



Number 32 of 2007

**COMMUNITY, RURAL AND GAELTACHT AFFAIRS
(MISCELLANEOUS PROVISIONS) ACT 2007**

ARRANGEMENT OF SECTIONS

Section

1. Definitions.
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4. Amendment of section 8 of Western Development Commission Act 1998.
5. Amendment of section 2 of Act of 2003.
6. Amendment of section 3 of Act of 2003.
7. Repeal of Arramara Teoranta (Acquisition of Shares) Acts 1949 to 2002.
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9. Short title and collective citation.

SCHEDULE

ACTS REPEALED

[No. 32.] *Community, Rural and Gaeltacht* [2007.]
Affairs (Miscellaneous Provisions) Act
2007.

ACTS REFERRED TO

Alginate Industries (Ireland) Limited (Acquisition of Shares) Act 1949	1949, No. 22
Alginate Industries (Ireland) Limited (Acquisition of Shares) Act 1954	1954, No. 29
Arramara Teoranta (Acquisition of Shares) Act 2002	2002, No. 11
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Freedom of Information Act 1997	1997, No. 13
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Terms of Employment (Information) Acts 1994 and 2001	
Western Development Commission Act 1998	1998, No. 42



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**COMMUNITY, RURAL AND GAELTACHT AFFAIRS
(MISCELLANEOUS PROVISIONS) ACT 2007**

AN ACT TO CONFIRM THE FUNCTIONS OF THE MINISTER FOR COMMUNITY, RURAL AND GAELTACHT AFFAIRS, TO AMEND THE FREEDOM OF INFORMATION ACT 1997, TO AMEND THE WESTERN DEVELOPMENT COMMISSION ACT 1998, TO AMEND THE MINISTER FOR COMMUNITY, RURAL AND GAELTACHT AFFAIRS (POWERS AND FUNCTIONS) ACT 2003, TO REPEAL THE ARRAMARA TEORANTA (ACQUISITION OF SHARES) ACTS 1949 TO 2002, AND TO PROVIDE FOR RELATED MATTERS.

[9th July, 2007]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act, unless the context otherwise requires—

Definitions.

“Act of 2003” means the Minister for Community, Rural and Gaeltacht Affairs (Powers and Functions) Act 2003;

“community development” includes local development and schemes that provide support for communities in order to enable them to improve the lives of the members of the communities;

“Department” means the Department of Community, Rural and Gaeltacht Affairs;

“Minister” means the Minister for Community, Rural and Gaeltacht Affairs;

“National Drugs Strategy” means national strategies approved from time to time by the Government for the purposes of countering drug misuse in the State;

“rural development” includes—

- (a) the promotion, fostering and support of economic, social and cultural activities in rural areas by the implementation of a broad range of schemes, and
- (b) initiatives to sustain employment in, and assist in the prosperity of, rural areas;

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“scheme”—

- (a) means programmes or measures operated, managed, delivered or sponsored, whether in whole or in part, directly or indirectly or in conjunction or co-operation with any other person (including the European Union or any Department of State), by the Department in relation to the performance of any of the functions of the Minister specified in *section 2(1)*, and
- (b) includes such programmes or measures provided to one community or rural area or to a class of communities or rural areas based on—
 - (i) the specific needs of that community or rural area or class of communities or rural areas, as the case may be,
 - (ii) the commonality of interests of that class of communities or rural areas, as the case may be, or
 - (iii) the geographical distribution of that class of communities or rural areas, as the case may be.

Functions of
 Minister.

2.—(1) Without prejudice to the generality of any other provision of this Act, or of any other enactment, conferring functions on the Minister, the functions of the Minister are and shall be deemed to always have been to—

- (a) support and promote community development,
- (b) support and promote voluntary activity and philanthropy,
- (c) support and promote rural development,
- (d) co-ordinate the implementation of the National Drugs Strategy (including matters relating to the allocation of services and facilities to counter drug misuse in areas of the State where such misuse is significantly higher than in other areas of the State),
- (e) support and promote the Irish language, including the co-ordination of policy in this regard, and the development of the Gaeltacht and the Islands,
- (f) support and promote North/South co-operation within the ambit of the Minister’s functions (including functions under *paragraphs (a) to (e)*), and
- (g) support and promote North/South co-operation in relation to Ulster Scots heritage, culture and language.

(2) The Minister may—

- (a) with the consent of the Minister for Finance, develop and implement any scheme that, in the Minister’s opinion, supports or promotes any function of the Minister (including functions specified in *subsection (1)*),
- (b) maintain any scheme that, in the Minister’s opinion, supports or promotes any such function,

(c) expand, with the consent of the Minister for Finance, any scheme.

(3) The Minister shall not be, or be deemed to be, an employer, within the meaning of the Terms of Employment (Information) Acts 1994 and 2001, by virtue only of the provision of funding to a person or persons under any scheme.

(4) Nothing in this section shall of itself be construed to—

(a) prevent the Minister from terminating any scheme, or

(b) limit the generality of any functions conferred (whether by an enactment or otherwise) on another Minister of State or Department or any other agency or body of State.

3.—The Third Schedule to the Freedom of Information Act 1997 is amended in Part 1 by—

Amendment of Third Schedule to Freedom of Information Act 1997.

(a) inserting “No. 42 of 1998” at the end of the first column of that Part,

(b) inserting “Western Development Commission Act 1998” at the end of the second column of that Part opposite the insertion made by *paragraph (a)*, and

(c) inserting “Section 18” in the third column of that Part opposite the insertion made by *paragraph (b)*.

4.—Section 8(5) of the Western Development Commission Act 1998 is amended by substituting “€1,000,000” for “£250,000”.

Amendment of section 8 of Western Development Commission Act 1998.

5.—Section 2(4) of the Act of 2003 is amended by substituting the following for paragraph (b):

Amendment of section 2 of Act of 2003.

“(b) the following:

(i) centres of population within a radius of 120 kilometres of that terminus specified in regulations made by the Minister with the consent of the Minister for Finance and the Minister for Transport;

(ii) centres of second level education specified in regulations made by the Minister, with the consent of the Minister for Finance and the Minister for Transport, where the Minister has reasonable grounds to believe, after consultation with the Minister for Education and Science, that the educational needs of the students concerned would be seriously prejudiced if such centres were not so specified; or

(iii) both centres referred to in subparagraph (i) and centres referred to in subparagraph (ii).”.

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Amendment of section 3 of Act of 2003. **6.**—Section 3(1)(b) and (c) of the Act of 2003 is amended by deleting “any such”.

Repeal of Arramara Teoranta (Acquisition of Shares) Acts 1949 to 2002. **7.**—The Acts specified in the Schedule are repealed.

Expenses of Ministers. **8.**—(1) The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

(2) The expenses incurred by the Minister for Finance in the administration of this Act shall be paid out of moneys provided by the Oireachtas.

Short title and collective citation. **9.**—(1) This Act may be cited as the Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007.

(2) The Western Development Commission Act 1998 and *section 4* may be cited together as the Western Development Commission Acts 1998 and 2007.

(3) The Minister for Community, Rural and Gaeltacht Affairs (Powers and Functions) Act 2003 and *sections 5* and *6* may be cited together as the Minister for Community, Rural and Gaeltacht Affairs (Powers and Functions) Acts 2003 and 2007.

Section 7.

SCHEDULE

ACTS REPEALED

1. Alginat Industries (Ireland) Limited (Acquisition of Shares) Act 1949.

2. Alginat Industries (Ireland) Limited (Acquisition of Shares) Act 1954.

3. Arramara Teoranta (Acquisition of Shares) Act 2002.