



STATUTORY INSTRUMENTS

S.I. No. 36 of 2008

OIREACHTAS (MINISTERIAL AND PARLIAMENTARY OFFICES)
(SECRETARIAL FACILITIES) REGULATIONS 2008

(Prn. A8/0253)

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The Houses of the Oireachtas Commission, in exercise of the powers conferred on it by section 2(1)(c) (inserted by section 3 of the Oireachtas (Miscellaneous Provisions) and Ministerial and Parliamentary Offices (Amendment) Act 1996 (No. 39 of 1996)) of the Oireachtas (Allowances to Members) Act 1962 (No. 32 of 1962), and by section 10(4) (inserted by section 1 of the Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Act 2001 (No. 30 of 2001)) of the Ministerial and Parliamentary Offices Act 1938 (No. 34 of 1938) and by section 4(3) of the Houses of the Oireachtas Commission Act 2003, hereby makes the following regulations:

1. These Regulations may be cited as the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2008.

2. In these Regulations—

“independent member” means a member of either House of the Oireachtas who is not a member of a qualifying party;

“Ministerial or Parliamentary Office” means the Taoiseach, Tánaiste, Minister of the Government, Minister of State, Chairman of Dáil Éireann, Chairman of Seanad Éireann, Deputy Chairman of Dáil Éireann, Deputy Chairman of Seanad Éireann or Leader of Seanad Éireann.

3. Subject to Regulation 4, each member of Dáil Éireann, who is not the holder of Ministerial or Parliamentary Office, is entitled to—

(a) standard secretarial facilities consisting of either one secretarial assistant working full-time or such number of secretarial assistants working part-time as are equivalent to one secretarial assistant working full-time,

and

(b) additional secretarial facilities consisting of one of the following:

(i) one higher parliamentary assistant working half-time,

(ii) one parliamentary assistant working full-time or such number of parliamentary assistants working part-time as are equivalent to one parliamentary assistant working full-time, or

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 26th February, 2008.*

- (iii) in cases which the Commission considers exceptional with the consent of the Commission, one additional secretarial assistant working full-time.

4. A member referred to in Regulation 3—

- (a) employing a higher parliamentary assistant working half-time must share that assistant with another member of Dáil Éireann, who is not the holder of Ministerial or Parliamentary Office, so that the assistant works half-time for each of those members, and
- (b) is entitled to additional secretarial facilities referred to in that Regulation only where he or she opts in writing, in such a manner and subject to such conditions as the Commission directs, from time to time, to exercise the entitlement.

5. Each member of Dáil Éireann, who is not the holder of Ministerial or Parliamentary Office, is entitled to secretarial facilities consisting of 3 suites of computer equipment as specified in Part 1 of Schedule 1 and one set of facilities as specified in Parts 3 to 5 of Schedule 1. In the case of work sharing arrangements, referred to in Regulation 3, a maximum of one additional suite of computer equipment, as specified in Part 1 of Schedule 1 may be issued to the member.

6. Subject to Regulation 7, each member of Seanad Éireann, who is not the holder of Ministerial or Parliamentary Office, is entitled to—

- (a) standard secretarial facilities consisting of either one secretarial assistant working half-time or such number of secretarial assistants working less than half-time as are equivalent to one secretarial assistant working half-time,
and
- (b) additional secretarial facilities consisting of one secretarial assistant working either quarter-time or up to half-time or such number of secretarial assistants working less than half-time as are equivalent to one secretarial assistant working half-time.

7. (a) Any person providing additional secretarial facilities under Regulation 6(b) may be the same person as the secretarial assistant providing standard secretarial facilities under Regulation 6(a).

- (b) A member referred to in Regulation 6 is entitled to such additional secretarial facilities referred to in that Regulation only where he or she opts in writing, in such a manner and subject to such conditions as the Commission directs, from time to time, to exercise the entitlement.

8. Each member of Seanad Éireann, who is not the holder of Ministerial or Parliamentary Office, is entitled to secretarial facilities consisting of 2 suites of

computer equipment as specified in Part 1 of Schedule 1 and one set of facilities as specified in Parts 3 to 5 of Schedule 1. In the case of work sharing arrangements, referred to in Regulation 6, a maximum of one additional suite of computer equipment as specified in Part 1 of Schedule 1 may be issued to the member.

9. (a) Each qualifying party is entitled to—

(i) secretarial facilities consisting of employees to the minimum extent determined by the Commission in accordance with the formula set out in Schedule 2 or such further employees in addition to the formula as the Commission may decide by notice published by such means as it considers appropriate, and

(ii) one or more suites of computer equipment specified in Part 1 of Schedule 1 to the extent specified in Part 2 of Schedule 1 and such other facilities specified in Parts 3 to 5 of the said schedule as may be determined by the Commission.

(b) References in the formula set out in Schedule 2 may refer to other grades specified therein or a combination of those grades as may be determined by the Commission.

10. Persons on unpaid leave, career breaks or secondment to other employment or employed as substitutes for persons providing secretarial facilities shall not be reckoned in the number of persons employed under these Regulations.

11. A person providing secretarial facilities under these Regulations is the employee of the person to whom the facility is provided under a contract of employment made between them.

12. A person providing secretarial facilities shall provide those facilities for—

(a) a member of Dáil Éireann, in Leinster House, or in or nearby the member's constituency, or at or nearby the member's residence,

(b) a member of Seanad Éireann, in Leinster House, or at or nearby the member's residence, or

(c) a qualifying party, in Leinster House,

in accordance with the wishes of the member or the qualifying party, as the case may be,

and secretarial facilities consisting of equipment may be provided by the Commission for location outside Leinster House to the extent necessary to give effect to this Regulation.

13. Every member of Dáil Éireann and every member of Seanad Éireann and every qualifying party is entitled to printing services from a centralised printing

facility operating under the control of the Commission, according to such guidelines as may be drawn up by the Commission from time to time.

14. (a) Fianna Fáil, Fine Gael and the Labour Party shall each be entitled to avail of the services of a graphic designer at administrative assistant level.
 - (b) Independent members and other qualifying parties shall share the services of one graphic designer at administrative assistant level.
 - (c) This Regulation ceases to have effect on 30 June 2008.
15. The following are revoked:
- (a) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 5) 2004 (S.I. No. 888 of 2004),
 - (b) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 6) 2004 (S.I. No. 889 of 2004),
 - (c) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 2) 2005 (S.I. No. 166 of 2005),
 - (d) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 3) 2005 (S.I. No. 288 of 2005), and
 - (e) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2007 (S.I. No. 26 of 2007).

SCHEDULE 1

Part 1

A suite of computer equipment consists of the following equipment for use only by the member or qualifying party concerned, as the case may be, or by persons employed or engaged under these Regulations to provide secretarial facilities to the member or qualifying party, as the case may be:

- A PC (desktop or laptop) which is linked to the network of the Houses of the Oireachtas. Each PC will have such operating systems and software as may be approved by the Commission
- A printer
- An e-mail account on the Houses of the Oireachtas network
- Internet Access

Part 2

Qualifying parties are to be provided with one or more suites of computer equipment as follows:

Number of members in Parliamentary Party	Number of suites of secretarial equipment
1 to 8 members	1
9 to 16 members	2
17 to 24 members	3
25 to 32 members	4
33 to 40 members	5
41 to 48 members	6
49 to 56 members	7
Greater than 56 members	8

Part 3

Each member and each qualifying party to the extent determined by the Commission shall be entitled to the following facilities within Leinster House—

- Telephone handsets (with connectivity for local, national, mobile, premium rate and international calls, and with voicemail facilities where required) — at Leinster House only. One handset shall be supplied for each member and one handset shall be supplied for each person employed or engaged under these Regulations to provide secretarial facilities to the member in Leinster House
- Access to a fax machine and a fax line
- Access to a television — at Leinster House only
- Access to a shredder

Part 4

Each member and each qualifying party to the extent determined by the Commission shall be entitled to the following facilities at a remote location of their choice—

- A shredder
- A fax machine
- Computer hardware to facilitate a network connection from one remote site to the Houses of the Oireachtas network for all computer equipment provided pursuant to these Regulations at that single remote site and connection to the internet only for up to two computers which were not provided pursuant to these Regulations

Part 5

Each member and each qualifying party to the extent determined by the Commission shall be entitled to the following facilities in Leinster House or at a location of their choice—

- An analogue dictation device and appropriate transcription equipment for each member of staff engaged under these Regulations to provide secretarial facilities, subject to a limit of two transcription systems for each member of Dáil Éireann and one transcription system for each member of Seanad Éireann, or

- A digital dictation device and appropriate transcription software and hardware for each member of staff engaged under these Regulations, subject to a limit of two transcription systems for each member of Dáil Éireann and one transcription system for each member of Seanad Éireann

SCHEDULE 2

Regulation 9.

The formula by which the Commission shall determine the minimum number of employees each qualifying party shall be entitled to is:

1. 0.5 of a secretarial assistant per non-Office holding Deputy,
2. 0.25 of a secretarial assistant per non-Office holding Senator,
3. Allocation of parties in Government is to be reduced by one-third,
4. The one-third is then distributed among parties in opposition on the basis of their relative strengths,
5. The minimum allocation to a qualifying party shall be one secretarial assistant.

The grades at which persons employed by qualifying parties under these regulations shall, in addition to secretarial assistant, be the grades of administrative assistant, administrator and chef de cabinet and that the equivalence of these grades to the grade of secretarial assistant and the manner in which and the extent to which they may be combined by qualifying parties shall be determined from time to time by the Commission.

The Houses of the Oireachtas Commission Seal,

Affixed hereto



Was authenticated by

Member of the Houses of the Oireachtas Commission:

JOHN O'DONOGHUE.

Ceann Comhairle.

Member of staff of the Commission authorised by the Commission:

BRIDGET DOODY.

Secretary.

21 February 2008.

EXPLANATORY NOTE

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

The purpose of these Regulations is to provide for secretarial facilities for members of Dáil Éireann and Seanad Éireann, other than holders of Ministerial or Parliamentary Office, and for Qualifying Parties. The following are revoked:

- (a) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 5) 2004 (S.I. No. 888 of 2004),
- (b) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 6) 2004 (S.I. No. 889 of 2004),
- (c) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 2) 2005 (S.I. No. 166 of 2005),
- (d) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations (No. 3) 2005 (S.I. No. 288 of 2005), and
- (e) the Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2007 (S.I. No. 26 of 2007).

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
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