- (3) There may be paid by the Board to members of a committee established under this paragraph such allowances for expenses (if any) incurred by them as the Board may, with the consent of the Minister and the Minister for Public Expenditure and Reform, determine.
- (4) A member of a committee established under this paragraph may be removed from office at any time by the Board.
- (5) The acts of a committee shall be subject to confirmation by the Board, unless the Board otherwise determines.
- (6) The Board may determine the terms of reference and regulate the procedure of a committee established under this paragraph.
- (7) The Board may appoint a person to be chairperson of a committee established under this paragraph.
- (8) A committee established under this paragraph shall provide the Board with such information as the Board may from time to time require, in respect of its activities and operations, for the purposes of the performance of the functions of the Board.
- (9) The Board may at any time dissolve a committee established under this paragraph.

6. The Board may, with the consent of the Minister, delegate such one or more of its functions as it considers appropriate to a committee established under *paragraph 5*.

SCHEDULE 2

Section 5

Number and Year	Short Title	Extent of Repeal
No. 13 of 2001	Valuation Act 2001	Sections 9, other than subsections (2) and (11), 10(2) and (3), 11, 41, 68 and 69
No. 43 of 2001	Ordnance Survey Ireland Act 2001	Sections 2, 3, 7, 8, 9 and 11 to 30
No. 12 of 2006	Registration of Deeds and Title Act 2006	Sections 7 to 9, 11 to 20, 21, 22 and 23
No. 16 of 1964	Registration of Title Act 1964	Section 116(2)