Changes to Legislation: as of 13 October 2026, this Act is up to date with all changes known to be in force.

Number 6 *of* 1971

LOCAL GOVERNMENT SERVICES (CORPORATE BODIES) ACT 1971

REVISED

Updated to 31 March 2022

This Revised Act is an administrative consolidation of the *Local Government Services (Corporate Bodies) Act 1971*. 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 *Redundancy Payments (Amendment) Act 2022* (3/2022), enacted 31 March 2022, and all statutory instruments up to and including the *Land Development Agency Act 2021 (Commencement) Order 2022* (S.I. No. 143 of 2022), made 29 March 2022, 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.

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LOCAL GOVERNMENT SERVICES (CORPORATE BODIES) ACT 1971

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ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
2. Authorities to which Act applies.
3. Establishment of bodies to provide certain services.
4. Membership, staff, administration, financial and other matters.
5. Revocation of establishment order.
5A. Transfer orders.
6. Expenses of Minister.
7. Laying of orders before Houses of the Oireachtas and sending of copies to members of those Houses.
8. Short title.

ACT REFERRED TO

Local Government (Superannuation) Act, 1956	1956, No. 10

Number 6 *of* 1971

LOCAL GOVERNMENT SERVICES (CORPORATE BODIES) ACT 1971

REVISED

Updated to 31 March 2022

AN ACT TO MAKE PROVISION FOR THE ESTABLISHMENT OF BODIES TO PROVIDE SERVICES FOR THE MINISTER FOR LOCAL GOVERNMENT, LOCAL AUTHORITIES AND CERTAIN OTHER BODIES. [7*th April*, 1971]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Interpretation.

1.—In this Act—

"the Act of 1956" means the Local Government (Superannuation) Act, 1956;

"the Minister" means the Minister for Local Government.

F1[Authorities to which Act applies.

2.— A local authority for the purposes of the Local Government Acts 1925 to 2007 shall, for the purposes of this Act, be an authority to which this Act applies.**]**

Establishment of bodies to provide certain services.

3.—F2**[**(1) The Minister may, from time to time, with the consent of the Minister for Public Expenditure and Reform, and having regard to the matters referred to in *subsection (1A)*, by order (in this Act referred to as an "establishment order"), establish a body to provide services for or on behalf of—

(*a*) the Minister in the performance of his or her functions, or

(*b*) one or more of the authorities to which this Act applies in the performance of the functions of that authority or those authorities.**]**

F3**[**(1A) The Minister, when making an order under *subsection (1)*, shall have regard to—

(*a*) the promotion of efficiency, effectiveness and economy in the organisation and provision of the services in question,

(*b*) the resources available to the Minister or any authority to or for which services may be provided by the body to be established by the order,

(*c*) the desirability of consistency of standards in relation to the provision of the services in question,

(*d*) the desirability of regionalisation or centralisation of the provision of the services in question,

(*e*) the desirability of reducing the number of bodies providing the services in question.**]**

(2) The Minister may, whenever he determines that it is expedient to do so, by order, designate for the purposes of *subsection (3)* of this section any body, not being an authority to which this Act applies, whether the body is a body corporate or an unincorporated body of persons.

(3) A body established under *subsection (1)* of this section may, in addition to providing the services specified in the relevant establishment order for the authorities therein specified, provide those services, or services of a similar nature, for a body which for the time being is designated for the purposes of this subsection by the Minister.

(4) Services provided under the said *subsection (3)* shall be so provided on such terms (including terms as to the charging of fees) as may be agreed between the body by whom and the body for whom the services are so provided.

(5) A body established under the said *subsection (1)* shall be called and known by such title as may be specified in the establishment order.

(6) 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 acquire, hold and dispose of land.

(7) 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 by 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.

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

F3**[**(9) In this section "services" includes—

(*a*) the management and organisation of industrial relations and human resources activities, including representation, negotiation, training and development,

(*b*) the provision of services, training and equipment relating to information technology and communications technology,

(*c*) the provision of administration services,

(*d*) the provision of shared and central services,

(*e*) the promotion of public safety awareness and the organisation of training and safety measures in relation to public safety,

(*f*) the provision of research, advisory and information services,

(*g*) the provision of consultancy and strategic planning services,

(*h*) the arrangement, co-ordination and provision of social and economic regeneration including the development and improvement of land and infrastructure,

(*i*) the provision of procurement services,

(*j*) the provision of agency services, including the collection of charges and late payment fees, and

(*k*) the supply of goods and related services.**]**

Membership, staff, administration, financial and other matters.

4.—(1) Every establishment order shall require the body thereby established to provide itself with a seal and shall contain, with the consent of the Minister for Finance, such provisions as the Minister considers appropriate in relation to the number of members of the body established by the order, the method, terms and conditions of their appointment and their tenure of office, and shall also contain such provisions as the Minister considers appropriate in relation to the following matters:

(*a*) the manner in which and the conditions under which the body established by the order may provide the services specified in the order;

(*b*) enabling the body effectively to provide the services so specified; and

(*c*) the administration generally and general finances of the body.

(2) Without prejudice to the generality of *subsection (1)* of this section, an establishment order, or an order amending an establishment order, may include provisions relating to all or any of the following matters:

(*a*) the appointment of officers and the employment of servants by the body F4**[**including, if the Minister thinks fit, provisions for 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 as if it were a local authority but subject to any modifications which may be specified in the order;

(*b*) the remuneration, conditions of service and tenure of office and employment of officers and servants of the body;

(*c*) the superannuation of officers and servants of the body including, if the Minister thinks fit, provisions for the application of the Act of 1956 F5**[**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 which may be specified in the order;

(*d*) the meetings of the body and the procedure at such meetings;

(*e*) the use and authentication of its seal;

(*f*) the regulating of its finances and the keeping and auditing of its accounts;

(*g*) the payment of grants of such amounts as may be sanctioned by the Minister for Finance, out of moneys to be provided by the Oireachtas, towards the expenses of the body;

(*h*) the recoupment by one or more than one authority to which this Act applies, in such manner as may be specifiedin the order, of all or part of the expenses of the body, and in case an authority to which this Act applies fails to recoup the body in accordance with the order, the deduction from moneys payable to the authority by any Minister and the payment to the body by that Minister out of such moneys of an amount equal to that to be recouped by the authority on foot of the order;

(*i*) the charging by the body of fees in respect of services provided by it for authorities to which this Act applies;

(*j*) the furnishing to the Minister by the body from time to time of information regarding its activities, and the furnishing of such information to the Minister at any time at his request;

(*k*) empowering the body to make arrangements with another person or body for the use by it of premises or equipment belonging to that person or other body or for the use by the body of the services of officers and servants of that person or other body;

(*l*) matters ancillary or incidental to any of the foregoing matters.

(3) No provision relating to the matters mentioned in *paragraphs* (*a*), (*b*), (*c*) and (*g*) of *subsection (2)* of this section may be contained in an establishment order save with the consent of the Minister for Finance.

(4) Where provision has been made in an establishment order or an order amending an establishment order for the application of the Act of 1956 F5**[**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) and an officer or servant of that body becomes a pensionable officer or pensionable servant of a local authority within the meaning of the Act of 1956, section 11 (1) or 34 (1) of that Act, whichever may be appropriate, shall, in its application to him, be construed as if there were therein contained a provision entitling him to reckon as service any service (whether as a pensionable officer or pensionable servant of the body or otherwise) which would be reckonable by the body for the purposes of his superannuation.

F6**[**(5) 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.

(6) 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.**]**

Revocation of establishment order.

5.—(1) The Minister may by order at any time 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, authority to which this Act applies,

F7**[**(iv) a Department of State (subject to the consent of the relevant Minister),**]**

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

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

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

(i) an authority to which this Act applies,

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

(iii) a Department of State.

F8**[**(*e*) transitional arrangements in relation to the superannuation of officers and servants of the dissolved body,

(*f*) the preparation and auditing of final accounts of the dissolved body,

(*g*) the preparation of a final report of the dissolved body, and

(*h*) any other transitional, supplementary or incidental matters that appear to the Minister to be necessary for the purposes of the order.**]**

(3) A revoking order shall not contain a provision transferring the holder of an office under the dissolved body to an office under a Department of State save with the consent of the Minister for Finance, and, in case the Department is not the Department of Finance, the Minister in charge of the Department concerned.

F9**[**Transfer orders.

5A.— (1) The Minister may, with the consent of the Minister for Public Expenditure and Reform, and having regard to the promotion of administrative efficiencies and economies of scale and the matters referred to in *section 3(1A)*, by order transfer the assets and liabilities of a body or bodies specified in section 10 of the Local Government (Miscellaneous Provisions) Act 2012.

(2) An order under *subsection (1)* shall contain such provisions as the Minister considers necessary or expedient consequential on the dissolution of the body or bodies concerned, and, in particular, may make provision for—

(*a*) the transfer or distribution of the functions, property, rights and liabilities of the body or bodies concerned to one or more than one of the following—

(i) the Minister,

(ii) a body established by an establishment order,

(iii) an authority to which this Act applies, or

(iv) a Department of State (subject to the consent of the relevant Minister),

(*b*) the preservation of continuing contracts made by the body or bodies concerned,

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

(*d*) the transfer of staff of the body or bodies concerned to—

(i) an authority to which this Act applies,

(ii) a body established by an establishment order, or

(iii) a Department of State (subject to the consent of the relevant Minister),

(*e*) transitional arrangements in relation to the superannuation of officers and servants of the body or bodies concerned,

(*f*) the preparation and auditing of final accounts of the body or bodies concerned,

(*g*) the preparation of a final report of the body or bodies concerned, and

(*h*) any other transitional, supplementary or incidental matters that appear to the Minister to be necessary for the purposes of the order.**]**

Expenses of Minister.

6.—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 provided by the Oireachtas.

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

7.—(1) The Minister shall cause a copy of every order made by him under this Act to be sent, as soon as possible 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 laidbefore each House of the Oireachtas as soon as possible 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.

Short title.

8.—This Act may be cited as the Local Government Services (Corporate Bodies) Act, 1971.

Number 6 *of* 1971

LOCAL GOVERNMENT SERVICES (CORPORATE BODIES) ACT 1971

REVISED

Updated to 31 March 2022

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

Local Government Services (Corporate Bodies) Acts 1971 to 2012: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Local Government (Miscellaneous Provisions) Act 2012* (17/2012), s. 1(2)). The Acts in this group are:

- *Local Government Services (Corporate Bodies) Act 1971* (6/1971)
- *Local Government Services (Corporate Bodies) (Confirmation of Orders) Act 2008* (9/2008)
- *Local Government (Miscellaneous Provisions) Act 2012* (17/2012), Part 2

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 linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.