



STATUTORY INSTRUMENTS.

S.I. No. 603 of 2018



LAND DEVELOPMENT AGENCY (AMENDMENT) ORDER 2018

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I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by section 3 (amended by the Local Government (Miscellaneous Provisions) Act 2012 (No. 17 of 2012)) of the Local Government Services (Corporate Bodies) Act 1971 (No. 6 of 1971) (as adapted by the Housing, Planning, Community and Local Government (Alteration of Name of Department and Title of Minister) Order 2017 (S.I. No. 358 of 2017)), with the consent of the Minister for Public Expenditure and Reform, hereby order as follows:

1. This Order may be cited as the Land Development Agency (Amendment) Order 2018.

2. The Land Development Agency (Establishment) Order (S.I. No. 352 of 2018) is amended—

(a) in paragraph (1) of Article 4, by the substitution of “An Ghníomhaireacht um Fhorbairt Talún” for “An Gníomhaireacht Forbartha Talún”,

(b) in paragraph (3) of Article 6, by the substitution of the following subparagraph for subparagraph (c):

“(c) either—

(i) a serving officer in the Department of Finance, nominated by the Minister for Finance, or

(ii) a serving officer in the Department of Public Expenditure and Reform, nominated by the Minister for Public Expenditure and Reform;”,

(c) in Article 7, by—

(i) the substitution of the following paragraph for paragraph (3):

“(3) Subject to paragraph (1), the Land Development Agency may appoint such and so many persons to be employees of the Land Development Agency as it may determine.”,

(ii) the deletion, in paragraph (4), of “, with the consent of the Minister and the Minister for Public Expenditure and Reform,”,

(iii) the substitution of the following paragraph for paragraph (5):

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 11th January, 2019.

“(5) An employee (other than the Chief Executive Officer) of the Land Development Agency shall hold his or her employment on such terms and conditions (including terms and conditions relating to tenure) as the Land Development Agency may determine.”, and

(iv) the insertion of the following paragraph:

“(9) The supply of services of staff of—

(i) an authority to which the Act applies, or

(ii) a designated body,

to the Land Development Agency in accordance with paragraph (6) shall be subject to such terms and conditions (including terms and conditions relating to the remuneration of, and the payment of allowances for expenses to, such staff) as the Minister, with the consent of the Minister for Public Expenditure and Reform shall determine.”,

(d) in Article 11, by—

(i) the insertion of the following paragraph:

“(1A) The Land Development Agency shall, when performing functions under paragraph (1), have regard to such codes of practice relating to the governance of bodies established by or under statute as the Minister for Public Expenditure and Reform shall specify.”, and

(ii) the substitution of the following paragraph for paragraph (3):

“(3) (a) The Land Development Agency shall, not later than 4 months (or such shorter period as the Minister may, from time to time, specify) from the end of each financial year, cause the accounts kept under paragraph (1) that relate to that financial year to be audited by a person appointed for that purpose by the Land Development Agency.

(b) The Land Development Agency shall, not later than one month after the completion of the auditing of accounts by a person duly appointed for that purpose in accordance with subparagraph (a), submit a copy of the accounts so audited to the Minister who shall, as soon as may be thereafter, cause copies thereof and the report of that person in relation to the accounts to be laid before each House of the Oireachtas.”, and

- (e) in paragraph (1) of Article 15, by the substitution of “such codes of practice relating to the governance of bodies established by or under statute as the Minister for Public Expenditure and Reform shall specify” for “the Code of Practice for the Governance of State Bodies, published by the Department of Public Expenditure and Reform”.

The Minister for Public Expenditure and Reform, consents to the making of the foregoing Order



GIVEN under the Official Seal of the Minister for Public Expenditure and Reform,
19 December 2018.

PASCHAL DONOHOE,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
20 December 2018.

EOGHAN MURPHY,
Minister for Housing, Planning and Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order makes minor amendments to the Land Development Agency (Establishment) Order, S.I. No. 352 of 2018, including inter alia providing that the employment of staff and their terms and conditions are matters for the Agency.

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