Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.

Number 27 *of* 1961

HEALTH (CORPORATE BODIES) ACT 1961

REVISED

Updated to 1 January 2026

This Revised Act is an administrative consolidation of the *Health (Corporate Bodies) Act 1961*. 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 *National Training Fund (Amendment) Act 2025* (21/2025), enacted 23 December 2025, and all statutory instruments up to and including the *European Union (Restrictive Measures concerning Iraq) Regulations 2026* (S.I. No. 1 of 2026), made 6 January 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 27 *of* 1961

HEALTH (CORPORATE BODIES) ACT 1961

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ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Definitions.
3. Establishment of bodies to provide health services.
3A. Establishment of bodies to provide health services performed by specified bodies.
4. Membership and staff.
5. Functions.
6. Administration.
7. Revocation of establishment order.
8. Reconstitution of certain companies for purposes of Act.
9. Expenses of the Minister.
10. Laying of orders before Houses of the Oireachtas and sending of copies to members of those Houses.

ACTS REFERRED TO

Health Act, 1947	1947, No. 28
Health Authorities Act, 1960	1960, No. 9
Local Government (Superannuation) Act, 1956	1956, No. 10
Health Act, 1953	1953, No. 26

Number 27 *of* 1961

HEALTH (CORPORATE BODIES) ACT 1961

REVISED

Updated to 1 January 2026

AN ACT TO MAKE PROVISION FOR THE ESTABLISHMENT OF BODIES TO PERFORM FUNCTIONS IN, OR IN RELATION TO, THE PROVISION OF HEALTH SERVICES. [3*rd August,* 1961.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Short title.

1.—This Act may be cited as the Health (Corporate Bodies) Act, 1961.

Definitions.

2.—In this Act—

F1**[**"health service" includes any service relating to the protection, promotion or improvement of the health or welfare of people;**]**

"health authority" has the meaning assigned to it by virtue of the Health Act, 1947, and the Health Authorities Act, I960;

"the Minister" means the Minister for Health.

Annotations

Amendments:

F1 Substituted (6.11.1996) by *Health (Amendment) (No. 3) Act 1996* (32/1996), s. 22, commenced on enactment.

Modifications (not altering text):

C1 Functions transferred and references to **Minister for Health and Children** construed as **Minister for Health** (4.06.2011) by *Health and Children (Alteration of Name of Department and Title of Minister) Order 2011* (S.I. No. 219 of 2011), arts. 3, 4, in effect as per art. 1(2).

3. The title of the Minister having charge of the Department of State, whose present title is, in the Irish language, an tAire Sláinte agus Leanaí and, in the English language, the Minister for Health and Children, is altered, in the Irish language, to that of an tAire Sláinte and, in the English language, to that of the Minister for Health.

4. In any enactment or any instrument made under an enactment—

(*a*) references to the Department Health and Children shall be construed as references to the Department of Health;

(*b*) references to the Minister for Health and Children shall be construed as references to the Minister for Health.

The history of the Ministers concerned with the *Health (Corporate Bodies) Act 1961* can be traced as follows:

• Name of Minister for **Health** changed to **Health and Children** (12.07.1997) by *Health (Alteration of Name of Department and Title of Minister) Order 1997* (S.I. No. 308 of 1997), in effect as per art. 1(2).

• Name of Minister for **Health and Children** changed to **Health** (4.06.2011) by *Health and Children (Alteration of Name of Department and Title of Minister) Order 2011* (S.I. No. 219 of 2011), in effect as per art. 1(2).

Establishment of bodies to provide health services.

3.—(1) The Minister may from time to time by order (in this Act referred to as an establishment order) establish a body to perform functions in, or in relation to, the provision of a health service or two or more health services.

(2) A body established under subsection (1) of this section shall be called and known by such title as may be specified in the establishment order.

(3) A body so established shall be a body corporate with perpetual succession and a seal and with power to sue and be sued in its corporate name and to hold land.

(4) All courts shall take judicial notice of the seal of a body so established and every document purporting to be an order or other instrument made by that body and to be sealed with its seal (purporting to be authenticated in the manner provided in the establishment order) shall be received in evidence and be deemed to be such order or instrument without further proof unless the contrary is shown.

(5) The Minister may from time to time by order amend an establishment order or an order made under this subsection.

Annotations

Modifications (not altering text):

C2 Certain orders made under section confirmed and certain acts done pursuant to orders made under section confirmed (21.12.2007) by *Health (Miscellaneous Provisions) Act 2007* (42/2007), ss. 5, 6, commenced on enactment.

Confirmation of certain orders under section 3 of Act of 1961.

5.— (1) Subject to *subsection (6)*, every order under section 3 of the Act of 1961 made before the passing of this Act shall have statutory effect as if it were an Act of the Oireachtas.

(2) Every act done, or purporting to have been done, by a body established under section 3 of the Act of 1961 under and in accordance with an order made under that section shall be, and be deemed always to have been, valid and effectual for all purposes.

…

(6) This section shall not apply to an order—

(*a*) that, immediately before the passing of this Act, stood revoked under section 7 of the Act of 1961, or

(*b*) if, immediately before such passing, the body established by the order stood dissolved under any other enactment.

Confirmation of certain acts done by dissolved bodies.

6.— (1) Every act done, or purporting to have been done, by a dissolved body under and in accordance with an order made under section 3 or 3A (inserted by section 75 and Part 3 of Schedule 6 of the Act of 2004) of the Act of 1961 shall be, and be deemed always to have been, valid and effectual for all purposes.

…

(3) In this section "dissolved body" means—

(*a*) that, immediately before the passing of this Act, stood revoked under section 7 of the Act of 1961, or a body established under an order that, immediately before the passing of this Act, stood revoked under section 7 of the Act of 1961, or

(*b*) a body that, immediately before such passing, stood dissolved under any other enactment.

Editorial Notes:

E1 Power pursuant to section exercised (12.06.2007) by *Health Research Board (Establishment) (Amendment) (No. 3) Order 2007* (S.I. No. 305 of 2007).

E2 Power pursuant to section exercised (23.05.2007) by *Blood Transfusion Service Board (Establishment) Order 1965 (Amendment) Order 2007* (S.I. No. 279 of 2007).

E3 Power pursuant to ss. 3-6 exercised (23.05.2007) by *National Paediatric Hospital Development Board (Establishment) Order 2007* (S.I. No. 246 of 2007).

E4 Power pursuant to ss. 3-6 exercised (20.03.2007) by *National Treatment Purchase Fund Board (Establishment) Order 2004 (Amendment) Order 2007* (S.I. No. 125 of 2007).

E5 Power pursuant to ss. 3-6 exercised (23.12.2004) by *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 2004* (S.I. No. 890 of 2004).

E6 Power pursuant to ss. 3-6 exercised (29.09.2004) by *Pre-Hospital Emergency Care Council (Establishment) Order 2000 (Amendment) Order 2004* (S.I. No. 575 of 2004).

E7 Power pursuant to section exercised (22.07.2004) by *National Haemophilia Council (Establishment) Order 2004* (S.I. No. 451 of 2004), in operation as per art. 25.

E8 Power pursuant to ss. 3-6 exercised (1.05.2004) by *National Treatment Purchase Fund Board (Establishment) Order 2004* (S.I. No. 179 of 2004), in operation as per art. 18.

E9 Power pursuant to section exercised (26.06.2003) by *Blood Transfusion Service Board (Establishment) Order 1965 (Amendment) Order 2003* (S.I. No. 268 of 2003).

E10 Power pursuant to section exercised (3.09.2002) by *Leopardstown Park Hospital Board (Establishment) (Amendment) Order 2002* (S.I. No. 443 of 2002).

E11 Power pursuant to section exercised (2.05.2002) by *Health Research Board (Establishment) (Amendment) (No. 2) Order 2002* (S.I. No. 205 of 2002).

E12 Power pursuant to subs. (5) exercised (27.03.2002) by *Health Research Board (Establishment) (Amendment) (No. 1) Order 2002* (S.I. No. 115 of 2002).

E13 Power pursuant to ss. 3-6 exercised (21.03.2001) by *Women's Health Council (Establishment) (Amendment) Order 2001* (S.I. No. 92 of 2001).

E14 Power pursuant to ss. 3-6 exercised (6.04.2000) by *Pre-Hospital Emergency Care Council (Establishment) Order 2000* (S.I. No. 109 of 2000).

E15 Power pursuant to section exercised (26.01.2000) by *Blood Transfusion Service Board (Establishment) Order 1965 (Amendment) Order 2000* (S.I. No. 22 of 2000).

E16 Power pursuant to ss. 3-6 exercised (23.12.1998) by *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 1998* (S.I. No. 538 of 1998).

E17 Power pursuant to ss. 3-6 exercised (1.01.1998) by *Food Safety Authority of Ireland (Establishment) Order 1997* (S.I. No. 524 of 1997), in operation as per art. 25.

E18 Power pursuant to ss. 3-6 exercised (3.10.1996) by *National Cancer Registry Board (Establishment) Order 1991 (Amendment) Order 1996* (S.I. No. 293 of 1996).

E19 Power pursuant to ss. 3-6 exercised (17.05.1996) by *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 1996* (S.I. No. 136 of 1996).

E20 Power pursuant to ss. 3, 4 exercised (1.11.1994) by *Blood Transfusion Service Board (Establishment Order) 1965 (Amendment) Order 1994* (S.I. No. 318 of 1994).

E21 Power pursuant to ss. 3-6 exercised (17.10.1991) by *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1991* (S.I. No. 264 of 1991).

E22 Power pursuant to ss. 3-6 exercised (4.02.1991) by *National Cancer Registry Board (Establishment) Order 1991* (S.I. No. 19 of 1991).

E23 Power pursuant to ss. 3, 4 exercised (6.06.1990) by *Hospital Sterile Supplies Board (Establishment) Order 1965 (Amendment) Order 1990* (S.I. No. 140 of 1990).

E24 Power pursuant to ss. 3, 4 exercised (8.01.1990) by *Health (Corporate Bodies) (Establishment) (Orders) (Amendment) Order 1990* (S.I. No. 3 of 1990).

E25 Power pursuant to ss. 3-6 exercised (8.12.1989) by *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 1989* (S.I. No. 327 of 1989).

E26 Power pursuant to ss. 3, 4 exercised (28.09.1989) by *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) Order 1989* (S.I. No. 234 of 1989).

E27 Power pursuant to ss. 3, 4 exercised (3.11.1988) by *Health (Corporate Bodies) (Establishment) (Orders) (Amendment) Order 1988* (S.I. No. 280 of 1988).

E28 Power pursuant to section exercised (24.08.1988) by *Blood Transfusion Service Board (Establishment) (Amendment) Order 1988* (S.I. No. 209 of 1988).

E29 Power pursuant to ss. 3, 4 exercised (6.04.1988) by *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) (No. 2) Order 1988* (S.I. No. 59 of 1988).

E30 Power pursuant to ss. 3-5 exercised (27.01.1988) by *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) Order 1988* (S.I. No. 13 of 1988).

E31 Power pursuant to ss. 3-6 exercised (23.11.1987) by *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1987* (S.I. No. 291 of 1987).

E32 Power pursuant to ss. 3-6 exercised (30.12.1986) by *Health Research Board (Establishment) Order 1986 (Amendment) Order 1986* (S.I. No. 452 of 1986).

E33 Power pursuant to ss. 3-6 exercised (14.08.1986) by *Health Research Board (Establishment) Order 1986* (S.I. No. 279 of 1986).

E34 Power pursuant to ss. 3, 4 exercised (24.07.1985) by *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1985* (S.I. No. 245 of 1985).

E35 Power pursuant to ss. 3-6 exercised (3.07.1985) by *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1985* (S.I. No. 220 of 1985).

E36 Power pursuant to ss. 3-6 exercised (8.08.1984) by *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 1984* (S.I. No. 211 of 1984).

E37 Power pursuant to ss. 3, 4 exercised (9.11.1983) by *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) Order 1983* (S.I. No. 337 of 1983).

E38 Power pursuant to ss. 3, 4 exercised (5.12.1980) by *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1980* (S.I. No. 370 of 1980).

E39 Power pursuant to ss. 3-6 exercised (3.11.1980) by *National Drugs Advisory Board (Establishment) Order 1966, (Amendment) Order 1980* (S.I. No. 335 of 1980).

E40 Power pursuant to ss. 3, 5 exercised (2.07.1980) by *National Rehabilitation Board (Establishment) Order 1967 (Amendment) Order 1980* (S.I. No. 213 of 1980).

E41 Power pursuant to ss. 3-6 exercised (31.03.1979) by *Leopardstown Park Hospital Board (Establishment) Order 1979* (S.I. No. 98 of 1979).

E42 Power pursuant to ss. 3-6 exercised (2.08.1977) by *Beaumont Hospital Board (Establishment) Order 1977* (S.I. No. 255 of 1977).

E43 Power pursuant to ss. 3-6 exercised (9.05.1977) by *James Connolly Memorial Hospital Board (Establishment) Order 1971 (Amendment) Order 1977* (S.I. No. 135 of 1977).

E44 Power pursuant to ss. 3, 4, 6 exercised (25.04.1975) by *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1975* (S.I. No. 88 of 1975).

E45 Power pursuant to ss. 3-6 exercised (30.01.1975) by *Health Education Bureau (Establishment) Order 1975* (S.I. No. 22 of 1975).

E46 Power pursuant to ss. 3-6 exercised (11.06.1974) by *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1974* (S.I. No. 176 of 1974).

E47 Power pursuant to ss. 3-6 exercised (11.06.1971) by *St. James's Hospital Board (Establishment) Order 1971* (S.I. No. 187 of 1971).

E48 Power pursuant to ss. 3, 4, 6 exercised (29.01.1971) by *Dublin Dental Hospital (Establishment) Order 1963, (Amendment) Order 1971* (S.I. No. 23 of 1971).

E49 Power pursuant to ss. 3-6 exercised (12.07.1966) by *National Drugs Advisory Board (Establishment) Order 1966* (S.I. No. 163 of 1966).

E50 Power pursuant to ss. 3-6 exercised (4.01.1966) by *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1966* (S.I. No. 3 of 1966).

E51 Power pursuant to ss. 3-6 exercised (15.04.1965) by *Blood Transfusion Service Board (Establishment) Order 1965* (S.I. No. 78 of 1965).

E52 Power pursuant to ss. 3-6 exercised (13.11.1964) by *Dublin Dental Hospital (Establishment) Order 1963, (Amendment) Order 1964* (S.I. No. 260 of 1964).

E53 Power pursuant to ss. 3-6 exercised (17.07.1963) by *Dublin Dental Hospital (Establishment) Order 1963* (S.I. No. 129 of 1963).

E54 Previous affecting provision: power pursuant to ss. 3-6 exercised (15.05.2007) by *National Social Work Qualifications Board (Establishment) Order 1997 (Amendment) Order 2007* (S.I. No. 230 of 2007); rendered obsolete by revocation of *National Social Work Qualifications Board (Establishment) Order 1997* (S.I. No. 97 of 1997) (31.03.2011) by *Health and Social Care Professionals Act 2005* (27/2005), s. 89, S.I. Nos. 144 of 2011, 145 of 2011.

E55 Previous affecting provision: power pursuant to section exercised (26.04.2007) by *Crisis Pregnancy Agency (Establishment) Order 2001 (Amendment) Order 2007* (S.I. No. 175 of 2007); rendered obsolete by revocation of *Crisis Pregnancy Agency (Establishment) Order 2001* (S.I. No. 446 of 2001) (1.01.2010) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 59, S.I. No. 543 of 2009.

E56 Previous affecting provision: power pursuant to ss. 3-6 exercised (1.01.2007) by *National Cancer Screening Service Board (Establishment) Order 2006* (S.I. No. 632 of 2006), in operation as per art. 2; revoked (1.04.2010) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 36, S.I. No. 118 of 2010.

E57 Previous affecting provision: power pursuant to ss. 3-6 exercised (14.06.2005) by *Tallaght Hospital Board (Establishment) Order 1980 (Amendment) Order 2005* (S.I. No. 280 of 2005); revoked (20.12.2006) by *Tallaght Hospital Board (Establishment) Order 1980 (Revocation) Order 2006* (S.I. No. 621 of 2006), art. 9, in operation as per art. 2.

E58 Previous affecting provision: power pursuant to section exercised (11.03.2005) by *Interim Health Information and Quality Authority (Establishment) Order 2005* (S.I. No. 132 of 2005); revoked (15.05.2007) by *Health Act 2007* (23/2007), s. 104(2) and sch. 1 part 2, S.I. No. 226 of 2007.

E59 Previous affecting provision: power pursuant to ss. 3-6 exercised (1.01.2005) by *National Breast Screening Board (Establishment) Order 2004* (S.I. No. 891 of 2004), in operation as per art. 2; revoked (1.01.2007) by *National Breast Screening Board (Revocation and Dissolution) Order 2006* (S.I. No. 633 of 2006), art. 8, in effect as per art. 8.

E60 Previous affecting provision: power pursuant to ss. 3-6 exercised (9.12.2004) by *National Council for the Professional Development of Nursing and Midwifery (Establishment) Order 1999 (Amendment) Order 2004* (S.I. No. 800 of 2004); revoked (25.06.2018) by *Nurses and Midwives Act 2011* (41/2011), s. 4(2)(c), S.I. No. 213 of 2018.

E61 Previous affecting provision: power pursuant to section exercised (9.03.2004) by *Interim Health Service Executive (Establishment) Order 2004* (S.I. No. 90 of 2004); revoked (1.01.2005) by *Health Act 2004* (42/2004), s. 73(2) and sch. 4 part 2, S.I. No. 887 of 2004.

E62 Previous affecting provision: power pursuant to ss. 3-6 exercised (1.05.2002) by *Irish Health Services Accreditation Board (Establishment) Order 2002* (S.I. No. 160 of 2002), in operation as per art. 27; revoked (15.05.2007) by *Health Act 2007* (23/2007), s. 104(2) and sch. 1 part 2, S.I. No. 226 of 2007.

E63 Previous affecting provision: power pursuant to section exercised (2.10.2001) by *Crisis Pregnancy Agency (Establishment) Order 2001* (S.I. No. 446 of 2001); revoked (1.01.2010) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 59, S.I. No. 543 of 2009.

E64 Previous affecting provision: power pursuant to ss. 3-6 exercised (24.10.2000) by *National Council for the Professional Development of Nursing and Midwifery (Establishment) Order 1999 (Amendment) Order 2000* (S.I. No. 352 of 2000); revoked (25.06.2018) by *Nurses and Midwives Act 2011* (41/2011), s. 4(2)(b), S.I. No. 213 of 2018.

E65 Previous affecting provision: power pursuant to ss. 3-6 exercised (30.11.1999) by *National Council for the Professional Development of Nursing and Midwifery (Establishment) Order 1999* (S.I. No. 376 of 1999); revoked (25.06.2018) by *Nurses and Midwives Act 2011* (41/2011), s. 4(2)(a), S.I. No. 213 of 2018.

E66 Previous affecting provision: power pursuant to ss. 3-6 exercised (30.07.1999) by *Saint Luke's Hospital Board (Establishment) Order 1999* (S.I. No. 253 of 1999), in operation as per art. 28; revoked (1.08.2010) by *Health (Miscellaneous Provisions) Act 2010* (18/2010), s. 3(2), S.I. No. 392 of 2010.

E67 Previous affecting provision: power pursuant to ss. 3-6 exercised (24.06.1997) by *Women's Health Council (Establishment Order) 1997* (S.I. No. 278 of 1997); revoked (1.10.2009) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 25, S.I. No. 401 of 2009.

E68 Previous affecting provision: power pursuant to ss. 3-6 exercised (19.03.1997) by *National Council on Ageing and Older People (Establishment) Order 1997* (S.I. No. 120 of 1997); revoked (1.09.2009) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 14, S.I. No. 288 of 2009.

E69 Previous affecting provision: power pursuant to ss. 3-6 exercised (27.02.1997) by *National Social Work Qualifications Board (Establishment) Order 1997* (S.I. No. 97 of 1997); revoked (31.03.2011) by *Health and Social Care Professionals Act 2005* (27/2005), s. 89, S.I. Nos. 144 of 2011, 145 of 2011.

E70 Previous affecting provision: power pursuant to ss. 3-6 exercised (15.07.1996) by *Health Service Employers Agency (Establishment) Order 1996* (S.I. No. 213 of 1996), in operation as per art. 23; revoked (1.01.2005) by *Health Act 2004* (42/2004), s. 73(2) and sch. 4 part 2, S.I. No. 887 of 2004.

E71 Previous affecting provision: power pursuant to ss. 3-6 exercised (22.06.1995) by *Food Safety Advisory Board (Establishment) Order 1995* (S.I. No. 155 of 1995); revoked (1.01.1998) by *Food Safety Advisory Board (Revocation) Order 1997* (S.I. No. 523 of 1997), art. 7, in operation as per art. 8.

E72 Previous affecting provision: power pursuant to ss. 3-6 exercised (12.10.1992) by *Drug Treatment Centre Board (Establishment) Order 1988 (Amendment) Order 1992* (S.I. No. 296 of 1992); rendered obsolete by revocation of *Drug Treatment Centre Board (Establishment) Order 1988* (S.I. No. 76 of 1988) (1.01.2013) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 47, S.I. No. 493 of 2012.

E73 Previous affecting provision: power pursuant to ss. 3, 4 exercised (12.08.1991) by *Drug Treatment Centre Board (Establishment) Order 1988 (Amendment) Order 1991* (S.I. No. 222 of 1991); rendered obsolete by revocation of *Drug Treatment Centre Board (Establishment) Order 1988* (S.I. No. 76 of 1988) (1.01.2013) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 47, S.I. No. 493 of 2012.

E74 Previous affecting provision: power pursuant to section exercised (1.03.1989) by *National Rehabilitation Board (Establishment) Order 1967 (Amendment) Order 1989* (S.I. No. 36 of 1989); rendered obsolete by revocation of *National Rehabilitation Board (Establishment) Order 1967* (S.I. No. 300 of 1967) (12.06.2000) by *National Rehabilitation Board (Dissolution and Revocation) Order 2000* (S.I. No. 171 of 2000), art. 4(8), in operation as per art. 3.

E75 Previous affecting provision: power pursuant to ss. 3-6 exercised (6.12.1988) by *Saint Luke's and Saint Anne's Hospital Board (Establishment) Order 1988* (S.I. No. 322 of 1988); revoked (30.07.1999) by *Saint Luke's and Saint Anne's Hospital Board (Revocation) Order 1999* (S.I. No. 252 of 1999), art. 7, in operation as per art. 8 and S.I. No. 253 of 1999.

E76 Previous affecting provision: power pursuant to ss. 3-6 exercised (24.08.1988) by *Hospital Sterile Supplies Board (Establishment) Order 1965 (Amendment) Order 1988* (S.I. No. 210 of 1988); rendered obsolete by revocation of *Hospital Sterile Supplies Board (Establishment) Order 1965* (S.I. No. 1 of 1965) (30.06.1990) by *Hospital Sterile Supplies Board (Establishment) Order 1965 (Revocation) Order 1990* (S.I. No. 145 of 1990), art. 3, in operation as per arts. 2, 3.

E77 Previous affecting provision: power pursuant to ss. 3-6 exercised (22.04.1988) by *Drug Treatment Centre Board (Establishment) Order 1988* (S.I. No. 76 of 1988); revoked (1.01.2013) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 47, S.I. No. 493 of 2012.

E78 Previous affecting provision: power pursuant to ss. 3-6 exercised (21.11.1986) by *Medical Research Board (Establishment) Order 1986* (S.I. No. 371 of 1986); revoked (1.01.1987) by *Medical Research Board (Establishment) Order 1986 (Revocation) Order 1986* (S.I. No. 451 of 1986), art. 3, in effect as per arts. 2, 3.

E79 Previous affecting provision: power pursuant to ss. 3, 4, 6 exercised (26.06.1984) by *Tallaght Hospital Board (Establishment) Order 1980 (Amendment) Order 1984* (S.I. No. 162 of 1984); revoked (20.12.2006) by *Tallaght Hospital Board (Establishment) Order 1980 (Revocation) Order 2006* (S.I. No. 621 of 2006), art. 9, in operation as per art. 2.

E80 Previous affecting provision: power pursuant to ss. 3, 4, 6 exercised (13.10.1982) by *Tallaght Hospital Board (Establishment) Order 1980 (Amendment) Order 1982* (S.I. No. 313 of 1982); revoked (20.12.2006) by *Tallaght Hospital Board (Establishment) Order 1980 (Revocation) Order 2006* (S.I. No. 621 of 2006), art. 9, in operation as per art. 2.

E81 Previous affecting provision: power pursuant to ss. 3-6 exercised (8.05.1980) by *Dublin Rheumatism Clinic Board (Establishment) Order 1980* (S.I. No. 135 of 1980); revoked (30.05.1980) by *Dublin Rheumatism Clinic Board (Establishment) Order 1980 (Revocation) Order 1980* (S.I. No. 153 of 1980), art. 3, in effect as per arts. 2, 3.

E82 Previous affecting provision: power pursuant to ss. 3-6 exercised (13.02.1980) by *Tallaght Hospital Board (Establishment) Order 1980* (S.I. No. 38 of 1980); revoked (20.12.2006) by *Tallaght Hospital Board (Establishment) Order 1980 (Revocation) Order 2006* (S.I. No. 621 of 2006), art. 9, in operation as per art. 2.

E83 Previous affecting provision: power pursuant to ss. 3-6 exercised (11.11.1977) by *Erinville Hospital Board (Establishment) Order 1977* (S.I. No. 341 of 1977); revoked (30.11.1977) by *Erinville Hospital Board (Establishment) Order 1977 (Revocation) Order 1977* (S.I. No. 365 of 1977), art. 3, in effect as per arts. 2, 3.

E84 Previous affecting provision: power pursuant to ss. 3-6 exercised (9.09.1977) by *Cork Voluntary Hospitals Board (Establishment) Order 1977* (S.I. No. 290 of 1977); revoked (8.12.1988) by *Cork Voluntary Hospitals Board (Establishment) Order 1987 (Revocation) Order 1988* (S.I. No. 330 of 1988), art. 3, in effect as per arts. 2, 3.

E85 Previous affecting provision: power pursuant to ss. 3-6 exercised (25.11.1975) by *Cork Blood Transfusion Service Committee (Establishment) Order 1975* (S.I. No. 274 of 1975); revoked (1.12.1975) by *Cork Blood Transfusion Service Committee (Establishment) Order 1975 (Revocation) Order 1975* (S.I. No. 287 of 1975), art. 3, in effect as per arts. 2, 3.

E86 Previous affecting provision: power pursuant to ss. 3, 4 exercised (6.06.1974) by *Medico-Social Research Board (Establishment) Order 1965 (Amendment) Order 1974* (S.I. No. 169 of 1974); revoked (1.01.1987) by *Medico-Social Research Board (Establishment) Orders (Revocation) Order 1986* (S.I. No. 450 of 1986), art. 3, in effect as per arts. 2, 3.

E87 Previous affecting provision: power pursuant to ss. 3-6 exercised (8.03.1973) by *Hospital Bodies Administrative Bureau (Establishment) Order 1973* (S.I. No. 53 of 1973); revoked (1.01.2005) by *Health Act 2004* (42/2004), s. 73(2) and sch. 4 part 2, S.I. No. 887 of 2004.

E88 Previous affecting provision: power pursuant to ss. 3-6 exercised (15.01.1973) by *Cork Hospitals Board (Establishment) Order 1966 (Amendment) Order 1973* (S.I. No. 8 of 1973); rendered obsolete by revocation of *Cork Hospitals Board (Establishment) Order 1966* (S.I. No. 133 of 1966) (3.05.1994) by *Cork Hospitals Board (Establishment) Order, 1966 (Revocation) Order 1994* (S.I. No. 117 of 1994), art. 3, in effect as per arts. 2, 3.

E89 Previous affecting provision: power pursuant to ss. 3, 5 exercised (29.04.1971) by *National Rehabilitation Board (Establishment) Order 1967, (Amendment) Order 1971* (S.I. No. 159 of 1971); rendered obsolete by revocation of *National Rehabilitation Board (Establishment) Order 1967* (S.I. No. 300 of 1967) (12.06.2000) by *National Rehabilitation Board (Dissolution and Revocation) Order 2000* (S.I. No. 171 of 2000), art. 4(8), in operation as per art. 3.

E90 Previous affecting provision: power pursuant to ss. 3-6 exercised (1.04.1971) by *Cork Hospitals Board (Establishment) Order 1966 (Amendment) Order 1971* (S.I. No. 104 of 1971), in operation as per art. 9; rendered obsolete by revocation of *Cork Hospitals Board (Establishment) Order 1966* (S.I. No. 133 of 1966) (3.05.1994) by *Cork Hospitals Board (Establishment) Order, 1966 (Revocation) Order 1994* (S.I. No. 117 of 1994), art. 3, in effect as per arts. 2, 3.

E91 Previous affecting provision: power pursuant to ss. 3-6 exercised (16.03.1971) by *James Connolly Memorial Hospital Board (Establishment) Order 1971* (S.I. No. 97 of 1971); revoked (30.09.1987) by *James Connolly Memorial Hospital Board (Establishment) Order 1971 (Revocation) Order 1987* (S.I. No. 238 of 1987), art. 3, in effect as per arts. 2, 3.

E92 Previous affecting provision: power pursuant to ss. 3-6 exercised (2.10.1970) by *Cork Hospitals Board (Establishment) Order 1966 (Amendment) Order 1970* (S.I. No. 235 of 1970); rendered obsolete by revocation of *Cork Hospitals Board (Establishment) Order 1966* (S.I. No. 133 of 1966) (3.05.1994) by *Cork Hospitals Board (Establishment) Order, 1966 (Revocation) Order 1994* (S.I. No. 117 of 1994), art. 3, in effect as per arts. 2, 3.

E93 Previous affecting provision: power pursuant to ss. 3-6 exercised (20.12.1967) by *National Rehabilitation Board (Establishment) Order 1967* (S.I. No. 300 of 1967); revoked (12.06.2000) by *National Rehabilitation Board (Dissolution and Revocation) Order 2000* (S.I. No. 171 of 2000), art. 4(8), in operation as per art. 3.

E94 Previous affecting provision: power pursuant to ss. 3-6 exercised (29.09.1967) by *Cork Hospitals Board (Establishment) Order 1966, (Amendment) Order 1967* (S.I. No. 211 of 1967); rendered obsolete by revocation of *Cork Hospitals Board (Establishment) Order 1966* (S.I. No. 133 of 1967) (3.05.1994) by *Cork Hospitals Board (Establishment) Order, 1966 (Revocation) Order 1994* (S.I. No. 117 of 1994), art. 3, effect as per arts. 2, 3.

E95 Previous affecting provision: power pursuant to ss. 3-6 exercised (15.06.1966) by *Cork Hospitals Board (Establishment) Order 1966* (S.I. No. 133 of 1966); revoked (3.05.1994) by *Cork Hospitals Board (Establishment) Order 1966 (Revocation) Order 1994* (S.I. No. 117 of 1994), art. 3, in effect as per arts. 2, 3.

E96 Previous affecting provision: power pursuant to ss. 3-6 exercised (14.07.1965) by *Hospital Sterile Supplies Board (Establishment) Order 1965, (Amendment) Order 1965* (S.I. No. 157 of 1965); rendered obsolete by revocation of *Hospital Sterile Supplies Board (Establishment) Order 1965* (S.I. No. 1 of 1965) (30.06.1990) by *Hospital Sterile Supplies Board (Establishment) Order 1965 (Revocation) Order 1990* (S.I. No. 145 of 1990), art. 3, in effect as per arts. 2, 3.

E97 Previous affecting provision: power pursuant to ss. 3-6 exercised (15.04.1965) by *Medico-Social Research Board (Establishment) Order 1965* (S.I. No. 80 of 1965); revoked (1.01.1987) by *Medico-Social Research Board (Establishment) Orders (Revocation) Order 1986* (S.I. No. 450 of 1986), art. 3, in effect as per arts. 2, 3.

E98 Previous affecting provision: power pursuant to ss. 3-6 exercised (6.01.1965) by *Hospital Sterile Supplies Board (Establishment) Order 1965* (S.I. No. 1 of 1965); revoked (30.06.1990) by *Hospital Sterile Supplies Board (Establishment) Order 1965 (Revocation) Order 1990* (S.I. No. 145 of 1990), art. 3, in effect as per arts. 2, 3.

E99 Previous affecting provision: power pursuant to ss. 3-6 exercised (18.06.1964) by *Mass-Radiography Board (Establishment) Order 1964* (S.I. No. 152 of 1964); revoked (1.04.1975) by *Mass-Radiography Board (Establishment) Order 1964 (Revocation) Order 1975* (S.I. No. 59 of 1975), art. 3, in effect as per arts. 2, 3.

E100 Previous affecting provision: power pursuant to ss. 3-6 exercised (25.03.1964) by *Newcastle Hospital Board (Establishment) Order 1964* (S.I. No. 65 of 1964); revoked (1.04.1964) by *Newcastle Hospital Board (Establishment) Order 1964 (Revocation) Order 1964* (S.I. No. 75 of 1964), art. 3, in effect as per arts. 2, 3.

F2[Establishment of bodies to provide health services performed by specified bodies.

3A.—(1) The Minister may by order establish a body to perform, subject to such modifications as are specified in the order, functions that, immediately before the establishment day, were being performed by a specified body.

(2) An establishment order shall include provision for—

(*a*) the transfer, without further conveyance or assignment, of any property, rights and liabilities of the specified body to the body established under this section,

(*b*) the preservation of continuing contracts and commitments made by the specified body, and

(*c*) the continuance of pending legal proceedings.

(3) Each person who, immediately before the establishment day of a body established under this section, is an employee of the specified body is, on that day, transferred to and becomes an employee of the body established under this section.

(4) Except in accordance with a collective agreement negotiated with a recognised trade union or association of employees, a person transferred under this section is entitled, while in the employment of the body established under this section, to terms and conditions of employment no less favourable than those to which the person was entitled immediately before the establishment day of that body.

(5) Until the terms and conditions of employment to which a person transferred under this section was entitled immediately before the establishment day are varied by the body established under this section after consulting and reaching a collective agreement with the recognised trade union or association of the employees concerned, they continue to apply to that person while in the employment of that body.

(6) The previous service of a person transferred under this section is to be counted as service for the purposes of, but subject to any exceptions or exclusions in, the following Acts:

(*a*) the Redundancy Payments Acts 1967 to 2003;

(*b*) Adoptive Leave Act 1995;

(*c*) Maternity Protection Act 1994;

(*d*) Protection of Employees (Fixed-Term Work) Act 2003;

(*e*) the Protection of Employees (Part-Time Work) Act 2001;

(*f*) the Organisation of Working Time Act 1997 ;

(*g*) the Minimum Notice and Terms of Employment Acts 1973 to 2001;

(*h*) the Unfair Dismissals Acts 1977 to 2001;

(*i*) the Carer's Leave Act 2001;

(*j*) the Parental Leave Act 1998.

(7) Any superannuation benefits awarded to or in respect of a person transferred under this section and the terms relating to those benefits shall be no less favourable than those applicable to or in respect of that person immediately before the applicable transfer day.

(8) A body established under this section shall make payments in respect of remuneration and allowances to its employees out of funds at its disposal.

(9) The pension payments and other superannuation liabilities in respect of former employees of the specified body become, on the establishment day, the liability of the body established under this section.

(10) In this section—

"previous service" means service with the specified body before the establishment day of the body established under this section;

"recognised trade union or association of employees" means a trade union or association of employees recognised by the specified body for the purposes of negotiations that are concerned with the terms and conditions of employment and the working conditions of employees;

"specified body" means a body that was established under section 11 of the Health Act 1970 and that is specified by the Minister in an establishment order under this section;

"terms and conditions of employment" includes terms and conditions in respect of remuneration and tenure of office and related matters.**]**

Annotations

Amendments:

F2 Inserted (23.12.2004) by *Health Act 2004* (42/2004), s. 75 and sch. 6 part 3, S.I. No. 886 of 2004.

Modifications (not altering text):

C3 Certain acts done pursuant to orders made under section confirmed (21.12.2007) by *Health (Miscellaneous Provisions) Act 2007* (42/2007), s. 6, commenced on enactment.

Confirmation of certain acts done by dissolved bodies.

6.— (1) Every act done, or purporting to have been done, by a dissolved body under and in accordance with an order made under section 3 or 3A (inserted by section 75 and Part 3 of Schedule 6 of the Act of 2004) of the Act of 1961 shall be, and be deemed always to have been, valid and effectual for all purposes.

…

(3) In this section "dissolved body" means—

(*a*) that, immediately before the passing of this Act, stood revoked under section 7 of the Act of 1961, or a body established under an order that, immediately before the passing of this Act, stood revoked under section 7 of the Act of 1961, or

(*b*) a body that, immediately before such passing, stood dissolved under any other enactment.

Editorial Notes:

E101 The section heading is taken from the contents of the section in the absence of one included in the amendment.

E102 Previous affecting provision: power pursuant to section exercised (1.01.2005) by *National Breast Screening Board (Establishment) Order 2004* (S.I. No. 891 of 2004), in operation as per art. 2; revoked (1.01.2007) by *National Breast Screening Board (Revocation and Dissolution) Order 2006* (S.I. No. 633 of 2006), art. 8, in effect as per art. 8.

Membership and staff.

4.—(1) Every establishment order shall contain such provisions as the Minister considers appropriate in relation to—

(*a*) the number of members of the body established by the order, the method, terms and conditions of their appointment and their tenure of office;

(*b*) the number, grades, method of appointment, conditions of service, tenure of office and the remuneration of the officers and servants of the body so established.

(2) An establishment order or an order amending an establishment order may include provisions for—

(*a*) F3**[**the application, with the consent of the Chief Executive of the Public Appointments Service, of the Local Authorities (Officers and Employees) Acts 1926 to 1983 to appointments**]** to offices under the body established by the establishment order as if it were a local authority but subject to any modifications specified in the order, and

(*b*) the application of the Local Government (Superannuation) Act, 1956 F4**[**, or any scheme or regulations under the Local Government (Superannuation) Act, 1980,**]** to the body as if it were a local authority but subject to any modifications (including modifications relating to service reckonable as pensionable service) which may, with the consent of the Minister for Local Government, be specified in the order.

(3) Where provision has been made in an establishment order or an order amending an establishment order for the application of the Local Government (Superannuation) Act, 1956 F4**[**, or any scheme or regulations under the Local Government (Superannuation) Act, 1980,**]** to a body established by an establishment order (whether with or without modifications relating to service reckonable as pensionable service) and an officer of that body becomes a pensionable officer of a local authority, subsection (1) of section 11 of that Act shall, in its application to him, be construed as if the following paragraph were added to that subsection:—

"(i) service as a pensionable officer of a body established under the Health (Corporate Bodies) Act 1961 to which this Act F4**[**, or any scheme or regulations under the Local Government (Superannuation) Act, 1980,**]** has been applied under that Act or other service which would be reckonable by such body for the purposes of his superannuation".

F4**[**(4) Where an establishment order or any order amending an establishment order includes provisions for the application of a scheme under the Local Government (Superannuation) Act, 1980, the body concerned shall carry out the scheme in accordance with its terms but subject to such modifications as may be specified in the order.

(5) An order amending an establishment order may, in so far as it applies any scheme or regulations under the Local Government (Superannuation) Act, 1980, have retrospective effect.**]**

Annotations

Amendments:

F3 Substituted (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61(1) and sch. 2 part 1, commenced on enactment.

F4 Inserted (17.07.1963, deemed) by *Local Government (Superannuation) Act 1980* (8/1980), s. 7(a), (b), S.I. No. 279 of 1988.

Editorial Notes:

E103 Instruments made pursuant to this section were also made pursuant to s. 3. To avoid duplication, they are listed under s. 3 only.

Functions.

5.—An establishment order shall contain such provisions as the Minister considers appropriate defining the functions of the body established by the order in, or in relation to, the provision of

the health service or health services to which the order relates, and the manner in which and the conditions under which the body so established may perform the functions so defined.

Annotations

Editorial Notes:

E104 Instruments made pursuant to this section were also made pursuant to s. 3. To avoid duplication, they are listed under s. 3 only.

Administration.

6.—An establishment order shall contain such provisions relating to the administration generally of the body established by the order as the Minister considers appropriate including provisions relating to—

(*a*) the meetings of the body so established and the procedure at such meetings,

(*b*) the use and authentication of its seal,

(*c*) the regulation of its finances and the keeping and auditing of its accounts, and

F5**[**(*d*) the furnishing from time to time by the body to the Minister, or to such other body as the Minister may specify in the order, of information regarding the performance of its functions and the furnishing of such information to the Minister or to the other body at any other time on request.**]**

Annotations

Amendments:

F5 Substituted (2.06.1999) by *Health (Eastern Regional Health Authority) Act 1999* (13/1999), s. 23, commenced on enactment.

Editorial Notes:

E105 Instruments made pursuant to this section were also made pursuant to s. 3. To avoid duplication, they are listed under s. 3 only.

Revocation of establishment order.

7.—(1) The Minister may at any time by order revoke an establishment order.

(2) A revoking order shall contain such provisions as the Minister thinks necessary or expedient consequential on the revocation, and, in particular, may make provision for—

(*a*) the dissolution of the body established by the establishment order and the transfer or distribution of the property, rights and liabilities thereof to any of the following—

(i) the Minister,

(ii) any one or more than one other body established by an establishment order,

(iii) any one or more than one health authority, or

(iv) any one or more than one joint board of health authorities established under section 45 of the Health Act, 1953,

(*b*) the preservation of continuing contracts made by the dissolved body,

(*c*) the continuance of pending legal proceedings,

(*d*) notwithstanding any restriction in any other Act, the transfer of the holder of any office under the dissolved body to a similar office under—

(i) a local authority, or

(ii) any other body established by an establishment order.

Annotations

Modifications (not altering text):

C4 Section construed (8.06.1999) by *National Disability Authority Act 1999* (14/1999), s. 38, commenced on enactment.

Dissolution of Board.

38.— An order made under section 37 (1) shall not be construed so as to prevent the Minister for Health and Children from making an order under section 7(2) of the Act of 1961 dissolving the Board and that section shall have effect—

(*a*) to enable the transfer or distribution of the property rights and liabilities not transferred to the Authority or other public body under section 37(1) to be transferred to one or more than one person, body or authority specified in section 7(2)(a) of the Act of 1961,

(*b*) to enable staff, other than persons appointed to the Authority under section 27(1) and to whom section 36 relates, to be transferred in accordance with section 7(2)(d) of the Act of 1961, and for the purposes of that provision in so far as it relates to the Board, reference to any other body established by an establishment order shall be deemed to include a reference to the Authority or other public body.

C5 References construed (1.04.1971) by *Health Act 1970 (Adaptation) Regulations 1971* (S.I. No. 106 of 1971), art. 6 and sch., in operation as per reg. 2.

6. Each of the enactments and regulations mentioned in the first column of the Schedule to this Order shall be adapted in the manner and to the extent specified in the second column of the said Schedule.

SCHEDULE.

...	...
Health (Corporate Bodies) Act, 1961 (No. 27 of 1961)	In section 7(2)(a)(iv) the reference to section 45 of the Health Act, 1953 shall be construed as a reference to section 11 of the Health Act, 1970. In section 7(2)(d)(i) the reference to a local authority shall be construed as including a reference to a health board or a joint board established under section 11 of the Health Act, 1970.
...	...

Editorial Notes:

E106 Power pursuant to section exercised (1.01.2007) by *National Breast Screening Board (Revocation and Dissolution) Order 2006* (S.I. No. 633 of 2006), in effect as per arts. 3, 8.

E107 Power pursuant to section exercised (20.12.2006) by *Tallaght Hospital Board (Establishment) Order 1980 (Revocation) Order 2006* (S.I. No. 621 of 2006), in operation as per art. 2.

E108 Power pursuant to section exercised (12.06.2000) by *National Rehabilitation Board (Dissolution and Revocation) Order 2000* (S.I. No. 171 of 2000), in operation as per art. 3.

E109 Power pursuant to section exercised (30.07.1999) by *Saint Luke's and Saint Anne's Hospital Board (Revocation) Order 1999* (S.I. No. 252 of 1999), in operation as per art. 8 and S.I. No. 253 of 1999, art. 28.

E110 Power pursuant to section exercised (1.01.1998) by *Food Safety Advisory Board (Revocation) Order 1997* (S.I. No. 523 of 1997), in operation as per art. 8.

E111 Power pursuant to section exercised (3.05.1994) by *Cork Hospitals Board (Establishment) Order 1966 (Revocation) Order 1994* (S.I. No. 117 of 1994), in effect as per arts. 2, 3.

E112 Power pursuant to section exercised (30.06.1990) by *Hospital Sterile Supplies Board (Establishment) Order 1965 (Revocation) Order 1990* (S.I. No. 145 of 1990), in effect as per arts. 2, 3.

E113 Power pursuant to section exercised (8.12.1988) by *Cork Voluntary Hospitals Board (Establishment) Order 1987 (Revocation) Order 1988* (S.I. No. 330 of 1988), in effect as per arts. 2, 3.

E114 Power pursuant to section exercised (31.12.1987) by *Health Education Bureau (Establishment) Order 1975 (Revocation) Order 1987* (S.I. No. 324 of 1987), in effect as per arts. 2, 3.

E115 Power pursuant to section exercised (30.09.1987) by *James Connolly Memorial Hospital Board (Establishment) Order 1971 (Revocation) Order 1987* (S.I. No. 238 of 1987), in effect as per arts. 2, 3.

E116 Power pursuant to section exercised (1.01.1987) by *Medical Research Board (Establishment) Order 1986 (Revocation) Order 1986* (S.I. No. 451 of 1986), in effect as per arts. 2, 3.

E117 Power pursuant to section exercised (1.01.1987) by *Medico-Social Research Board (Establishment) Orders (Revocation) Order 1986* (S.I. No. 450 of 1986), in effect as per arts. 2, 3.

E118 Power pursuant to section exercised (30.05.1980) by *Dublin Rheumatism Clinic Board (Establishment) Order 1980 (Revocation) Order 1980* (S.I. No. 153 of 1980), in effect as per arts. 2, 3.

E119 Power pursuant to section exercised (30.11.1977) by *Erinville Hospital Board (Establishment) Order 1977 (Revocation) Order 1977* (S.I. No. 365 of 1977), in effect as per arts. 2, 3.

E120 Power pursuant to section exercised (1.12.1975) by *Cork Blood Transfusion Service Committee (Establishment) Order 1975 (Revocation) Order 1975* (S.I. No. 287 of 1975), in effect as per arts. 2, 3.

E121 Power pursuant to section exercised (1.04.1975) by *Mass-Radiography Board (Establishment) Order 1964 (Revocation) Order 1975* (S.I. No. 59 of 1975), in effect as per arts. 2, 3.

E122 Power pursuant to section exercised (1.04.1964) by *Newcastle Hospital Board (Establishment) Order 1964 (Revocation) Order 1964* (S.I. No. 75 of 1964), in effect as per arts. 2, 3.

Reconstitution of certain companies for purposes of Act.

8.—(1) In this section "company to which this section applies" means any company under the Companies Acts, 1908 to 1959, which the Minister certifies in writing to be a company to which this section applies.

(2) Where a company to which this section applies has resolved at a meeting specially called for the purpose that the company be wound up for the purposes of this section the provisions of the Companies Acts, 1908 to 1959, in relation to the winding up of a company thereunder shall not apply to the winding up of that company.

(3) A company which has passed a resolution under subsection (2) of this section shall be deemed as on and from the date of the resolution, or any later date stated in the resolution, not to be a company under the Companies Acts, 1908 to 1959 but a body established by an establishment order, and such an order shall, as soon as may be after the date of the resolution, be made by the Minister in respect of that body.

(4) Pending the making of an establishment order in respect of a company to which this section applies which is deemed under subsection (3) of this section to be a body so established, all provisions of the memorandum and articles of association of that company which enabled it to perform its functions shall apply as if they were contained in an establishment order.

Expenses of the Minister.

9.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys to be provided by the Oireachtas.

Laying of orders before Houses of the Oireachtas and sending of copies to members of those Houses.

10.—(1) The Minister shall cause a copy of every order made by him under this Act to be sent, as soon as may be after the order is made, to each member of each House of the Oireachtas.

(2) Every order made by the Minister under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next seven days on which that House has sat after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

(3) Non-compliance with subsection (1) of this section in respect of any member or members of either House of the Oireachtas shall not affect the validity, or the coming into operation, of an order made by the Minister under this Act.

Number 27 *of* 1961

HEALTH (CORPORATE BODIES) ACT 1961

REVISED

Updated to 1 January 2026

About this Revised Act

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

This Act is not collectively cited with any other Act.

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations

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.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

• *Health (Miscellaneous Provisions) Act 2007* (42/2007)

- *Health Act 2007* (23/2007)
- *Health Act 2004* (42/2004)
- *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004)
- *National Disability Authority Act 1999* (14/1999)
- *Health (Eastern Regional Health Authority) Act 1999* (13/1999)
- *Health (Amendment) (No. 3) Act 1996* (32/1996)
- *Local Government (Superannuation) Act 1980* (8/1980)

All Acts up to and including *National Training Fund (Amendment) Act 2025* (21/2025), enacted 23 December 2025, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Health Research Board (Establishment) (Amendment) (No. 3) Order 2007* (S.I. No. 305 of 2007)
- *Blood Transfusion Service Board (Establishment) Order 1965 (Amendment) Order 2007* (S.I. No. 279 of 2007)
- *National Paediatric Hospital Development Board (Establishment) Order 2007* (S.I. No. 246 of 2007)
- *National Social Work Qualifications Board (Establishment) Order 1997 (Amendment) Order 2007* (S.I. No. 230 of 2007)
- *Crisis Pregnancy Agency (Establishment) Order 2001 (Amendment) Order 2007* (S.I. No. 175 of 2007)
- *National Treatment Purchase Fund Board (Establishment) Order 2004 (Amendment) Order 2007* (S.I. No. 125 of 2007)
- *National Breast Screening Board (Revocation and Dissolution) Order 2006* (S.I. No. 633 of 2006)
- *National Cancer Screening Service Board (Establishment) Order 2006* (S.I. No. 632 of 2006)
- *Tallaght Hospital Board (Establishment) Order 1980 (Revocation) Order 2006* (S.I. No. 621 of 2006)
- *Tallaght Hospital Board (Establishment) Order 1980 (Amendment) Order 2005* (S.I. No. 280 of 2005)
- *Interim Health Information and Quality Authority (Establishment) Order 2005* (S.I. No. 132 of 2005)
- *National Breast Screening Board (Establishment) Order 2004* (S.I. No. 891 of 2004)
- *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 2004* (S.I. No. 890 of 2004)
- *National Council for the Professional Development of Nursing and Midwifery (Establishment) Order 1999 (Amendment) Order 2004* (S.I. No. 800 of 2004)
- *Pre-Hospital Emergency Care Council (Establishment) Order 2000 (Amendment) Order 2004* (S.I. No. 575 of 2004)
- *National Haemophilia Council (Establishment) Order 2004* (S.I. No. 451 of 2004)
- *National Treatment Purchase Fund Board (Establishment) Order 2004* (S.I. No. 179 of 2004)
- *Interim Health Service Executive (Establishment) Order 2004* (S.I. No. 90 of 2004)
- *Blood Transfusion Service Board (Establishment) Order 1965 (Amendment) Order 2003* (S.I. No. 268 of 2003)
- *Leopardstown Park Hospital Board (Establishment) (Amendment) Order 2002* (S.I. No. 443 of 2002)
- *Health Research Board (Establishment) (Amendment) (No. 2) Order 2002* (S.I. No. 205 of 2002)
- *Irish Health Services Accreditation Board (Establishment) Order 2002* (S.I. No. 160 of 2002)
- *Health Research Board (Establishment) (Amendment) (No. 1) Order 2002* (S.I. No. 115 of 2002)
- *Crisis Pregnancy Agency (Establishment) Order 2001* (S.I. No. 446 of 2001)
- *Women's Health Council (Establishment) (Amendment) Order 2001* (S.I. No. 92 of 2001)

- *National Council for the Professional Development of Nursing and Midwifery (Establishment) Order 1999 (Amendment) Order 2000* (S.I. No. 352 of 2000)
- *National Rehabilitation Board (Dissolution and Revocation) Order 2000* (S.I. No. 171 of 2000)
- *Pre-Hospital Emergency Care Council (Establishment) Order 2000* (S.I. No. 109 of 2000)
- *Blood Transfusion Service Board (Establishment) Order 1965 (Amendment) Order 2000* (S.I. No. 22 of 2000)
- *National Council for the Professional Development of Nursing and Midwifery (Establishment) Order 1999* (S.I. No. 376 of 1999)
- *Saint Luke's Hospital Board (Establishment) Order 1999* (S.I. No. 253 of 1999)
- *Saint Luke's and Saint Anne's Hospital Board (Revocation) Order 1999* (S.I. No. 252 of 1999)
- *St. James's Hospital Board (Establishment) Order 1971 (Amendment) order 1998* (S.I. No. 538 of 1998)
- *Food Safety Authority of Ireland (Establishment) Order 1997* (S.I. No. 524 of 1997)
- *Food Safety Advisory Board (Revocation) Order 1997* (S.I. No. 523 of 1997)
- *Women's Health Council (Establishment Order) 1997* (S.I. No. 278 of 1997)
- *National Council on Ageing and Older People (Establishment) Order 1997* (S.I. No. 120 of 1997)
- *National Social Work Qualifications Board (Establishment) Order 1997* (S.I. No. 97 of 1997)
- *National Cancer Registry Board (Establishment) Order 1991 (Amendment) Order 1996* (S.I. No. 293 of 1996)
- *Health Service Employers Agency (Establishment) Order 1996* (S.I. No. 213 of 1996)
- *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 1996* (S.I. No. 136 of 1996)
- *Food Safety Advisory Board (Establishment) Order 1995* (S.I. No. 155 of 1995)
- *Blood Transfusion Service Board (Establishment Order) 1965 (Amendment) Order 1994* (S.I. No. 318 of 1994)
- *Cork Hospitals Board (Establishment) Order 1966 (Revocation) Order 1994* (S.I. No. 117 of 1994)
- *Drug Treatment Centre Board (Establishment) Order 1988 (Amendment) Order 1992* (S.I. No. 296 of 1992)
- *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1991* (S.I. No. 264 of 1991)
- *Drug Treatment Centre Board (Establishment) Order 1988 (Amendment) Order 1991* (S.I. No. 222 of 1991)
- *National Cancer Registry Board (Establishment) Order 1991* (S.I. No. 19 of 1991)
- *Hospital Sterile Supplies Board (Establishment) Order 1965 (Revocation) Order 1990* (S.I. No. 145 of 1990)
- *Hospital Sterile Supplies Board (Establishment) Order 1965 (Amendment) Order 1990* (S.I. No. 140 of 1990)
- *Health (Corporate Bodies) (Establishment) (Orders) (Amendment) Order 1990* (S.I. No. 3 of 1990)
- *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 1989* (S.I. No. 327 of 1989)
- *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) Order 1989* (S.I. No. 234 of 1989)
- *National Rehabilitation Board (Establishment) Order 1967 (Amendment) Order 1989* (S.I. No. 36 of 1989)
- *Cork Voluntary Hospitals Board (Establishment) Order 1987 (Revocation) Order 1988* (S.I. No. 330 of 1988)
- *Saint Luke's and Saint Anne's Hospital Board (Establishment) Order 1988* (S.I. No. 322 of 1988)
- *Health (Corporate Bodies) (Establishment) (Orders) (Amendment) Order 1988* (S.I. No. 280 of 1988)
- *Hospital Sterile Supplies Board (Establishment) Order 1965 (Amendment) Order 1988* (S.I. No. 210 of 1988)

- *Blood Transfusion Service Board (Establishment) (Amendment) Order 1988* (S.I. No. 209 of 1988)
- *Drug Treatment Centre Board (Establishment) Order 1988* (S.I. No. 76 of 1988)
- *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) (No. 2) Order 1988* (S.I. No. 59 of 1988)
- *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) Order 1988* (S.I. No. 13 of 1988)
- *Health Education Bureau (Establishment) Order 1975 (Revocation) Order 1987* (S.I. No. 324 of 1987)
- *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1987* (S.I. No. 291 of 1987)
- *James Connolly Memorial Hospital Board (Establishment) Order 1971 (Revocation) Order 1987* (S.I. No. 238 of 1987)
- *Health Research Board (Establishment) Order 1986 (Amendment) Order 1986* (S.I. No. 452 of 1986)
- *Medical Research Board (Establishment) Order 1986 (Revocation) Order 1986* (S.I. No. 451 of 1986)
- *Medico-Social Research Board (Establishment) Orders (Revocation) Order 1986* (S.I. No. 450 of 1986)
- *Medical Research Board (Establishment) Order 1986* (S.I. No. 371 of 1986)
- *Health Research Board (Establishment) Order 1986* (S.I. No. 279 of 1986)
- *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1985* (S.I. No. 245 of 1985)
- *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1985* (S.I. No. 220 of 1985)
- *St. James's Hospital Board (Establishment) Order 1971 (Amendment) Order 1984* (S.I. No. 211 of 1984)
- *Tallaght Hospital Board (Establishment) Order 1980 (Amendment) Order 1984* (S.I. No. 162 of 1984)
- *Beaumont Hospital Board (Establishment) Order 1977 (Amendment) Order 1983* (S.I. No. 337 of 1983)
- *Tallaght Hospital Board (Establishment) Order 1980 (Amendment) Order 1982* (S.I. No. 313 of 1982)
- *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1980* (S.I. No. 370 of 1980)
- *National Drugs Advisory Board (Establishment) Order 1966, (Amendment) Order 1980* (S.I. No. 335 of 1980)
- *National Rehabilitation Board (Establishment) Order 1967 (Amendment) Order 1980* (S.I. No. 213 of 1980)
- *Dublin Rheumatism Clinic Board (Establishment) Order 1980 (Revocation) Order 1980* (S.I. No. 153 of 1980)
- *Dublin Rheumatism Clinic Board (Establishment) Order 1980* (S.I. No. 135 of 1980)
- *Tallaght Hospital Board (Establishment) Order 1980* (S.I. No. 38 of 1980)
- *Leopardstown Park Hospital Board (Establishment) Order 1979* (S.I. No. 98 of 1979)
- *Erinville Hospital Board (Establishment) Order 1977 (Revocation) Order 1977* (S.I. No. 365 of 1977)
- *Erinville Hospital Board (Establishment) Order 1977* (S.I. No. 341 of 1977)
- *Cork Voluntary Hospitals Board (Establishment) Order 1977* (S.I. No. 290 of 1977)
- *Beaumont Hospital Board (Establishment) Order 1977* (S.I. No. 255 of 1977)
- *James Connolly Memorial Hospital Board (Establishment) Order 1971 (Amendment) Order 1977* (S.I. No. 135 of 1977)
- *Cork Blood Transfusion Service Committee (Establishment) Order 1975 (Revocation) Order 1975* (S.I. No. 287 of 1975)
- *Cork Blood Transfusion Service Committee (Establishment) Order 1975* (S.I. No. 274 of 1975)

- *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1975* (S.I. No. 88 of 1975)
- *Mass-Radiography Board (Establishment) Order 1964 (Revocation) Order 1975* (S.I. No. 59 of 1975)
- *Health Education Bureau (Establishment) Order 1975* (S.I. No. 22 of 1975)
- *National Drugs Advisory Board (Establishment) Order 1966 (Amendment) Order 1974* (S.I. No. 176 of 1974)
- *Medico-Social Research Board (Establishment) Order 1965 (Amendment) Order 1974* (S.I. No. 169 of 1974)
- *Hospital Bodies Administrative Bureau (Establishment) Order 1973* (S.I. No. 53 of 1973)
- *Cork Hospitals Board (Establishment) Order 1966 (Amendment) Order 1973* (S.I. No. 8 of 1973)
- *St. James's Hospital Board (Establishment) Order 1971* (S.I. No. 187 of 1971)
- *National Rehabilitation Board (Establishment) Order 1967, (Amendment) Order 1971* (S.I. No. 159 of 1971)
- *Health Act 1970 (Adaptation) Regulations 1971* (S.I. No. 106 of 1971)
- *Cork Hospitals Board (Establishment) Order 1966 (Amendment) Order 1971* (S.I. No. 104 of 1971)
- *James Connolly Memorial Hospital Board (Establishment) Order 1971* (S.I. No. 97 of 1971)
- *Dublin Dental Hospital (Establishment) Order 1963, (Amendment) Order 1971* (S.I. No. 23 of 1971)
- *Cork Hospitals Board (Establishment) Order 1966 (Amendment) Order 1970* (S.I. No. 235 of 1970)
- *National Rehabilitation Board (Establishment) Order 1967* (S.I. No. 300 of 1967)
- *Cork Hospitals Board (Establishment) Order 1966, (Amendment) Order 1967* (S.I. No. 211 of 1967)
- *National Drugs Advisory Board (Establishment) Order 1966* (S.I. No. 163 of 1966)
- *Cork Hospitals Board (Establishment) Order 1966* (S.I. No. 133 of 1966)
- *Dublin Dental Hospital (Establishment) Order 1963 (Amendment) Order 1966* (S.I. No. 3 of 1966)
- *Hospital Sterile Supplies Board (Establishment) Order 1965, (Amendment) Order 1965* (S.I. No. 157 of 1965)
- *Medico-Social Research Board (Establishment) Order 1965* (S.I. No. 80 of 1965)
- *Blood Transfusion Service Board (Establishment) Order 1965* (S.I. No. 78 of 1965)
- *Hospital Sterile Supplies Board (Establishment) Order 1965* (S.I. No. 1 of 1965)
- *Dublin Dental Hospital (Establishment) Order 1963, (Amendment) Order 1964* (S.I. No. 260 of 1964)
- *Mass-Radiography Board (Establishment) Order 1964* (S.I. No. 152 of 1964)
- *Newcastle Hospital Board (Establishment) Order 1964 (Revocation) Order 1964* (S.I. No. 75 of 1964)
- *Newcastle Hospital Board (Establishment) Order 1964* (S.I. No. 65 of 1964)
- *Dublin Dental Hospital (Establishment) Order 1963* (S.I. No. 129 of 1963)

All statutory instruments up to and including *European Union (Restrictive Measures concerning Iraq) Regulations 2026* (S.I. No. 1 of 2026), made 6 January 2026, were considered in the preparation of this revision.