

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Immigration Act 2004 (No 1 of 2004)</p>	<p>This new law to expresses in primary statute the principal elements of the law governing the State's operation of controls on the entry into and presence in the State of non-nationals.</p> <p>The approach of the Act is to express in primary statute, with the minimum of changes and additional provisions necessary to create stand-alone provisions consistent with modern legislative practice, the content of the provisions of the Aliens Orders made under the Aliens Act 1935 as they stood up to 22 January 2004.</p> <p>The Act is necessary because on January 22 the High Court struck down as unconstitutional section 2 of the Immigration Act 1999, which was thought to give statutory effect to the Aliens Orders as if they were Acts of the Oireachtas.</p> <p>The principal features of the Act are:</p> <ul style="list-style-type: none"> • provisions setting out in principle the circumstances in which non-nationals are or are not lawfully in the State; • requirements on non-nationals to present to an immigration officer on arrival in the State; • criteria whereby an immigration officer may refuse a non-national permission to enter the State; • the requirement on non-nationals to register with the Garda Síochána; 	<p>Department of Justice, Equality and Law Reform</p>	<p>13.02.04</p>

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Immigration Act 2004 (No 1 of 2004) contd.	<ul style="list-style-type: none"> • the keeping of hotel registers; • offences and powers of arrest and search; • powers to determine which non-nationals should be subject to visa • requirements before arrival in the State; • power to make regulations to charge fees for the issue of the various • documents provided for under the Act. <p>The Act contains special provisions to take account of the exercise by EEA nationals and their families of their Treaty rights of free movement, and to take account of the special provisions regarding entry to the State for asylum applicants contained in the Refugee Act 1996.</p>		
The European Parliament Elections (Amendment) Act 2004 (No 2 of 2004)	The purpose of this Act is to implement the recommendations of the Constituency Commission Report 2003 on changes to the European Parliament constituencies and to give effect to Council decisions of 25 June and 23 September 2002 concerning the election of the members of the European Parliament.	Dept of Environment, Heritage and Local Government	27.2.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>The Civil Registration Act, 2004</p> <p>(No. 3 of 2004)</p>	<p>The Civil Registration Act, 2004 provides for the rationalisation of the procedures for registering births, stillbirths and deaths.</p> <p>The Act gives An tArd-Chláraitheoir responsibility for overall policy for the Civil Registration Service, including maintaining standards of service, and assigns responsibility for the management, control and administration of the Civil Registration Service at local level to the Health Boards.</p> <p>The Act makes provision to streamline the existing procedures governing the registration of adoptions, and enables the establishment of new Registers of Divorce and Civil Nullity.</p> <p>The Act further provides for reform of the procedures governing the registration, solemnisation of and venues for marriage.</p>	<p>Department of Social and Family Affairs</p>	<p>27.02.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>The Industrial Relations (Miscellaneous Provisions) Act 2004 (No 4 of 2004)</p>	<p>The main purpose of the Act is to enhance the effectiveness of existing procedures for dealing with disputes where negotiating arrangements are not in place. It also introduces a prohibition on victimisation of employees, in the context of a dispute, where the Code of Practice on Voluntary Dispute Resolution has been invoked, or where steps have been taken to invoke the Code. The Act strengthens industrial relations procedures given effect through the Industrial Relations (Amendment) Act 2001.</p> <p>The Act will be supported by</p> <ul style="list-style-type: none"> • A revised Code of Practice on Voluntary Dispute Resolution • A Code of Practice on Victimisation <p>In addition, the Act provides for an amendment to the First Schedule of the Industrial Relations Act 1990. This amendment has the effect of increasing the level of fines which can be imposed by the Courts where there are breaches of Registered Employment Agreements.</p> <p>The Act also provides for an amendment of the Protection of Employees (Employers' Insolvency) Act 1984 – a technical amendment to enable employees of insolvent companies to apply to the Department of Enterprise, Trade and Employment, under the Insolvency Payments Scheme, for payment of statutory minimum notice entitlements, directly through the liquidator or receiver, without having to obtain an award from the Employment Appeals Tribunal.</p>	<p>Dept of Enterprise, Trade and Employment</p>	<p>9.3.04</p>
<p>Motor Vehicle (Duties and Licences) Act 2004 (No 5 of 2004)</p>	<p>The primary purpose of the Act is to give legislative form to the 5% increases in motor tax rates and trade plates (plates used by motor traders on vehicles, which are temporarily in their possession, in lieu of taxing such vehicles) taken out for periods commencing on or after 1 January, 2004.</p>	<p>Dept of the Environment, Hieritage and Local Government</p>	<p>10.3.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Public Health (Tobacco) (Amendment) Act 2004 (No 6 of 2004)	<p>The main purpose of the Act is to amend the Public Health (Tobacco) Act 2002, to provide for re-enactment of certain sections of the 2002 Act, to allow for notification of these sections at Bill stage to the European Commission to comply with EU Transparency/Technical Standards Directives, 98/34/EC and 98/48/EC, which require notification of trade related measures at Bill stage. Section 47 of the 2002 Act is amended to include the smoke-free workplaces provisions which will commence on 29 March 2004.</p>	Department of Health and Children	11.3.04
Public Service Superannuation (Miscellaneous Provisions) Act 2004 (No 7 of 2004)	<p>The main purpose of the Public Service Superannuation (Miscellaneous Provisions) Act 2004 is:</p> <ul style="list-style-type: none"> • to raise to age 65 the standard pension age in the public service for new entrants, • to raise to age 65 the standard pension age for members of the Oireachtas and Office Holders elected or appointed on or after 1 April 2004, • to raise to age 55 the pension age for new entrant Gardai and Prison Officers, • to introduce a minimum pension age of 50 for new entrants to the Defence Forces, • to remove compulsory retirement ages for new entrants to the public service (other than Gardai, Defence Forces, Prison Officers and Fire Fighters), • to raise to age 60 the compulsory retirement age for new entrant Gardai. 	Dept of Finance	25.3.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Finance Act 2004 (No 8 of 2004)	<p>The main purpose of the Act is to give legislative form to the taxation proposals in the Budget Statement of 3 December 2003. It also contains provisions which are consequential on the Budget measures and other changes in the taxation code. The Act is in 6 parts covering Income Tax, Corporation Tax, Capital Gains Tax, Excise, Value-Added Tax, Stamp Duties, Capital Acquisitions Tax and Miscellaneous. In conjunction with the Act, an Explanatory Memorandum as passed by Dáil Éireann is published which provides an explanation of each section."</p>	Dept of Finance	25.3.04
Social Welfare (Miscellaneous Provision) Act 2004 (No 9 of 2004)	<p>The Social Welfare (Miscellaneous Provisions) Act, 2004 provides for increases in Child Benefit, the Carer's Respite Care Grant, Death Benefit Pension for pensioners aged over 80 years, and improvements in the Payments After Death arrangements, as announced in the 2004 Budget Statement.</p> <p>The Act further provides for the introduction of a 'habitual residence test' as a condition of entitlement for the purposes of certain social assistance payments and Child Benefit. The Act also defines 'spouse' for the purposes of the administrative schemes such as Free Travel and Free Electricity Allowance, reflecting the definition used for the weekly payment schemes already provided for in legislation.</p> <p>Provision is also made for amendments to the legislation governing the application of PRSI, Health Contributions and the National Training Fund Levy to benefits-in-kind provided by employers to their employees.</p> <p>Finally, the Act provides for amendments to the Pensions Acts, 1990 to 2002, by providing for the implementation of the EU Council Directives on race and employment to ensure equal treatment in matters relating to occupational pensions.</p>	Dept of Social and Family Affairs	25.3.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Aer Lingus Act 2004 (No 10 of 2004)	<p>The purpose of this Act is to give effect to the Employee Share Ownership Plan (ESOP) agreed by Government and Aer Lingus Unions and to provide a legal framework to facilitate any private sector investment process in Aer Lingus in the event that the Government embarks on such a process. The Act also includes an enabling provision for the establishment of new pension schemes by Aer Lingus and for amendments in relation to the appointment of directors, including worker directors.</p>	Dept of Transport	7.4.04
Air Navigation and Transport (International Conventions) Act 2004 (No 11 of 2004)	<p>The purpose of the Air Navigation and Transport (International Conventions) Act 2004 is to ratify the Montreal Convention, and give the Convention force of law in Ireland.</p> <p>The Montreal Convention is an updated replacement for the 1929 Warsaw Convention, for the Unification of Certain Rules Relating to International Carriage by Air, which, together with numerous subsequent amendments is referred to as the "Warsaw System". The Warsaw System has provided a world-wide system of standards and rules for carriage by air and in particular common rules, in respect of liability limits for the carriage of passengers, cargo and baggage, in the event of damage, delay or loss. The Warsaw System is already enshrined in Irish law, in the Air Navigation and Transport Act of 1936, as amended.</p> <p>The Montreal Convention represents a major improvement over the liability regime, established under the Warsaw Convention and its related instruments, relative to passenger rights, in the event of an accident.</p>	Dept of Transport	13.4.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Private Security Services Act 2004 (No 12 of 2004)</p>	<p>The purpose of this Act is to provide for the establishment of a body, to be known as the Private Security Authority, to control and supervise individuals and firms providing security services. The principal function of the Authority will be to operate a licensing system for providers of security services in order to maintain and improve standards within the sector.</p> <p>The Authority will also establish and maintain a register of licence holders, issue identity cards to licensees, specify standards to be observed in the provision of security services, specify qualifications or other requirements (including requirements as to training) for the grant of licences, establish and administer a system of investigation and adjudication of complaints against licensees and assist the Minister for Justice, Equality and Law Reform generally in the co-ordination and development of policy relating to the sector.</p> <p>The Act provides for the establishment of a body, to be known as the Private Security Appeal Board, to hear and determine appeals against decisions of the Authority. It also sets out the procedures and rules that will apply when a security service is provided here by a person who holds a licence issued by a corresponding authority in another EU member State.</p> <p>The Act gives effect to the principal recommendations contained in the Report of the Consultative Group on the Private Security Industry which was published in December 1997.</p>	<p>Dept of Justice, Equality and Law Reform</p>	<p>4.5.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Tribunals of Inquiry (Evidence) (Amendment) Act 2004 (No 13 of 2004)</p>	<p>The main purpose of this Act, is to allow for the sole member of a tribunal, or the chairperson, if there is more than one member, to make an order in relation to any costs that were incurred, before his or her appointment and that have not already been determined. In exercising this power, the sole member, or Chairperson, must have regard to any report of the tribunal, relating to its proceedings in the period before his or her appointment. The Bill makes clear, that the new provisions will apply, to tribunals appointed and costs incurred, before or after the passing of the legislation. The Act also provides for an express power, for a tribunal to seek the direction of the High Court, relating to the performance of the functions of the tribunal, including relating to costs and also for an express power, vested in the Chairperson, to direct other members of a tribunal (where there is more than one member of the tribunal) to sit as separate divisions.</p>	<p>Dept of Justice, Equality and Law Reform</p>	<p>5.5.04</p>
<p>An Bord Bia (Amendment) Act 2004 (No 14 of 2004)</p>	<p>This Act provides for the dissolution of Bord Glas and for the transfer of its staff and functions to An Bord Bia, from a date determined by the Minister for Agriculture and Food under Order to be made under Part 2 of the Act.</p> <p>An Bord Bia is currently responsible for the market development and promotion of Irish food and drinks and for export promotion of edible horticultural produce. Upon amalgamation, An Bord Bia will assume responsibility for the promotion and development of the production, marketing and consumption of all horticultural produce.</p> <p>The Act also amends the Registration of Potato Growers and Potato Packers Act 1984 to require that both the grower's and packer's registration number be displayed on pre-packaged potatoes offered for sale.</p>	<p>Dept of Agriculture and Food</p>	<p>5.5.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Electoral (Amendment) Act 2004 No 15 of 2004	<p>The Act provides for the conduct of European Parliament, local and presidential elections and referendums using voting machines and electronic vote counting. It also provides for the establishment of the Electronic Voting Commission on a statutory basis.</p>	Department of Environment & Local Government	18.5.04
Committees of the Houses of the Oireachtas (Compellability, Privileges and Immunities of Witnesses) (Amendment) Act 2004 No 16 of 2004	<p>This Act facilitates arrangements in the Houses of the Oireachtas if circumstances arise that the Houses need to consider the removal of a Judge from office under Article 35.4 of the Constitution. Although the Constitution allows for the process, arrangements had never been put in place and clarity was required. A new section has been inserted in the 1997 Act of the same name to overcome any difficulties. This will allow a judge whose removal is contemplated to be summoned to appear before an Oireachtas Committee.</p>	Department of Finance	2.6.04
Child Trafficking and Pornography (Amendment) Act 2004 No 17 of 2004	<p>This Act has two purposes. First, it ensures that any person who sends or produces documents to a committee of the Houses of the Oireachtas which might include child pornography does not run the risk of committing the criminal offence of distributing child pornography in contravention of the Child Trafficking and Pornography Act 1998. Such a safeguard is necessary where a person is obliged to comply with a direction from a committee to send or produce to the committee any specified documents in his or her possession. Second, the 1998 Act also makes it an offence to possess, print, publish or show child pornography. However, it provides no exemption to members of the Oireachtas who might come into possession etc of child pornography as a consequence of carrying out their proper functions. The 2004 Act ensures that any member of the Oireachtas, civil servant or adviser who came into possession of child pornography, or distributed, printed, published or showed child pornography, while carrying out their legitimate functions in gathering evidence during an investigation into any matter relating to child pornography, or assisting in any such investigation, would not commit a criminal offence</p>	Department of Justice, Equality & Law Reform	2.6.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Copyright and Related Rights (Amendment) Act 2004 No 18 of 2004</p>	<p>This Act was passed in order to amend Section 40 of the Copyright and Related Rights Act 2000, to nullify any interpretation that by including the word "showing", Section 40 (1) (b) created a "public exhibition right".</p> <p>Under the 2000 Act certain rights are given to the holder of a copyright, such as a distribution right and a reproduction right. If a "public exhibition right" had been included, the owner of the copyright of an original literary, dramatic, musical or artistic work, sound recording or film, could prevent the exhibiting of the work in a premises or other place to which members of the public have access.</p> <p>The amendment to Section 40 of the 2000 Act is for the avoidance of doubt, to clarify that there was never any intention when drafting the 2000 Act to create a "public exhibition".</p>	<p>Department of Enterprise, Trade & Employment</p>	<p>3.6.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Health (Amendment) Act 2004. No 19 of 2004</p>	<p>This Act provides for the abolition of the membership of the health boards established under the Health Act 1970, the Eastern Regional Health Authority (ERHA) and the area health boards established under the Health (Eastern Regional Health Authority) Act 1999.</p> <p>It also provides for the abolition of the distinction between reserved and executive papers and assigns the reserve functions of those bodies to the chief executive officer or, in certain circumstances, to the Minister.</p> <p>It amends the existing legislation regarding the disposal of property by the health boards and the ERHA by reintroducing the need for Ministerial consent prior to the acquisition and disposal of property.</p> <p>The Act also amends the Local Governments Act 2001 by deleting the health boards, the ERHA and area health boards from the definition of 'linked bodies' in that Act.</p>	<p>Department of Health & Children</p>	<p>8.6.04</p>
<p>Criminal Justice (Joint Investigation Teams) Act 2004 No 20 of 2004</p>	<p>This Act gives effect to the requirements of an EU Council Framework Decision of 13 June, 2002 . It provides for the setting up of joint investigation teams by mutual consent of Member States for a specific purpose and limited period. The teams will carry out criminal investigations with a cross border dimension in one or more of the Member States setting up the team. The Act will result in enhanced co-operation between Member States of the European Union in combating crime, particularly serious crime such as terrorism, drug trafficking, fraud and organised crime generally.</p>	<p>Department of Justice, Equality & Law Reform</p>	<p>30.6.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Central Bank and Financial Services of Ireland Act 2004 No 21 of 2004	<p>This Act is complementary to the <i>Central Bank and Financial Services Authority of Ireland Act 2003</i>. It provides for:</p> <ul style="list-style-type: none"> · Establishment of a Financial Services Ombudsman, to deal with consumer complaints about financial institutions · Establishment of Consumer and Industry Consultative Panels to advise the Regulatory Authority · New reporting and auditing obligations for financial institutions · Power for the Regulatory Authority to impose sanctions directly on financial institutions for failure to comply with regulatory requirements, subject to a right of appeal to the Irish Financial Services Appeals Tribunal · A right of appeal to the Appeals Tribunal in relation to certain supervisory decisions of the Authority · New regulatory requirements for money transmission and bureau de change businesses · Miscellaneous other amendments to financial services legislation. 	Department of Finance	5.7.04
National Monuments (Amendment) Act 2004 No 22 of 2004	<p>The purpose of the Act in light of Court decisions, is to clarify the division of responsibilities under the National Monuments Acts between the Minister for Arts, Culture and the Gaeltacht and the Minister for Environment, Heritage and Local Government; to set out revised procedures whereby works affecting national monuments may be permitted in certain circumstances, subject to necessary safeguards and, also, to make provision for appropriate protection of the archaeological heritage along the routes of approved road developments including the South Eastern route section of the M50.</p>	Department of Environment, Heritage & Local Government	18.7.04
Commission of Investigation Act 2004 No 23 of 2004	<p>This Act provides a mechanism for the establishment, from time to time, of commissions to investigate into and report on matters giving rise to significant public concern. It is in addition to existing mechanisms such as Tribunal of Inquiry.</p> <p>An investigation by a commission will be primarily a private investigation process designed to encourage co-operation with a lower likelihood of a need for legal representation by reducing the adversarial approach that applies in Courts and Tribunals. Any commission established to investigate under this Act will be required to be timely and cost effective</p>	Department of Justice, Equality & Law Reform	18.7.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Equality Act 2004 No 24 of 2004	<p>This Act amends the Employment Equality Act 1998 and the Equal Status Act 2000. The Act transposes into Irish Law three EU Equality Directives; the Race Directive (2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin), the Framework Employment Directive (2000/78/EC establishing a general framework for equal treatment in employment) and the Gender Equal Treatment in Employment Directive (2002/73/EC amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for women and men as regards access to employment, vocational training and promotion, and working conditions). The opportunity was also taken in the Act to provide for a number of procedural amendments to the Employment Equality Act 1998 and the Equal Status Act 2000.</p>	Department of Justice, Equality & Law Reform	19.7.04
Electricity (Supply) (Amendment) Act 2004 No 25 of 2004	<p>This raises ESB's statutory borrowing limit from IRE1.6 billion (€2.03 billion) to €6 billion. The old limit, which had remained unchanged for 22 years, needed upward revision to accommodate the increased borrowing requirements of ESB in order to fund its extensive capital expenditure programme.</p>	Department of Communications, Marine & Natural Resources	19.7.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>International Development Association (Amendment) Act 2004 No 26 of 2004</p>	<p>This Act provides for the payment of €50,000,000 to the Thirteenth Replenishment of the International Development Association (IDA 13).</p> <p>The International Development Association, IDA, is the World Bank Group's concessional lending window. It provides long-term loans at zero interest to the poorest of the developing countries. The mission of IDA is to support efficient and effective programs to reduce poverty and improve the quality of life in its poorest member countries.</p> <p>IDA obtains its resources principally from periodic replenishments which are, in effect, grants provided by its richer member countries and a small number of its other members. Ireland, as a member of IDA, is expected to contribute to the periodic replenishments.</p> <p>Ireland's contributions to IDA are accountable as part of Ireland's Overseas Development Aid Programme.</p>	<p>Department of Finance</p>	<p>20.7.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Residential Tenancies Act 2004 No 27 of 2004</p>	<p>This Act provides for major reform of landlord/tenant law. The new Act is the core element of the Government's overall programme to promote reform and development of the private rented sector based particularly on the report of the Commission on the Private Rented Residential Sector. Commission recommendations for fiscal reforms of the sector accepted by Government were already implemented in the 2001 and 2002 Finance Acts. A large portion of the Act will come into operation on 1 September 2004 including: improved security of tenure through a system of 4-year tenancy cycles; new tenancy termination procedures, including longer notice periods linked to length of tenancy; establishment of a statutory Private Residential Tenancies Board (PRTB); a new system of tenancy registration with the PRTB; voluntary renunciation of the right to long-occupation equity leases; higher penalties for offences relating to standards and registration of private rented accommodation; and extension of local authority powers to address anti-social behaviour.</p> <p>Provisions in the Act for a new dispute resolution service through the PRTB instead of the Courts, involving mediation or adjudication and tenancy tribunal hearings, will come into operation later this year, as will other provisions connected with the dispute resolution process. These include provisions setting out clearly the statutory tenancy obligations of landlords and tenants and providing that landlords will not be entitled to seek a rent greater than the market rate and that rent reviews (whether up or down) may not occur more than once a year unless warranted by substantial change in the accommodation. The Act will be fully in force before the end of 2004.</p> <p>The role of the PRTB, in addition to providing a State-subsidised dispute-resolution service for private sector tenants and registered landlords and operating the new tenancy-registration system, will include a range of monitoring, research, information and policy-advice functions in relation to the private rented sector.</p>		

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Maternity Protection (Amendment) Act 2004 No 28 of 2004	<p>This Act amends the Maternity Protection Act 1994 to give effect to the outstanding recommendations of the <i>Working Group on the Review and Improvement of the Maternity Protection Legislation</i>. The recommendations to increase the periods of maternity leave were implemented in March, 2001, very shortly after the Working Group completed its deliberations. The Act provides for the following: a reduction in the compulsory pre-confinement period of maternity leave from 4 weeks to 2 weeks; expectant mothers to attend ante-natal classes without loss of pay; a right to fathers to paid time off to attend two ante-natal classes; adjustment of working hours or breaks for breastfeeding mothers; termination of additional maternity leave in the event of illness, subject to the agreement of the employer, and absence from work on additional maternity leave to count for employment rights (except remuneration and superannuation benefits), such as seniority and annual leave.</p>	Department of Justice, Equality & Law Reform	20.7.04
Maritime Security Act 2004 No 29 of 2004	<p>The Act gives effect to the United Nations Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988) and the Protocol to that Convention for the Suppression of Unlawful Acts against the Safety of Fixed Platforms on the Continental Shelf (1988). It creates specific offences against the safety of Irish ships and other ships which are in Irish territorial waters and against fixed platforms on the Continental Shelf (subject to imprisonment for life on conviction on indictment). It consequentially provides, on standard lines, for extra-territorial jurisdiction to cover offences committed outside the State in breach of the Convention or Protocol; the apprehension and detention of alleged offenders and handing them over to the appropriate authorities; extradition; bail; avoidance of double jeopardy and other necessary matters.</p>	Department of Communications, Marine & Natural Resources	20.7.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Education for Persons with Special Educational Needs Act 2004 No 30 of 2004</p>	<p>This Act provides for the education of children under the age of 18 with special educational needs. The Act establishes a new framework for the assessment of and provision for children with such needs. A special educational need refers to a person who has restricted capacity to participate in and benefit from education due to an enduring physical, sensory, mental health or learning disability. A child with special educational needs is to be educated in an inclusive setting, unless this is not in the child's interests or there are very good reasons why it is not practical.</p> <p>The Act sets out a range of services, which must be provided, including assessments, education plans and support services. Every child with special educational needs is entitled to an Individual Education Plan (IEP), prepared by appropriate professionals. The preparation of the IEP and assessments are to take a whole-child, holistic approach. The IEP will set out the child's educational needs, the special education and related support services to be provided to him or her and the goals which the child is to achieve over a period of not more than 12 months. The IEP is subject to regular review and amendment. Parents have a central role in all important decisions concerning the education of their child and the Act guarantees parents the right to be involved in the assessment of their children.</p> <p>The Act also provides for an appeals process where parents can submit significant decisions concerning their child's education to an independent review board. The board has power to compel bodies (including Health Boards) to take specific actions to address matters before it, thus giving parents a quick, cheap and effective route to secure education for their child's needs.</p> <p>In addition, the Act establishes the National Council for Special Education (already established on an interim basis under Part IX of the Education Act 1998). The Council has a combination of planning, assessment, service delivery, research and policy functions, including coordination of special education provision, provision of Special Needs Organisers to ensure children with special needs receive an appropriate education, and the promotion of good practice in special education.</p> <p>The central role of the health boards in the education of children with special educational needs is recognised. Detailed provision is made to ensure as far as practical that the services provided by the boards are made available to children who need them.</p> <p>The Act also takes account of the continuing education of adults with special educational needs and obliges a school or special needs education organiser to consider steps to assist a child to continue his education or training as an adult.</p>	<p>Department of Education & Science</p>	<p>20.7.04</p>

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Civil Liability and Courts Act 2004 No 31 of 2004	<p>The primary purpose of this new law is to introduce changes in the law on civil liability. The law amends the Statute of Limitations (Amendment) Act 1991 by reducing the limitation period for personal injuries actions to two years. It introduces new penalties for fraudulent and exaggerated claims and provides for major procedural changes in personal injuries actions to reduce the time taken and costs involved in processing such actions. In addition it amends the in camera rule, provides for major procedural changes in personal injuries actions, to reduce the time taken, and costs involved in processing such actions. The law also provides for the disposal of part of funds of suitors vested in the Accountant of the Courts of Justice and makes provision in relation to the jurisdiction of the Circuit Court in proceedings relating to land. Please note that most provisions in this law are subject to commencement orders.</p>	Department of Justice, Equality & Law Reform	22.7.04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>State Airports Act 2004 No 32 of 2004</p>	<p>The purpose of the State Airports Act is to provide the necessary legislative basis for the restructuring of Aer Rianta and the establishment of Dublin, Cork and Shannon Airports as independent airport authorities under State ownership. The Act provides for Aer Rianta's mandate to be changed by Ministerial order when a new Board will be appointed and Aer Rianta will be re-named as the Dublin Airport Authority. The Act also provides for the establishment of two new State owned companies viz Cork Airport Authority plc and Shannon Airport Authority plc. The assets of Cork and Shannon Airports will be transferred by the Dublin Airport Authority to those 2 new companies subject to conditions specified in the Act being satisfied.</p> <p>In addition the Act amends the Aviation Regulation Act 2001 to provide that the Commission for Aviation Regulation, in the future, will have price regulation responsibilities solely for Dublin Airport. Those will be based on the restructuring framework created in the Act and reflecting the modified functions of the Dublin Airport Authority. Moreover the Commission will have a revised remit taking account of its new responsibilities.</p> <p>The Act also provides for the amendment of the Air Navigation and Transport Acts 1936 to 1998 and the Customs-free Airport Act 1946.</p>	<p>Department of Transport</p>	<p>22.7.04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>The Public Service Management (Recruitment and Appointments) Act 2004 No 33 of 2004</p>	<p>This Act 2004 reforms the recruitment processes within the Civil Service and other public service bodies under its remit. The Act is a major piece of legislation which will enable Civil Service Departments and Offices to recruit staff directly. It will provide greater flexibility and enable Departments and Offices to manage their organisations more effectively.</p> <p>The Act provides – among other things – for the dissolution of the Civil Service and Local Appointments Commission (CSLAC) and the establishment of 2 new bodies: the Public Appointments Service (PAS) and the Commissioners for Public Service Appointments (CPSA). The establishment of the Commissioners for Public Service Appointments (CPSA) marks the beginning of a new era in public service recruitment by offering Civil Service Departments and Offices an option to be licensed to recruit staff. The new Commission will have the important role of regulating recruitment under the Act and ensuring that high standards of probity are maintained in the system. The Public Appointments Service (PAS), also established under the Act, will act as the centralised recruitment, assessment and selection body for Government Departments and other public service bodies within its remit.</p>	<p>Department of Finance</p>	<p>6/10/04</p>
<p>Intoxicating Liquor Act 2004 (No. 34 of 2004) No 34 of 2004</p>	<p>The primary purpose of the Intoxicating Liquor Act 2004 is to amend the Intoxicating Liquor Act 1988 in order to provide a clear statutory basis for the holding of alcohol-free events for persons under the age of 18 years in licensed premises (e.g. a nightclub), or part of a licensed premises (e.g. a function room in a hotel), at a time when intoxicating liquor is not being sold, supplied or consumed there and physical access to intoxicating liquor is securely prevented.</p> <p>The Act also provides that the 9.00 p.m. limit for the presence of persons under the age of 18 years in the bar of licensed premises will be extended to 10.00 p.m. during the period from 1 May to 30 September.</p>	<p>Department of Justice</p>	<p>15/10/04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Dumping at Sea (Amendment) Act 2004 No 35 of 2004	<p>The 1996 Act enables the Minister for Communications, Marine and Natural Resources to grant permits for certain dumping at sea. It also empowers the courts to impose monetary penalty and or imprisonment for illegal dumping. This new Act (2004) copper fastens practices to protect heritage and public consultation. It also requires the Permit Register to be published on the website of the Department of Communications, Marine and Natural Resources</p>	<p>Department of Communications, Marine and Natural Resources</p>	<p>3/11/04</p>
Ombudsman (Defence Forces) Act 2004 No 36 of 2004	<p>This Act fulfils a specific undertaking to the Permanent Defence Force Other Ranks Representative Association (PDFORRA) in relation to the establishment by the Government of a new statutory office of Defence Forces Ombudsman. It will greatly improve the present arrangements for redress agreed with the representative associations.</p> <p>The new Office of the Defence Forces Ombudsman will provide an independent statutory body where people can forward their complaints if they feel unhappy with the response they received from the military authorities to a formal complaint under the Defence Act provisions for "redress of wrongs". The Ombudsman will function as an entirely independent entity. The Act provides clear and precise statutory powers of independent enquiry and investigation, closely modelled on those of the original Ombudsman legislation of 1980, but reflecting the military environment.</p> <p>The Act provides for the investigatory functions of the Ombudsman, sets out the general procedures to govern the making of complaints to the Ombudsman, and describes the nature of those matters which may be referred to the Ombudsman by members of the Defence Forces for investigation and determination by the Ombudsman.</p>	<p>Department of Defence</p>	<p>10/11/04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
<p>Council of Europe Development Bank Act, 2004 No 37 of 2004</p>	<p>This new Act provides the legal framework for Ireland's membership of the Council of Europe Development Bank. The Act also provides for the necessary payments toward the cost of Ireland's membership of the Bank. The Council of Europe Development Bank is the oldest international financial institution in Europe and the only one with an exclusively social remit. The Bank grants loans and guarantees to its member states, to local authorities and to financial institutions for the financing of social projects in clearly defined fields, chiefly relating to refugees and migrants, natural or ecological disasters, and the improvement of social cohesion through job supports for Small and Medium Sized Enterprises (SMEs), vocational training, social housing, health and education. The Bank funds its activities through funds raised on the international finance markets, on the basis of member state's contributions to the capital of the bank. The Bank is the financial instrument of the policy of solidarity developed by the Council of Europe. Ireland's membership is therefore a valuable expression of our commitment to that solidarity and social cohesion in a wider Europe.</p>	<p>Department of Finance</p>	<p>27/11/04</p>
<p>Irish Nationality and Citizenship Act 2004 No 38 of 2004</p>	<p>Following the referendum held in June 2004, this Act sets out the framework within which the entitlement to Irish citizenship of persons born in the island of Ireland to a non-national parent can be determined.</p> <p>The Act provides that a child born in the island of Ireland to parents, neither of whom is Irish, is not entitled to be an Irish citizen unless one of the parents has been lawfully resident in the island of Ireland for 3 of the 4 years immediately preceding the birth.</p>	<p>Department of Justice, Equality and Law Reform</p>	<p>15/12/04</p>
<p>The Tribunal of Inquiry into Certain Planning Matters and Payments Act 2004 No. 39 of 2004</p>	<p>The Act underpins the discretion given to the Tribunal of Inquiry into Certain Planning Matters and Payments in its amended Terms of Reference, as approved by both Houses of the Oireachtas on 17 November, 2004 to decide which issues it should investigate.</p>	<p>Department of Environment, Heritage and Local Government</p>	<p>15/12/04</p>

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Appropriation Act 2004 No. 40 of 2004	<p>This is an annual law which gives statutory authority for the amounts voted by Dáil Eireann during the year in original, additional or supplementary estimates. It is passed by the Dáil when consideration of all Departmental Estimates (including Supplementary Estimates) has been finalised. It is usually the last item of legislative business of the year.</p> <p>The 2004 Act also provides for the capital carryover from 2004 to 2005. A 5-year multi-annual capital investment framework was introduced in Budget 2004. Among other things the framework provided that capital savings in one year - up to a maximum of 10 per cent of the voted allocation - could be carried forward to the following year. The statutory authority for this was introduced in the Finance Act 2004 and it specified that the amounts (by vote) be included in the annual Appropriation Act.</p> <p>The Act includes a technical provision to allow for deferment of the end of year deadline for the Financial Resolutions passed on Budget night. This has been included each year since the Budget moved from January to December.</p>	Department of Finance	17/12/04
Social Welfare Act 2004 No 41 of 2004	<p>The Social Welfare Act 2004 provides for increases in the rates of social insurance and social assistance payments and improvements in the Family Income Supplement scheme. It also provides for an increase from 70% to 75% in the percentage of reckonable weekly earnings referred to in calculating the rate of Maternity Benefit and Adoptive Benefit.</p> <p>In addition, the Act provides for an increase in the annual earnings/income ceiling above which PRSI contributions are not payable by employed or optional contributors, as announced in the Budget. Changes to the Health Contributions Act 1979 to allow for increases in the annual and weekly thresholds for the Health Contribution Levy also feature in the Act.</p>	Department of Social & Family Affairs	17/12/04

Name of New law and its Number	What does this Law do?	Contact Department	Signed by the President on
Health Act 2004 Act No 42 of 2004	<p>This Act provides for the reform of the management structures in the health service, by providing for the establishment of the Health Service Executive (HSE) which will be responsible for managing the health service as a single national entity.</p> <p>The HSE will take over responsibility for the functions being performed by the Eastern Regional Health Authority and the health boards and other specified bodies, all of which will be dissolved on its establishment.</p> <p>The Act strengthens the arrangements for governance and accountability in the health system. It provides for the establishment of structures to enable participation by public representatives and service users in matters relating to health and personal social services. The Act also establishes a statutory complaints framework.</p>	Department of Health & Children	17/12/04
Housing (Miscellaneous Provisions) Act Summary Act No 43 of 2004	<p>This Act extends the control on the resale of certain dwellings and land. It provides for the local/planning authority placing a claw-back charge or anti-profiteering measure on affordable housing units sold under Part 2 of the Housing (Miscellaneous Provisions) Act 2002 or on houses and land provided under Part V of the Planning and Developments Acts 2000 - 2002.</p> <p>It will, thereby, allow private financial institutions access to the affordable housing mortgage market and facilitate the direct sale of affordable housing units to eligible persons nominated by the local authority.</p>	Department of Environment, Heritage and Local Government	21/12/04