



Number 5 of 1955

TOURIST TRAFFIC ACT 1955

REVISED

Updated to 16 September 2020

This Revised Act is an administrative consolidation of the *Tourist Traffic Act 1955*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Criminal Justice (Enforcement Powers) (Covid-19) Act 2020* (14/2020), enacted 11 September 2020, and all statutory instruments up to and including the *Tourism and Sport (Transfer of Departmental Administration and Ministerial Functions) Order 2020* (S.I. No. 356 of 2020), made 15 September 2020, were considered in the preparation of this Revised Act.

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Introduction

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Tourist Traffic Acts 1939 to 2016: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*National Tourism Development Authority (Amendment) Act 2016* (14/2016), s. 2(2)). The Acts in the group are:

- *Tourist Traffic Act 1939* (24/1939)
- *Tourist Traffic Act 1952* (15/1952)
- *Tourist Traffic Act 1955* (5/1955)
- *Tourist Traffic Act 1957* (27/1957)
- *Tourist Traffic Act 1966* (3/1966)
- *Tourist Traffic Act 1970* (16/1970)
- *Tourist Traffic Act 1983* (31/1983)
- *Tourist Traffic Act 1995* (13/1995)
- *National Tourism Development Authority Act 2003* (10/2003)
- *National Tourism Development Authority (Amendment) Act 2011* (33/2011)
- *National Tourism Development Authority (Amendment) Act 2016* (14/2016)

Acts previously included in the group but now repealed are:

- *Tourist Traffic Act 1959* (27/1959)
- *Tourist Traffic Act 1961* (37/1961)
- *Tourist Traffic Act 1963* (22/1963)
- *Tourist Traffic Act 1968* (29/1968)
- *Tourist Traffic Act 1972* (28/1972)
- *Tourist Traffic Act 1975* (26/1975)
- *Tourist Traffic Act 1979* (22/1979)
- *Tourist Traffic Act 1987* (11/1987)
- *Tourist Traffic Act 1998* (45/1998)

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual

amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found in linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.



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ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY AND GENERAL

Section

1. Short title and collective citation.
2. Commencement.
3. Construction.
4. Repeals.

PART II

BORD FÁILTE ÉIREANN

5. Name of Board.
6. Additional functions.
7. Non-repayable grant.
8. Grants from other sources.
9. Amendment of Tourist Traffic (Development) Act, 1931.

PART III

DISSOLUTION OF FÓGRA FÁILTE

10. Dissolution of Fógra Fáilte.
11. Transfer of property.
12. Transfer of liabilities.
13. Preservation of continuing contracts.
14. Continuance of pending legal proceedings.
15. Exemption from stamp duty.

[No. 5.]

Tourist Traffic Act 1955

[1955.]

16. Transfer of staff.

ACTS REFERRED TO

Tourist Traffic Act, 1952

No. 15 of 1952

Tourist Traffic (Development) Act, 1931

No. 15 of 1931



Number 5 of 1955

TOURIST TRAFFIC ACT 1955

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AN ACT TO DISSOLVE FÓGRA FÁILTE AND TRANSFER ITS FUNCTIONS TO AN BORD FÁILTE AND TO PROVIDE FOR OTHER MATTERS CONNECTED THEREWITH. [21st March, 1955.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

PART I.

PRELIMINARY AND GENERAL.

Short title and collective citation.

1.—(1) This Act may be cited as the Tourist Traffic Act, 1955.

(2) The Tourist Traffic Acts, 1939 and 1952, and this Act may be cited together as the Tourist Traffic Acts, 1939 to 1955.

Commencement.

2.—This Act shall come into operation on such day as the Minister shall by order appoint.

Construction.

3.—(1) In this Act—

“the Act of 1952” means the Tourist Traffic Act, 1952 (No. 15 of 1952);

“the Board” means Bord Fáilte Éireann;

“the Minister” means the Minister for Industry and Commerce.

(2) The Tourist Traffic Acts, 1939 and 1952, and this Act shall be construed as one.

Repeals.

4.—(1) The following provisions of the Act of 1952 are hereby repealed—sections 4, 10, Part V and the Schedule.

(2) The repeal of the Schedule shall not affect the rights of any person under paragraph 5 thereof (which relates to the superannuation of full-time members of Fógra Fáilte) or under a scheme made under that paragraph.

PART II.

BORD FÁILTE ÉIREANN.

Name of Board. 5.—F1[...]

Additional functions. 6.—F2[...]

Non-repayable grant. 7.—F3[...]

Grants from other sources. 8.—F4[...]

Amendment of Tourist Traffic (Development) Act, 1931. 9.—F5[...]

PART III.

DISSOLUTION OF FÓGRA FÁILTE.

Dissolution of Fógra Fáilte. 10.—Fógra Fáilte is hereby dissolved.

Transfer of property. 11.—(1) All property whether real or personal (including choses-in-action) which was vested in, or belonged to or was held in trust for Fógra Fáilte and all rights, powers and privileges relating to or connected with any such property shall, without any conveyance or assignment but subject where necessary to transfer in the books of any bank, corporation or company or authority, become and be vested in or the property of or held in trust for (as the case may require) the Board for the same estate, trust or interest.

(2) All property transferred by this section which is standing in the books of any bank or registered in the books of any bank, corporation, company or authority shall, upon the request of the Board, be transferred in such books by such bank, corporation, company or authority into the name of the Board.

(3) Every chose-in-action transferred by this section to the Board may be sued upon, recovered or enforced by the Board in its own name and it shall not be necessary for the Board to give notice to the person bound by such chose-in-action of the transfer effected by this section.

Transfer of liabilities. 12.—Every debt and other liability (including unliquidated liabilities arising from torts or breaches of contract) of Fógra Fáilte shall become the debt or liability of the Board.

Preservation of continuing contracts. 13.—Every bond, guarantee, mortgage or other security of a continuing nature made or given by Fógra Fáilte to any person, or by any person to that body, and every contract or agreement in writing made between that body and another person and not fully executed and completed shall continue in force and shall be construed as if the name of the Board were substituted therein for that body.

Continuance of pending legal proceedings. 14.—In every action, suit or proceedings pending in any court or tribunal to which Fógra Fáilte is a party, the Board shall become and be a party in the place of that body and such proceedings shall be continued between the Board and the other parties thereto accordingly.

Exemption from stamp duty. 15.—F6[...]

Transfer of staff. **16.**—Persons who, immediately before the dissolution of Fógra Fáilte, were employed by that body shall become members of the staff of the Board subject to the same conditions as to tenure of office, remuneration and otherwise as those subject to which they were so employed.