

S.I. No. 212/1975:

**THE LOCAL GOVERNMENT COMPUTER SERVICES BOARD
(ESTABLISHMENT) ORDER, 1975.**

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The Minister for Local Government in exercise of the powers conferred on him by [section 3](#) of the [Local Government Services \(Corporate Bodies\) Act, 1971](#) (No. 6 of 1971) hereby orders as follows:—

1. This Order may be cited as the Local Government Computer Services Board (Establishment) Order, 1975.

2. In this Order—

"the Act" means the [Local Government Services \(Corporate Bodies\) Act, 1971](#) ;

"the Board" means the body established under article 4 of this Order;

"the Chairman" means the Chairman for the time being of the Board;

"the Council" means the Council established under article 8 of this Order;

"the Minister" means the Minister for Local Government;

"local authority" means a local authority for the purposes of the Local Government Acts, 1925 to 1971;

"qualified person" means a manager or assistant manager for the purposes of the Acts relating to the management of a county borough, or a manager or assistant manager for the purposes of the County Management Acts, 1940 to 1972;

"computer" includes a machine or equipment used or designed for the mechanisation or automation of office procedures or for data processing and

"computer facilities" shall be construed accordingly.

3. This Order shall come into operation on the 1st October, 1975.

4. A body known as An Bord Seirbhísí Ríomhaire Rialtais Áitiúil or, in the English language, the Local Government Computer Services Board is hereby established.

5. The functions of the Board are as follows:—

(a) to organise, administer and provide, or arrange the provision of, a service for the supply of computer facilities (including facilities relating to the preparation of data for input to a computer, computer programming, systems analysis and design, and the operation of data processing facilities) for local authorities;

(b) to co-ordinate, and secure compatibility in, the use of computers by local authorities generally with a view to securing the most effective use of available resources;

(c) in matters related to its functions under paragraphs (a) and (b) of this article, to—

(i) provide, or arrange the provision of, training and education,

(ii) carry out, promote or assist the carrying out of, research, and

(iii) furnish advice, information and assistance to the Minister and to local authorities.

6. In exercising its functions under article 5, the Board may make arrangements with other persons or bodies (including the Minister or local authorities) for the use by the Board of premises or equipment belonging to such persons or bodies or of staffing or other services (including computer services) provided by them.

7. (1) The Board shall consist of not more than eight and not less than six qualified persons appointed by the Council in accordance with the requirements of this article, not more than two serving officers of the Department of Local Government appointed by the Minister, and one serving officer of the Department of the Public Service appointed by the Minister for the Public Service.

(2) The term of office of a member of the Board appointed by the Council shall be such period not exceeding three years as may be specified by the Council when appointing him and he shall hold office for that period unless he sooner dies, resigns by letter addressed to the Board, ceases to be a qualified person or the Council terminates his appointment.

(3) The term of office of a member of the Board appointed by the Minister shall be such period as the Minister shall determine when appointing him and he shall hold office for that period unless he sooner dies, resigns by letter addressed to the Minister, or the Minister terminates his appointment.

(4) The term of office of a member of the Board appointed by the Minister for the Public Service shall be such period as the said Minister shall determine when appointing him and he shall hold office for that period unless he sooner dies, resigns by letter addressed to the said Minister, or the said Minister terminates his appointment.

(5) The Board shall appoint from amongst its members a Chairman who shall hold office for one year unless he sooner ceases to be a member of the Board or the Board appoints another person to be Chairman.

(6) The quorum of the Board shall be one-third of its members or if the number of members is not a multiple of three, one-third of the next higher number which is a multiple of three.

(7) (a) The Board shall hold such and so many meetings as may be necessary for the performance of its functions.

(b) The Chairman may, at any time, call a meeting of the Board.

(c) If the Chairman refuses to call a meeting of the Board after a requisition for that purpose, signed by three members of the Board, has been presented to him, any four members of the Board may forthwith, on that refusal, call a meeting of the Board and if the Chairman (without so refusing) does not, within seven days after the presentation of the requisition, call a meeting of the Board, any four members of the Board may on the expiration of these seven days, call a meeting of the Board.

(8) The proceedings of the Board shall not be invalidated by any vacancy or vacancies among its members or by any defect in the appointment of the Board or any member thereof.

(9) Subject to the provisions of this article, the Board may, by standing orders or otherwise, regulate its own procedure.

(10) (a) in order to facilitate the discharge of the functions of the Board, the

Board may establish committees.

(*b*) The Board may appoint to any committee such members of the Board as are willing to act on the committee and, if the Board think fit, other persons who have special knowledge or experience related to the purpose of the committee.

(*c*) Any committee established by the Board shall be subject to such directives as may be given by the Board and any expenditure of moneys or other commitments by the committee shall be subject to the prior approval of the Board.

(*d*) The Board shall notify the Council and the Minister of the establishment of any committee, of the purpose for which the committee is established, and of the names of the members thereof.

(11) The Board shall provide itself with a seal which shall be authenticated by the signature of the Chairman or some other member of the Board duly authorised by the Board to act in that behalf and by the signature of an officer of the Board duly authorised by the Board to act in that behalf.

(12) (*a*) The Board shall cause to be kept proper accounts of all income and expenditure of the Board in each financial year and of the sources of such income and the subject matter of such expenditure and of the property, credits and liabilities of the Board.

(*b*) The financial year of the Board shall be the period of twelve months ending on the 31st day of December in any year and for the purposes of this provision the period commencing on the date on which this Order comes into operation and ending on the 31st December, 1975 shall be deemed to be a financial year.

(*c*) A statement of accounts of the Board, in a form approved by the Minister, for each financial year shall, as soon as may be after the end of such financial year, be prepared and shall be audited by and be subject to a report by an auditor appointed for the purpose by the Minister after consultation with the Board.

(*d*) The expenses generally of such audit shall be paid by the Board as soon as may be after each audit.

(*e*) A copy of the audited accounts and of the auditor's report thereon shall be presented by the Board to the Council and to the Minister, who shall, as soon as may be after such presentation, cause a copy of both the audited accounts and the report to be laid before each House of the Oireachtas.

(13) (*a*) The Board shall, in each year, make a report to the Council and the Minister of its activities during the preceding financial year.

(*b*) The Board shall submit to the Council and to the Minister such information regarding the performance of its functions as the Council or the Minister may from time to time require and shall, in accordance with any

direction which may be given by the Council or the Minister, submit in each financial year and before a specified date, a programme of its activities for each of the following three financial years and an estimate of the expenditure to be incurred on such activities in each such year.

(14) (*a*) The Board may employ such and so many persons as the Board may, from time to time, think proper and in employing any such persons the Board shall comply with any directions given by the Minister relating to the procedure to be followed.

(*b*) Every person employed by the Board shall perform such duties as the Board may, from time to time, assign to such person.

(*c*) Every person employed by the Board and holding office in a wholetime permanent capacity shall cease to hold his office on attaining the age of sixty-five years.

(*d*) Subject to the sanction or direction of the Minister, the Board shall determine the remuneration and conditions of service of persons employed by the Board and may, from time to time, alter the remuneration or conditions of service of any such persons.

(*e*) The Minister may, whenever and so often as he thinks fit, declare that any of the powers conferred on the Board by this sub-article shall be exercisable only with the consent of the Minister, and whenever any such declaration is in force, the said powers may, in relation to any office or employment to which the declaration applies, be exercised only with such consent.

(15) The [Local Government \(Superannuation\) Act, 1956](#) (No. 10 of 1956) shall apply to the Board as if it were a local authority.

(16) The Board may do all such things as may be necessary for the effective discharge of its functions and for this purpose, the Board may—

(*a*) purchase or take on lease any land and may sell, exchange, let or otherwise dispose of any land vested in the Board,

(*b*) with the consent of the Minister, borrow money,

(*c*) accept gifts of money, land and other property upon such trusts and conditions, if any, as may be specified by the donor, save that the Board may not accept a gift if the conditions attached by the donor to its acceptance are not consistent with the functions of the Board.

(17) The Board may charge fees in respect of services provided by the Board.

(18) (*a*) The expenses of the Board in so far as not met from other sources shall be recouped by local authorities in such proportions as such authorities may agree upon, or, failing such agreement, in such proportions as may be determined by the Minister.

(*b*) In default of payment by a local authority of the amount payable by it

under this Article, the amount involved may be deducted from any moneys payable to the authority by any Minister for any purpose whatsoever and shall be paid to the Board by the Minister concerned.

8. (1) There shall be a Council of the Board which shall consist of the persons who are for the time being qualified persons for the purpose of this Order.

(2) The Council shall meet at least once in each year and shall hold such and so many other meetings as may be necessary for the performance of its functions.

(3) The proceedings of the Council shall not be invalidated by any vacancy or vacancies among its members.

(4) The Council may regulate its own procedure.

9. (1) A person shall not receive any remuneration for acting as a member of the Council, of the Board, or of any committee established by the Board.

(2) Travelling and subsistence allowances may be paid by the Board, to such extent and in accordance with such scale and in such circumstances as may from time to time be approved by the Minister.

GIVEN under the Official Seal of the Minister for Local Government this 17th day of September, 1975.

JAMES TULLY,

Minister for Local Government.

The Minister for Finance hereby consents to the Local Government Computer Services Board (Establishment) Order, 1975.

Dated 17th September, 1975.

RICHIE RYAN,

Minister for Finance.

EXPLANATORY NOTE.

This Order establishes, under the [Local Government Services \(Corporate Bodies\) Act, 1971](#) , a Board with the functions of providing computer facilities for local authorities and co-ordinating the use of computers by local authorities generally. The Board will also arrange training and research and give advice to the Minister for Local Government and to local authorities in matters related to its functions.

The Order provides for the appointment of members of the Board, procedures, staffing arrangements, and other related matters.
