

New Laws passed by the Fianna Fail – Progressive Democrats Partnership Government for 2007

Name of New Law and Its Number:	What does this Act do?	Contact Department:	Signed by the President on:
The Health (Nursing Homes) (Amendment) Act 2007 No 1 of 2007	The purpose of this Act is to ensure that the existing Nursing Home Subvention Scheme for private nursing home care is provided for in primary legislation. The Act sets out the provisions of the scheme for implementation by the Health Service Executive.	Department of Health and Children	19 February 2007
Citizens Information Act 2007 No 2 of 2007	This Act amends the Comhairle Act, 2000. It enhances the functions of the statutory body (Comhairle) by supporting the development of advocacy services for people with disabilities. Specifically, the Act provides for the introduction of a Personal Advocacy Service for certain people with disabilities, who would otherwise have difficulty in getting access to those services. The Act changes the name of Comhairle to the Citizens Information Board or in the Irish language, An Bord um Fhaisnéis do Shaoránaigh. It also provides for enhanced functions for the Board to support and develop the provision of information on social services, and the work of the Citizen Information Centres, and other voluntary bodies throughout the country.	Department of Finance	21 February 2007
Health Insurance (Amendment) Act 2007 No 3 of 2007	This Act protects the community rated market by removing the three-year exemption from risk equalisation for new entrants to the health insurance market. That provision was open to potential abuse (and Counsel advised that it be removed).	Department of Health and Children	22 February 2007
Courts and Court Officers (Amendment) Act 2007 No 4 of 2007	The Courts and Court Officers (Amendment) Act 2007 provides for an additional four judges of the High Court, four judges of the Circuit Court and six judges of the District Court.	Department of Justice, Equality and Law Reform	5 March 2007
Electricity Regulation (Amendment) (Single Electricity Market) Act 2007 No 5 of 2007	This Act provides the legal framework for the establishment and operation of a single wholesale electricity market (SEM) on the island of Ireland. Among its main provisions are the establishment of a Single Electricity Market Committee that will carry out the regulatory functions of the Commission for Energy Regulation (CER) in respect of the Single Electricity Market. The principle objectives of the Minister, the Commission for Energy Regulation and the Single Electricity Market Committee in carrying out their functions in relation to the Single Electricity Market are set out in this Act. There is also provision for the establishment of a Single Electricity Market Operator to carry out the trading and settlement of the new market and licensing	Department of Communications, Marine and Natural Resources.	5 March 2007

	arrangements for the Single Electricity Market, including licence modifications. Corresponding legislation providing a legal framework for the establishment and operation of the Single Electricity Market in Northern Ireland was signed into law on 21 March 2007.		
Criminal Law (Sexual Offences) (Amendment) Act 2007 No 6 of 2007	<p>This Act has a twofold purpose. Firstly, it substantially increases the maximum penalty on conviction for soliciting or importuning a mentally impaired person (whether or not for the purposes of prostitution) for the commission of an act that would constitute an offence under section 5 of the Criminal Law (Sexual Offences) Act 1993 (protection of mentally impaired persons). It also ensures that that penalty is available for the offence of soliciting or importuning a child (whether or not for the purposes of prostitution) for the commission of an act that would constitute the offence of defilement of a child under 15 or 17 years of age or a child or mentally impaired person for the commission of an offence that would constitute sexual assault. The maximum penalty on conviction on indictment for those soliciting or importuning offences is now an unlimited fine and/or imprisonment for a term not exceeding 5 years.</p> <p>Secondly, the Act introduces an offence of meeting a child or travelling to meet a child, having "groomed" the child on at least two previous occasions, for the purpose of doing anything that would constitute the sexual exploiting of the child. The maximum penalty on conviction on indictment is imprisonment for a term not exceeding 14 years.</p>	Department of Justice, Equality and Law Reform	7 March 2007
National Oil Reserves Agency Act 2007 No 7 of 2007	<p>The main provisions of the Act are:</p> <ul style="list-style-type: none"> • to provide for the transfer of the share held by the Irish National Petroleum Corporation (INPC) in the National Oil Reserves Agency (NORA) to the Minister for Communications, Marine and Natural Resources; • to provide for the continuation in existence of the National Oil Reserve Agency as the State body with responsibility for the maintenance of strategic supplies of oil in line with the state's oil stockholding obligations; • to define the functions of the National Oil Reserves Agency; • to impose a levy on relevant disposals of petroleum products 	Department of Communications, Marine and Natural Resources.	13 March 2007.

	and to amend certain provisions of the Irish National Petroleum Corporation Act 2001.		
Social Welfare and Pensions Act 2007 No 8 of 2007	This Act <ul style="list-style-type: none"> • amends the Social Welfare Consolidation Act 2005 to provide for a number of measures announced in Budget 2007 • amends the Supplementary Welfare Allowance scheme • provides for a number of amendments to the Pensions Act 1990 in relation to Occupational Pensions and Retirement Annuity Contracts • and contains amendments to a number of other Acts including the Taxes and Consolidation Act, the Combat Poverty Agency Act and the Family Support Agency Act. 	Department of Social and Family Affairs	30 March 2007
Education (Miscellaneous Provisions) Act 2007 No 9 of 2007	This Act amends the provisions of section 29 of the Education Act 1998 following the recommendations of the Task Force on Student Behaviour in second level schools. It will provide for a range of factors which must be considered in dealing with a refusal to enrol, suspension or exclusion of a student. It makes a number of procedural changes to the section 29 appeals process in relation to time limits and the circumstances in which an appeal can be made. The Act also makes a number of minor changes to the Education Act 1998 in respect of the State Examinations Commission (SEC), the Inspectorate, and the transfer of lands and property to the Office of Public Works.	Department of Education and Science	31 March 2007
Prisons Act 2007 No 10 of 2007	This Act provides for a number of matters relating to prisons and prisoners. It is an important measure in modernising and ensuring cost-effectiveness in our prison system. In particular, the Act provides for: <ul style="list-style-type: none"> • the possibility of certain prisoner escort services to be contracted out by the Minister, • revised prisoner disciplinary procedures, including the sanctions that may be imposed for a breach of prison discipline. Prisoners will also have the right to petition the 	Department of Justice, Equality and Law Reform	31 March 2007

	<p>Minister or appeal to an independent Appeal Tribunal, the finding or sanction or both,</p> <ul style="list-style-type: none"> • new planning procedures for the construction of new prisons and extensions to existing prisons in respect of developments defined in section 17 of the Act which have been approved by the Oireachtas on foot of the procedures provided for in Part 4 of the Act, • the appointment of an Inspector of Prisons on a statutory basis, • prisoners to participate from prison in certain applications to court by means of a live television link, • the amendment of the current statutory provisions for the making of Prison Rules, • the prohibition of unauthorised possession, use or supply of mobile telecommunication devices, • the exclusion of non-commercial work within a prison from the National Minimum Wage Act 2000, • the charging of prisoners for certain optional services, such as medical treatment or escorts outside the prison not related to their imprisonment, • the clarification that a prisoner remains in lawful custody while absent from prison on compassionate or other grounds not related to his or her imprisonment, • the closure of Mountjoy Prison. 		
<p>Finance Act 2007 No 11 of 2007</p>	<p>This Act gives legislative form to the taxation proposals in the Budget Statement of 6 December 2006. It also contains provisions, which are consequential on the Budget measures and other changes in the taxation code. The Act is in 7 parts covering Income Tax, Corporation Tax, Capital Gains Tax, Excise, Value-Added Tax, Stamp Duties, Capital Acquisitions Tax, Residential Property Tax and Miscellaneous tax provisions. This year the Act runs to 130 sections and 4 schedules. In conjunction with the Act, an Explanatory Memorandum is published which provides an explanation of each section.</p>	<p>Department of Finance</p>	<p>2 April 2007</p>

<p>Carbon Fund Act 2007</p> <p>No 12 of 2007</p>	<p>This Act establishes a Carbon Fund for the acquisition of Kyoto Units by the National Treasury Management Agency on behalf of the State in part fulfilment of Ireland's climate change obligations under the 1997 Kyoto Protocol to the United Nations Framework Convention on Climate Change. The Act also designates the National Treasury Management Agency as the agent of the Minister for the Environment, Heritage and Local Government in managing the Carbon Fund.</p>	<p>Department of Environment, Heritage and Local Government</p>	<p>7 April 2007</p>
<p>Asset Covered Securities (Amendment) Act 2007</p> <p>No 13 of 2007</p>	<p>This Act amends and updates the Asset Covered Securities Act 2001 which set out a statutory and regulatory framework for covered bond issuance in Ireland. The Act includes a number of new provisions to:</p> <ul style="list-style-type: none"> • permit the use of commercial mortgage loans as backing for covered bonds • bring existing provisions into line with the new Capital Requirements Directive's provisions relating to covered bonds • permit the use of securitised mortgage loans as backing for bonds in line with the provisions of the Capital Requirements Directive • make other technical adjustments so as to improve the legal framework within the current Asset Covered Securities legislation and to reflect developments in financial services in Ireland and in other jurisdictions. 	<p>Department of Finance</p>	<p>9 April 2007</p>
<p>Electoral (Amendment) Act</p> <p>No 14 of 2007</p>	<p>This Act provides for two alternative mechanisms to regulate the nomination of non-party Dáil candidates. These alternatives, one of which must be complied with before the expiration of the time for receiving nominations, are as follows:</p> <p>(i) by way of assents requiring the completion of statutory declarations by 30 assentors in the relevant Dáil constituency which may be witnessed by one of 5 categories: a Commissioner for Oaths, a Peace Commissioner, a Notary Public, a Garda or a local authority official;</p>	<p>Department of Environment, Heritage and Local Government</p>	<p>10 April 2007</p>

	<p>or</p> <p>(ii) by way of the candidate, or someone on his or her behalf, lodging a deposit of €500 with the returning officer. The Act also provides that necessary travelling and other expenses incurred by a candidate or an assessor in meeting the assessor's requirements, and the amount of any deposit paid, shall not be regarded as an election expense for the election concerned.</p>		
<p>Broadcasting (Amendment) Act</p> <p>No 15 of 2007</p>	<p>This Act develops the existing regulatory framework for broadcasting to allow public service and independent broadcasters to provide digital terrestrial television and radio broadcasting services in Ireland. It also mandates the RTÉ Authority to provide a television and radio service to Irish communities outside the island of Ireland.</p>	<p>Department of Communications, Marine and Natural Resources</p>	<p>10 April 2007</p>
<p>National Development Finance Agency (Amendment) Act 2007</p> <p>No 16 of 2007</p>	<p>This Act extends the functions of the National Development Finance Agency (NDFA) to allow it to provide a Centre of Expertise for procuring Public Private Partnership projects on behalf of State authorities. Through this legislation, the National Development Finance Agency is allocated a new procurement function giving the Agency the power to enter into Public Private Partnerships with a view to transferring them to the relevant State authority, or to act as agents for State authorities for Public Private Partnership procurement. The Act also provides for three additional Board members."</p>	<p>Department of Finance</p>	<p>10 April 2007</p>
<p>Foyle and Carlingford Fisheries Act 2007</p> <p>No 17 of 2007</p>	<p>This Act extends the functions of the Loughs Agency of the Foyle, Carlingford and Irish Lights Commission, one of the six North South Implementation Bodies, to include the development and licensing of aquaculture and the development of inland fisheries in the Foyle and Carlingford areas as envisaged in the British Irish Agreement Act 1999. The Act also updates the existing Foyle Fisheries Acts (1952 to 1983) in relation to, inter alia, the management, conservation, protection and improvement of fisheries in the Foyle and Carlingford areas. Parallel legislation introduced in Northern Ireland will ensure the new powers come into effect in both jurisdictions at the same time.</p>	<p>Department of Communications, Marine and Natural Resources</p>	<p>10 April 2007</p>
<p>European Communities Act 2007</p> <p>No 18 of 2007</p>	<p>This Act has been enacted to take account of two landmark Supreme Court judgements (Browne v AG and Kennedy v AG) which required changes to be made in the way Ireland transposes EU measures into our domestic law. The Act allows Ministers to use existing Acts of the</p>	<p>Department of Foreign Affairs</p>	<p>21 April 2007</p>

	<p>Oireachtas to create Statutory Instruments to implement EU law, provided that the Act in question relates to the same policy area covered by the EU law. The EC Act 2007 also provides Ministers with a new power to create indictable offences for serious breaches of EU law. The maximum penalties have been capped at three years imprisonment and a fine of up to €500,000.</p> <p>In cases where Ireland implements major policy changes on foot of EU measures, the Government intends to continue to introduce primary legislation, in line with the practice to date.</p>		
<p>Consumer Protection Act 2007</p> <p>No 19 of 2007</p>	<p>The main provisions of the Consumer Protection Act 2007 are:</p> <ul style="list-style-type: none"> • the formal establishment of the National Consumer Agency on a statutory footing. • the replacement of 9 existing statutes, the oldest of which, the Merchandise Marks Act, dates back to 1887, with a modern, up-to-date statute. • transfer of the functions of the office of the Director of Consumer Affairs to the National Consumer Agency. • transposition into Irish law of the provisions of the European Union's Unfair Commercial Practices Directive (Directive No 2005/29/EC of the European Parliament and of the Council of 11 May 2005), which prohibits traders from engaging in unfair, misleading or aggressive commercial practices. • revision of the law in relation to pyramid selling, making it an offence to establish, operate, promote or participate in a pyramid promotional scheme. 	<p>Department of Enterprise, Trade and Employment</p>	<p>21 April 2007</p>
<p>Pharmacy Act 2007</p> <p>No 20 of 2007</p>	<p>The Pharmacy Act 2007 makes new provision for:</p> <ul style="list-style-type: none"> • the regulation of pharmacy, including provision for the dissolution of the Pharmaceutical Society of Ireland; • the setting up a new Pharmaceutical Society of Ireland; 	<p>Department of Health and Children</p>	<p>21 April 2007</p>

	<ul style="list-style-type: none"> • the establishment, constitution and functions of the new Society's Council; • a new system of registration of qualified pharmacists, druggists and pharmaceutical assistants and of pharmacies; • the setting up of new procedures to (a) ensure that pharmacists, and pharmacy businesses, are, and continue to be, fit to practise, and (b) the prevention of pharmacists, pharmacy owners and medical practitioners from entering into certain inappropriate relationships; • the creation of certain offences relating to pharmacy. 		
Building Control Act 2007 No 21 of 2007	The Act amends/strengthens the powers of local building control authorities under the Building Control Act 1990; it provides for the registration of the titles of "Architect", "Building Surveyor" and "Quantity Surveyor" and transposes certain provisions of the EU Directive on Recognition of Professional Qualifications.	Department of Environment, Heritage and Local Government	21 April 2007
Communications Regulation (Amendment) Act 2007 No 22 of 2007	<p>The purpose of this Act is to increase the enforcement powers of the Commission for Communications Regulation (ComReg) so that it can better achieve one of its primary functions, which is the promotion of competition, thereby leading to better and more competitively priced telecommunications services for consumers. The main provisions include:</p> <p>Enhanced Enforcement Powers for ComReg - The creation of indictable offences for breaches of enforcement measures imposed by ComReg.</p> <p>Competition Law Powers for ComReg - similar to the Competition Authority, in the telecoms sector, which will allow ComReg to investigate and take action in issues such as abuse of dominance.</p> <p>Enhanced Investigation Powers - Information gathering powers for both</p>	Department of Communications, Marine and Natural Resources	21 April 2007

	<p>the Minister and ComReg, including powers for ComReg to investigate overcharging.</p> <p>Emergency Call Answering and .ie domain Name - The establishment of an emergency call answering service to be operated by a private sector undertaking, and the regulation of the IEDR (ie domain name registry) by ComReg.</p>		
<p>Health Act 2007</p> <p>No 23 of 2007</p>	<p>This Act provides for the establishment of the Health Information and Quality Authority (HIQA) to promote safety and quality in the provision of health and personal social services for the benefit of the health and welfare of the public. The Health Act also provides for the establishment of the Office of the Chief Inspector of Social Services within Health Information and Quality Authority, with specific statutory functions. In addition, the Act provides for a new system of inspection and registration for residential centres for children, older people (including private nursing homes) and people with disabilities. The Act also amends the Health Act 2004 to provide for the protected disclosure of information in the health service.</p>	<p>Department of Health and Children</p>	<p>21 April 2007</p>
<p>Defence (Amendment) Act 2007</p> <p>No 24 of 2007</p>	<p>This Act modernises the military code of discipline by amending and updating the provisions of Part V of the Defence Acts, having due regard to prevailing human rights norms. The Act overhauls the procedures for the summary disposal or trial by court-martial of offences against military law. It provides for new structures, scope, punishments and appeal processes governing both summary investigations and courts-martial. New measures in the Act include the establishment of an independent military prosecuting authority and an independent military judicial office, the appointment of a Court-Martial Administrator, the establishment of a new summary court-martial, and the restructuring of general and limited courts-martial.</p>	<p>Department of Defence</p>	<p>21 April 2007</p>
<p>Medical Practitioners Act 2007</p> <p>No 25 of 2007</p>	<ul style="list-style-type: none"> • This Act protects and informs the public in its dealings with medical practitioners. It also introduces measures to: • provide for the registration and control of medical practitioners; 	<p>Department of Health and Children</p>	<p>7 May 2007</p>

	<ul style="list-style-type: none"> • better ensure the education, training and competence of medical practitioners; • amend the membership and functions of the Medical Council; • investigate complaints against medical practitioners; • increase the public accountability of the Medical Council; • give further effect to Council Directive 2005/36/EC; • repeal and replace the Medical Practitioners Acts 1978 to 2002; and to provide for related matters. 		
<p>Child Care (Amendment) Act 2007</p> <p>No 26 of 2007</p>	<p>This Act amends the Child Care Act 1991 as well as making amendments to the Children Act 2001. Its principal purpose is to provide that a foster parent or a relative who has had a child in his/her care for a continuous period of five years, the child having been placed with that person by the Health Service Executive, may apply for a court order for increased autonomy in relation to the care of the child. It also enables regulations to be made which will allow school age childcare services to be brought within the 1991 Act on the same basis as pre-school child care services thus enabling providers of school age childcare services to avail of a VAT exemption as currently is the case for providers of pre-school child care services.</p> <p>The Act also changes the name of the Special Residential Services Board to the Children Acts Advisory Board and broadens the functions of the Board to become an enhanced advisory and enabling body whose functions will include providing advice to the Ministers for Health and Children and Justice, Equality and Law Reform on policy issues relating to the co-ordinated delivery of services under the Acts of 1991 and 2001. It also amends family welfare conferences arising in the context of juvenile justice cases under the Children Act 2001 to ensure that they are used appropriately.</p>	<p>Department of Health and Children</p>	<p>8 May 2007</p>

<p>Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007</p> <p>No 27 of 2007</p>	<p>The “Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007” is mainly concerned with the implementation of Sections 18 (“Proposal to address Exceptional Collective Redundancy Situations”) and 19 (“Dismissals in Industrial Disputes”) of the Social Partnership Agreement “Towards 2016”.</p> <p>This legislation provides for a Redundancy Panel in accordance with the agreed terms of “Towards 2016”. Its focus is to ensure that redundancies are in fact genuine as opposed to situations where workers are simply replaced in the same job by new workers performing the same tasks at lower wages. The legislation also provides an additional legislative safeguard for the rights of employees who have been involved in a strike, other industrial action or a lockout but who have not subsequently been re-engaged. A number of other measures to up-date employment rights legislation are also included, principally the removal of the upper age limit of 66 for statutory redundancy entitlement and implementation of the mandatory judgement of the European Court of Justice in the “Junk v Kuhnel” case of 27 January, 2005.</p>	<p>Department of Enterprise, Trade and Employment</p>	<p>8 May 2007</p>
<p>Statute Law Revision Act 2007</p> <p>No 28 of 2007</p>	<p>Statute Law Revision means the process of removing legislation that is obsolete, or no longer in force, from the legislative system. The Statute Law Revision Act 2007, repeals all remaining public and general statutes (primary legislation or Acts) enacted before 6 December 1922 that were still of relevance to Ireland: this totalled 3,225 statutes. The Act does retain 1,364 Statutes that are set out in a 'White List'. These are Statutes that have some ongoing relevance to modern Ireland and as such, they cannot be repealed until more modern legislation is enacted to replace the provisions that need to be retained. This Statute Law Revision Act represents the most comprehensive revision of the statute book ever undertaken in the history of the State, and repeals more than the entire number of public general Acts of the Oireachtas that have been enacted since Ireland achieved independence in 1922. The Statute Law Revision Act forms part of the Government's overall commitment to better regulation and regulatory reform, as set out in the 2004 White Paper, <i>Regulating Better</i>.</p>	<p>Department of the Taoiseach</p>	<p>8 May 2007</p>
<p>Criminal Justice Act</p>	<p>The main purpose of the Act is to update several areas of criminal law and procedure so that the Garda Síochána, the State's prosecution services and the Courts are in a position to respond more effectively to</p>	<p>Department of Justice, Equality and Law Reform</p>	<p>9 May 2007</p>

No 29 of 2007	gangland crime. The Act addresses issues in relation to detention, bail, the 'right to silence', sentencing, the taking of samples and statements from arrested persons, as well as several technical matters where clarification was required.		
Water Services Act 2007 No 30 of 2007	The Act sets down a comprehensive modern legislative code governing functions, standards, obligations and practice in relation to the planning, management, and delivery of water supply and waste water collection and treatment services. To this end it both consolidates and modernises the legislative code governing water services. The Act focuses on management of water "in the pipe", as distinct from broader water resources issues such as river water quality, etc.	Department of Environment, Heritage and Local Government	14 May 2007
Finance (No. 2) Act 2007 No 31 of 2007	The Act provides for the abolition of stamp duty for all owner-occupying first-time purchases of houses and apartments whether new or second-hand. The change applied to instruments executed on or after 31 March 2007. The section also provides for a refund procedure for persons, who, by virtue of this amendment, become entitled retrospectively to relief or additional relief.	Department of Finance	9 July 2007
Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007 No 32 of 2007	<p>The purpose of the Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007 (No. 32 of 2007) is to confirm and to secure an integrated statutory basis for the Minister of Community, Rural and Gaeltacht Affairs' broad range of functions and responsibilities.</p> <p>In addition to this, the Act provides for a number of technical amendments to existing legislation including matters relating to Freedom of Information and the Western Development Commission, and provides for an increase of the limit of financial or other material aid to enterprises or projects, which the Western Development Commission can provide without the consent of the Minister.</p> <p>The Act also enables the Minister to pay subsidies in respect of travel by island students to second-level schools on the mainland, which are outside the radius of 120 kilometres of the terminus which was previously provided for. It clarifies the Minister's remit in respect of specified functions relating to both existing and new aerodromes and ancillary facilities connected with the provision of</p>	Department of Community, Rural and Gaeltacht Affairs	9 July 2007

	air services between the islands and the mainland. The Act also repeals the Arramara Teoranta (Acquisition of Shares) Acts 1949-2002.		
Minister and Secretaries (Minister of State) Act 2007 No 33 of 2007	This Act gives effect to the decision by the Government to increase the number of Ministers of State from 17 to 20. This had previously been set at 17 by the Ministers and Secretaries (Amendment) Act 1995. The present increase is primarily driven by the increase in the volume and complexity of Government business since then.	Department of Finance	9 July 2007
Roads Act 2007 No 34 of 2007	The principal purpose of this Act is to provide the necessary statutory basis to facilitate the implementation of free flow open road tolling (also known as 'barrier-free' tolling) on toll-based national road schemes, through the provision of appropriate deterrents for non-payment of tolls. The Act also provides for: <ul style="list-style-type: none"> • The redesignation of certain high quality dual carriageways to be motorways; • The provision of service and rest areas on the national road network; • Some technical amendments in relation to various sections of the Roads Act 1993; • A number of amendments to the Taxi Regulation Act 2003, and The making of bye-laws to deal with the issue of parking at sports stadia on event days.	Department of Transport	11 July 2007
Personal Injuries Assessment Board Act 2007 No 35 of 2007	The purpose of the Personal Injuries Assessment Board (Amendment) Bill 2007 is to provide that in certain circumstances, where a claimant rejects a PIAB assessment that has been accepted by a respondent and where they fail in any subsequent proceedings to get more than amount of the PIAB assessment, they will not be entitled to legal costs. Section 1 of the Bill provides that two new sections are added to the Personal Injuries Assessment Board Act 2003 as follows.	Department of Enterprise, Trade and Employment	11 July 2007

	<p>New Section 51A Provides that where a claimant rejects a PIAB assessment that has been accepted by a respondent and where they fail in any subsequent proceedings to get more than the amount of the PIAB assessment, they will not be entitled to legal costs.</p> <p>New Section 51B provides that no legal costs shall be allowed for the making of an application to the PIAB.</p> <p>Section 2 of the Bill provides for the citation of the new Act.</p>		
<p>Criminal Procedure (Amendment) Act 2007</p> <p>No 36 of 2007</p>	<p>The Criminal Procedure (Amendment) Act 2007 amends section 22(3) of the Criminal Procedure Act 1967 and specifies the persons or categories of persons who may take (i.e. receive) a recognisance from a person who has been granted bail but who has been remanded in custody pending the taking of a recognisance. Those categories or persons are (i) any judge of the District Court (ii) any District Court clerk, (iii) a prison governor or a prison officer designated by a prison governor and (iv) a peace commissioner designated by Ministerial order."</p>	<p>Department of Justice, Equality and Law Reform</p>	<p>25 October 2007</p>
<p>Markets in Financial Instruments and Miscellaneous Provisions Act 2007</p> <p>No 37 of 2007</p>	<p>The Markets in Financial Instruments and Miscellaneous Provisions Act 2007 contains measures to complement the transposition of the EU Markets in Financial Instruments Directive. For example, section 5, provides for the imposition of substantial penalties for certain indictable offences under the new rules. Section 8 repeals the Stock Exchange Act 1995 now replaced by the Markets in Financial Instruments Regulations 2007 (S.I. No. 60 of 2007).</p> <p>Section 19 of the Act brings the activities of non-deposit taking lenders within the sphere of financial regulation.</p> <p>Finally, the Act also makes a range of largely technical amendments to various Acts of a financial nature (including Acts relating to the National Treasury Management Agency, the Central Bank and Financial Services Authority of Ireland, the Financial Services Ombudsman, ministerial pensions, credit unions, the National Pensions Reserve Fund, Ordnance Survey Ireland, and freedom of information).</p>	<p>Department of Finance</p>	<p>31 October 2007</p>

<p>Local Government (Roads Functions) Act 2007</p> <p>No 38 of 2007</p>	<p>The Act provides for technical amendment to certain legislation provisions to facilitate the transfer of functions in relation to Non-National Roads and the National Vehicle Driver File (NVDF) from the Minister for the Environment, Heritage and Local Government to the Minister for Transport. The transfer of functions was announced by the Taoiseach on the formation of the Government in June 2007. Orders has been made which provide for the commencement of the Act for the transfer of Non-National Roads and the NVDF functions with effect from 1 January 2008.</p>	<p>Department of the Environment, Heritage and Local Government</p>	<p>26 November 2007</p>
<p>Copyright and Related Rights (Amendments) Act 2007</p> <p>No 39 of 2007</p>	<p>In December 2007, the Copyright and Related Rights (Amendment) Act 2007, the purpose of which is to regularise the position in Ireland on the lending of works through the public library system, was signed into law. The Act is designed to bring us into conformity with the EU directive on Rental and Lending (92/100/EEC) which Ireland was found to be in default of in a decision delivered by the European Court of Justice in January 2007.</p> <p>The Act creates an exclusive lending right for authors. The intention is to replace this exclusive right with a right to remuneration once an operational Public Lending scheme is in place for the specified category of works. The intention is that a scheme in respect of books will be introduced but this may be extended to other media if considered appropriate. The legislation is sufficiently future-proofed to allow for such extension of the scheme;</p> <p>It also provides that once a lending scheme is available for authors for a particular category of works, it is the right to remuneration which applies i.e. assuming a scheme exists for books, authors can expect only a right to remuneration if they qualify under the scheme but can not, at the same time, seek to exercise an exclusive right to prevent the lending of their books;</p> <p>The Act allows an exemption in respect of lending by educational institutions. These are in the nature of research libraries and would not come within the definition of a public lending library;</p>	<p>Department of Enterprise, Trade and Employment</p>	<p>4 December 2007</p>

	It also sets out the guiding criteria to be covered in Regulations to be made by the Minister for the Environment, Heritage and Local Government.		
Social Welfare Act 2007 No 40 of 2007	The Social Welfare Act, 2007 provides for increases in the rates of social insurance and social assistance payments and improvements in Family Income Supplement and Widowed Parent Grant. It also provides for an increase in the weekly earnings limit below which PRSI is not payable, an increase in the income ceiling above which PRSI contributions are not payable by employed or optional contributors, as announced in the Budget, in addition to changes to the Health Contributions Act 1979 to provide for an increase in the weekly and annual exemption threshold for the Health Contribution Levy.	Department of Social and Family Affairs	20 December 2007
Appropriation Act 2007 No 41 of 2007	The Appropriation Act gives statutory authority for the amounts voted by the Dáil during the year for public services such as Education, Health, Social Welfare, etc. The Bill also provides for the definitive capital carryover from 2007 to 2008, which allows unspent 2007 capital money to be spent in 2008. Apart from these main provisions of the Act dealing with the Estimates, it also includes a technical provision to allow for the deferment of the end-year deadline for Financial Resolutions passed on Budget night.	Department of Finance	21 December 2007
Health (Miscellaneous) Act 2007 No 42 of 2007	This Act confirms establishment orders for existing bodies established by Statutory Instrument under the Health (Corporate Bodies Act) 1961 as if the establishment orders were Acts of the Oireachtas and confirms the validity of acts carried out by all bodies established under the 1961 Act, in so far as these acts were in accordance with the relevant establishment order. Establishment orders for existing bodies which are currently funded by the Health Service Executive are amended to reflect the role of the Executive. In addition the legal capacity of two of those bodies, Beaumont Hospital and St James's Hospital, to enter into hospital co-location agreements is put beyond doubt. The Act also amends the Medical Practitioners Act 2007 regarding transitional provisions and the phased commencement of relevant sections of that Act.	Department of Health and Children	21 December 2007

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