Changes to Legislation: as of 14 September 2026, this Act is up to date with all changes known to be in force.

Number 26 *of* 2017

NATIONAL SHARED SERVICES OFFICE ACT 2017

REVISED

Updated to 2 April 2025

This Revised Act is an administrative consolidation of the *National Shared Services Office Act 2017*. 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 *Merchant Shipping (Investigation of Marine Accidents) Act 2025* (2/2025), enacted 14 April 2025, and all statutory instruments up to and including *Policing, Security and Community Safety Act 2024 (Commencement) Order 2025* (S.I. No. 107 of 2025), made 2 April 2025, were considered in the preparation of this Revised Act.

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Number 26 *of* 2017

NATIONAL SHARED SERVICES OFFICE ACT 2017

REVISED

Updated to 2 April 2025

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Number 26 *of* 2017

NATIONAL SHARED SERVICES OFFICE ACT 2017

REVISED

Updated to 2 April 2025

An Act to provide for the establishment of a body to be known as the National Shared Services Office; to provide for the transfer to that body of certain functions of the Minister for Public Expenditure and Reform relating to the provision of certain services to public service bodies; to provide for the delegation to that body of certain functions of public service bodies relating to those services; to provide for the amendment of the Public Service Management Act 1997; and to provide for matters connected therewith.

[26*th July*, 2017]

Be it enacted by the Oireachtas as follows:

PART 1

Preliminary and General

Short title and commencement

1. (1) This Act may be cited as the National Shared Services Office Act 2017.

(2) This Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions.

Annotations

Editorial Notes:

E1 Power pursuant to subs. (2) exercised (1.01.2018) by *National Shared Services Office Act 2017 (Commencement) Order 2017* (S.I. No. 579 of 2017).

2. The 1st day of January 2018 is appointed as the day on which the National Shared Services Office Act 2017 (No. 26 of 2017) shall come into operation.

Definitions

2. In this Act—

"Board" has the meaning assigned to it by *section 18*;

"chief executive" has the meaning assigned to it by *section 15*;

"Committee of Public Accounts" means the committee of Dáil Éireann established under the rules and standing orders of Dáil Éireann to examine and report to Dáil Éireann on the appropriation accounts and reports of the Comptroller and Auditor General;

"company" means a company formed and registered under the Companies Act 2014 or an existing company within the meaning of that Act;

F1**[**'Data Protection Regulation' means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016[54] on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).**]**

"enactment" means—

(a) an Act of the Oireachtas,

(b) a statute that was in force in Saorstát Éireann immediately before the date of the coming into operation of the Constitution and that continues in force by virtue of Article 50 of the Constitution, or

(c) an instrument made under—

(i) an Act of the Oireachtas, or

(ii) a statute referred to in *paragraph (b)*;

"establishment day" means the day appointed by order under *section 5*;

"Minister" means the Minister for Public Expenditure and Reform;

"Office" has the meaning assigned to it by *section 6*;

"public service body" has the meaning assigned to it by *section 3*;

"service agreement" has the meaning assigned to it by *subparagraph (i)* of *section 9(2)(a)*;

"shared services" means common or combined services provided to more than one public service body, the provision of which (to the public service bodies concerned) enables, assists or facilitates the carrying out of any administrative task or process necessary for or incidental to the performance of a function, specified in *Schedule 2*,of those public service bodies.

Annotations

Amendments:

F1 Inserted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 232(a), S.I. No. 174 of 2018.

Public service body

3. (1) In this Act, "public service body" means—

(a) a body specified in *Schedule 1*, or

(b) a company, body or other person appointed under *subsection (2)*.

[54] OJ No. L 119, 4.5.2016, p.1

(2) The Government may, by order, appoint to be a public service body—

(a) any body or other person established—

(i) by or under an enactment (other than the Companies Act 2014 or a former enactment relating to companies within the meaning of section 5 of that Act) or charter,

(ii) by any scheme administered by a Minister of the Government, or

(iii) under the Companies Act 2014 (or a former enactment relating to companies within the meaning of section 5 of that Act) in pursuance of powers conferred by or under another enactment, and financed wholly or partly by means of money provided, or loans made or guaranteed, by a Minister of the Government or the issue of shares held by or on behalf of a Minister of the Government,

or

(b) a company a majority of the shares in which are held by or on behalf of a Minister of the Government,

that, in the opinion of the Government, (having had regard to the matters referred to in *section 9(3)* to which the Government shall have regard before making an order under *section 9(1)*), ought to be so appointed.

(3) An order under this section 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 21 days on which that House sits after the order is laid before it, the order shall be annulled accordingly, without prejudice to the validity of anything previously done thereunder.

Annotations

Editorial Notes:

E2 Power pursuant to subs. (2) exercised (18.07.2018) by *National Shared Services Office (Appointment of Public Service Bodies) Order 2018* (S.I. No. 268 of 2018).

Expenses

4. (1) The expenses incurred by the Minister in the administration of this Act shall be paid out of moneys provided by the Oireachtas.

(2) The expenses incurred by the Office in the performance of its functions shall, to such extent as may be sanctioned by the Minister, be paid out of moneys provided by the Oireachtas.

PART 2

National Shared Services Office

Establishment day

5. The Minister shall, by order, appoint a day to be the establishment day for the purposes of this Act.

Annotations

Editorial Notes:

E3 Power pursuant to section exercised (1.01.2018) by *National Shared Services Office Act 2017 (Establishment Day) Order 2017* (S.I. No. 580 of 2017).

Establishment of National Shared Services Office

6. (1) There shall stand established on the establishment day a body, which shall be known, in the Irish language, as F2**[**An Oifig Náisiúnta um Sheirbhísí Comhroinnte**]** and, in the English language, as the National Shared Services Office (in this Act referred to as the "Office"), to perform the functions conferred on it by or under this Act.

(2) The Office shall be a body corporate with perpetual succession and an official seal and shall have power to sue, and may be sued, in its corporate name and shall, with the consent of the Minister, have power to acquire, hold and dispose of land or an interest in land and shall have power to acquire, hold and dispose of any other property.

(3) The seal of the Office shall be authenticated by—

(a) the signatures of both the chief executive and a member of the Board authorised by the Board to act in that behalf, or

(b) the signatures of both a member of the Board and a member of the staff of the Office authorised by the chief executive to act in that behalf.

(4) Judicial notice shall be taken of the seal of the Office and any document purporting to be an instrument made by, and to be sealed with the seal of, the Office shall, unless the contrary is shown, be received in evidence and be deemed to be such instrument without further proof.

Annotations

Amendments:

F2 Substituted (18.04.2019) by *Data Sharing and Governance Act 2019* (5/2019), s. 75, S.I. No. 189 of 2019.

Functions of Office

7. (1) The principal functions of the Office shall be—

(a) to perform the functions transferred to it by *section 8*, and

(b) to perform, on behalf of a public service body, a function delegated to it under *section 9*.

(2) The Office shall have all such powers as are necessary or expedient for the performance of its functions.

(3) Subject to this Act, the Office shall be independent in the performance of its functions.

Transfer of certain functions of Minister to Office

8. (1) On the establishment day, all functions that—

(a) immediately before the establishment day, were vested in the Minister, and

(b) consisted of the entering into of contracts for the procurement of goods and services required for the provision of shared services,

are transferred to the Office.

(2) References in any enactment to the Minister shall, in so far as they relate to a function transferred by this section, be construed as references to the Office.

(3) For the purpose of performing a function transferred by this section and to the extent that the operation of *paragraph (a)* of *section 9(2)* does not otherwise result in such a power being conferred on it for that purpose, the Office shall have power to do a thing referred to in any of *subparagraphs (i)* to *(xiii)* of that paragraph.

Delegation of functions to Office

9. (1) The Government, having regard to the matters referred to in *subsection (3)*, may by order delegate to the Office a function, specified in *Schedule 2*,of a public service body, or any other function of a public service body connected with a function specified in *Schedule 2*, that the Government consider appropriate and is specified in the order.

(2) (a) Without prejudice to the generality of *subsection (1)*, whenever an order under *subsection (1)* is in force in respect of a public service body, the Office shall have the following functions:

(i) entering into an agreement with the public service body (in this Act referred to as a "service agreement") that specifies the terms and conditions upon which shared services are to be provided to that body;

(ii) providing or arranging for the provision of shared services to the public service body in accordance with the service agreement;

(iii) making payments to and communicating with persons on behalf of the public service body for the purposes of providing shared services;

(iv) receiving and F3**[**processing (within the meaning of the Data Protection Regulation) personal data (also within the meaning of that Regulation)**]** provided to it by the public service body for the purposes of its functions;

(v) setting standards to be achieved on behalf of the public service body in relation to the delivery of shared services;

(vi) implementing such changes to the manner in which shared services are delivered as may be agreed following consultation with the public service body, having regard to the cost of such changes;

(vii) reporting to the public service body on matters relating to the provision of shared services in accordance with service agreements;

(viii) developing and implementing policies relating to the manner in which shared services are provided;

(ix) developing plans for the mitigation of risks arising in the provision of shared services to public service bodies;

(x) considering any recommendations made by the Board in relation to the provision of shared services;

(xi) undertaking, commissioning, collaborating or assisting in research into matters relating to shared services, including the compilation of statistical data required for the planning, development and provision of shared services;

(xii) providing guidance, where appropriate, within the public sector in relation to the provision of services comparable to shared services;

(xiii) providing information or advice or making proposals to the Minister on matters relating to its functions under this Act.

(b) An order under *subsection (1)* may contain such ancillary and incidental provisions as the Government consider necessary or expedient for the purposes of the delegation effected by the order.

(c) Whenever an order under *subsection (1)* is in force, the public service body to which it relates shall provide the Office with such information within its control or procurement and requested by the Office as the body considers necessary or expedient for the purposes of the delegation and the provision by the Office of shared services.

(3) Before making an order under *subsection (1)*, the Government shall have regard to the availability of resources and the need for greater efficiency or effectiveness in the use of resources in the public service and the extent to which such efficiency or effectiveness has been or may be achieved through the provision by the Office of shared services.

(4) The following provisions shall apply in relation to a delegation under this section:

(a) the delegation shall operate, so long as it continues in force, to confer on and vest in the Office each function delegated by the delegation;

(b) a function delegated by the delegation shall be performed by the Office subject to any conditions or restrictions stated in the order concerned;

(c) any obligation or liability undertaken by the Office consequent upon the performance by the Office of a function to which the delegation relates shall be of the same force and effect as if the obligation or liability had been undertaken by the public service body;

(d) a function of a public service body delegated by the delegation shall, notwithstanding the delegation, as the case may be, continue to be vested in the public service body concerned but shall be so vested concurrently with the Office and so as to be capable of being performed by either the public service body or the Office;

(e) the delegation shall not remove or derogate from the responsibility of a Minister of the Government, who has functions in relation to the public service body, to Dáil Éireann or as a member of the Government for the performance of functions of the public service body thereby delegated.

(5) An order under this section 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 21 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.

Annotations

Amendments:

F3 Substituted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 232(b), S.I. No. 174 of 2018.

Editorial Notes:

E4 Power pursuant to subs. (1) exercised (18.07.2018) by *National Shared Services Office (Delegation of Functions) Order 2018* (S.I. No. 267 of 2018).

Directions of Minister

10. (1) The Minister may give general directions in writing to the Office for any purpose in relation to the functions of the Office under this Act or for any other purpose in relation to the provisions of this Act, or any other enactment.

(2) The Minister may direct the Office to supply the Minister with information, reports or statistics, in the manner and within the period, both as the Minister may determine, in relation to the performance by the Office of its functions under this Act.

(3) The Minister may, in relation to the performance by the Office of its functions under this Act, give a direction in writing to the Office requiring it to comply with such policies of the Government as are specified in the direction.

(4) The Minister may, by direction in writing, amend or revoke a direction under this section (including a direction under this subsection).

(5) The Office shall comply with a direction under this section.

Staff of Office

11. (1) The Minister may, after consultation with the Office, appoint such and so many persons to be members of the staff of the Office as he or she may from time to time determine.

(2) The terms and conditions of service of a member of the staff of the Office shall be such as may be determined from time to time by the Minister.

(3) There shall be paid to the members of the staff of the Office such remuneration and allowances as the Minister from time to time determines.

(4) The members of the staff of the Office shall perform their functions under the direction and control of the chief executive.

Strategy statement of Office

12. Paragraph (b) of section 4(1) of the Public Service Management Act 1997 shall apply to the Office subject to the modification that, in relation to the first strategy statement of the Office, subparagraph (i) of that paragraph shall be construed as if it referred to a period of within 6 months after the establishment day.

Advances

13. (1) A public service body shall pay to the Office such an amount as the Office determines, subject to the approval of the Minister, for the purpose

of defraying expenditure incurred, in whole or in part, by the Office in the procurement of goods or services required for the provision of shared services to the public service body.

(2) Any amount received by the Office under *subsection (1)* shall be paid into, or disposed of for the benefit of, the Exchequer in such manner as the Minister may determine.

Consultants and advisers

14. (1) The Office may engage such consultants and advisers as it considers necessary for the performance of its functions.

(2) The Office shall comply with any directions concerning the engagement of consultants and advisers that may from time to time be given to it by the Minister.

(3) Any fees payable to a consultant or adviser shall, having regard to guidelines issued from time to time by the Minister, be paid by the Office out of moneys at its disposal.

Appointment of chief executive of Office

15. (1) Subject to *subsection (2)*, the Minister shall appoint a person recruited in accordance with the Public Service Management (Recruitment and Appointments) Act 2004 to be the chief executive of the Office (in this Act referred to as the "chief executive").

(2) *Subsection (1)* shall not apply to a person appointed to be the first chief executive of the office under *subsection (7)*.

(3) The chief executive shall hold office on such terms and conditions (including those relating to term of office, allowances and superannuation) as may be determined by the Minister.

(4) The chief executive shall not hold any other office or position without the consent of the Minister.

(5) The chief executive may be removed from office by the Minister for stated reasons.

(6) The Minister may, before the establishment day, designate a person to be appointed to be the first chief executive of the Office.

(7) If, immediately before the establishment day, a person stands designated by the Minister under *subsection (6)*, the Office shall appoint that person to be the first chief executive of the Office.

Functions of chief executive

16. (1) The chief executive shall be the accounting officer, for the purposes of the Comptroller and Auditor General Acts 1866 to 1998, in relation to the appropriation accounts of the Office.

(2) The chief executive shall be the principal officer and Head of the Office for the purposes of the Public Service Management Act 1997.

(3) The Office shall act through, and its functions shall be performed in the name of the Office by, the chief executive or another officer of the Office duly authorised in that behalf by the chief executive.

(4) The chief executive shall—

(a) carry out and manage and control generally the administration and business of the Office,

(b) provide the Board with such information (including financial information) relating to the functions of the chief executive and the implementation of the policies of the Office as the Board may require, and

(c) supply the Minister with such information relating to the performance of the functions of the chief executive and the implementation of the Minister's policies and priorities as the Minister may require.

(5) The functions of the chief executive may be performed, during his or her absence, by a member of the staff of the Office as may from time to time be designated for that purpose by the chief executive or, when the post is vacant, by the Minister.

Accountability of chief executive to Oireachtas Committees

17. (1) In this section "Committee" means a Committee appointed by either House of the Oireachtas or jointly by both Houses of the Oireachtas (other than the Committee on Members' Interests of Dáil Éireann or the Committee on Members' Interests of Seanad Éireann) or a sub-Committee of such a Committee.

(2) Subject to *subsection (3)*, the chief executive shall, at the request in writing of a Committee, attend before it to give account for the general administration of the Office.

(3) The chief executive shall not be required to give account before a Committee for any matter that is or has been or may at a future time be the subject of proceedings before a court or tribunal in the State.

(4) Where the chief executive is of the opinion that a matter in respect of which he or she is requested to give an account before a Committee is a matter to which *subsection (3)* applies, he or she shall inform the Committee of that opinion and the reasons for the opinion and, unless the information is conveyed to the Committee at a time when the chief executive is before it, the information shall be so conveyed in writing.

(5) Where the chief executive has informed a Committee of his or her opinion in accordance with *subsection (4)* and the Committee does not withdraw the request referred to in *subsection (2)* in so far as it relates to a matter the subject of that opinion—

(a) the chief executive may, not later than 21 days after being informed by the Committee of its decision not to do so, apply to the High Court in a summary manner for determination of the question whether the matter is one to which *subsection (3)* applies, or

(b) the chairperson of the Committee may, on behalf of the Committee, make such an application, and the High Court shall determine the matter.

(6) Pending the determination of an application under *subsection (5)*, the chief executive shall not attend before the Committee to give account for the matter the subject of the application.

(7) If the High Court determines that the matter concerned is one to which *subsection (3)* applies, the Committee shall withdraw the request referred to in *subsection (2)*, but if the High Court determines that *subsection (3)* does not apply, the chief executive shall attend before the Committee to give account for the matter.

(8) In the performance of his or her duties under this section, the chief executive shall not question or express an opinion on the merits of any policy of the Government or a Minister of the Government or on the merits of the objectives of such a policy.

(9) The chief executive shall be an accounting officer for the purposes of section 19 of the Comptroller and Auditor General (Amendment) Act 1993.

PART 3

Board of National Shared Services Office

Membership and appointment of Board

18. (1) The Office shall have an advisory board (in this Act referred to as the "Board"), which shall consist of the following members:

(a) a chairperson;

(b) the chief executive; and

(c) 7 ordinary members, including—

(i) an officer of the Minister, and

(ii) 4 officers of a Minister of the Government (other than the Minister).

(2) The chairperson and the ordinary members of the Board shall be appointed by the Minister, having consulted with the Minister for Finance, the Minister for Social Protection, the Minister for Defence and the Minister for Jobs, Enterprise and Innovation, from among persons who, in the Minister's opinion, have expertise in—

(a) matters connected to the functions of the Office, or

(b) matters connected to organisational governance, management or public administration.

(3) The chairperson of the Board shall hold office for a term of 3 years.

(4) Subject to *subsection (6)*, the Minister, when appointing a member of the Board, shall fix such member's term of office, which shall not exceed 4 years.

(5) When appointing members of the Board, the Minister shall have regard to the objective that at least 40 per cent of members of the Board shall be women and at least 40 per cent shall be men.

(6) (a) Of the persons who are first appointed to be ordinary members of the Board, 4 members, who shall be selected by the drawing of lots by the chairperson at a meeting of the Board to be held for that purpose as soon as may be after the establishment day, shall hold office for a term of 3 years from the date of their appointment.

(b) A member of the Board may be selected as one of the 4 members of the Board referred to in *paragraph (a)* notwithstanding the fact that he or she is not present at the meeting of the Board referred to in *paragraph (a)*.

(c) The quorum for the meeting of the Board referred to in *paragraph (a)* shall be 6.

(7) A member of the Board, appointed under *subsection (2)*, whose term of office expires or is due to expire by the effluxion of time, is eligible for reappointment to the Board but may not serve on the Board for more than 2 consecutive terms.

(8) For the purposes of this Act only, members of the Board are not employees under section 8 and section 9 of the Protection of Employees (Fixed-Term Work) Act 2003.

Functions of Board

19. (1) The Board shall have the following functions:

(a) to identify appropriate standards to be achieved in the provision by the Office of shared services;

(b) to promote high standards of internal control and governance in relation to the provision by the Office of shared services;

(c) to guide and advise the chief executive in relation to the performance of the functions of the Office including development of policies of the Office and preparation of the strategy statement of the Office for the purposes of section 4(1)(b) of the Public Service Management Act 1997;

(d) to make recommendations to the chief executive in relation to the provision by the Office of shared services;

(e) to advise or make recommendations to the Minister in relation to policies of the Government or a Minister of the Government affecting the functions of the Office.

(2) The Board shall have all such powers as are necessary or expedient for the performance of its functions.

Membership of either House of Oireachtas or European Parliament

20. (1) Where a member of the Board or the chief executive is—

(a) nominated as a member of Seanad Éireann,

(b) elected as a member of either House of the Oireachtas or to be a representative in the European Parliament, or

(c) regarded pursuant to Part XIII of the Second Schedule to the Act of 1997 as having been elected to that Parliament,

he or she shall thereupon cease to be a member of the Board or chief executive, as the case may be.

(2) Where a member of the staff of the Office is—

(a) nominated as a member of Seanad Éireann,

(b) elected as a member of either House of the Oireachtas or to be a representative in the European Parliament, or

(c) regarded pursuant to Part XIII of the Second Schedule to the Act of 1997 as having been elected to that Parliament,

he or she shall thereupon stand seconded from employment by the Office and shall not be paid by, or be entitled to receive from, the Office any remuneration or allowances in respect of the period commencing on such nomination or election, or when he or she is so regarded as having been

so elected (as the case may be), and ending when such person ceases to be a member of either such House or a representative in such Parliament.

(3) A person who is for the time being entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a representative in the European Parliament shall, while he or she is so entitled or is such a representative, be disqualified for being a member of the Office, the chief executive or a member of the staff of the Office.

(4) A period mentioned in *subsection (2)* shall not, for the purposes of any superannuation benefit, be reckoned as service with the Office.

(5) In this section "Act of 1997" means the European Parliament Elections Act 1997

Conditions of office of members of Board

21. (1) A member of the Board may be paid such remuneration (if any) and allowances for expenses (if any) incurred by him or her as the Minister may determine.

(2) A member of the Board may resign from office by letter sent to the Minister and the resignation shall take effect on the later of—

(a) the date specified in the letter, or

(b) the date of receipt of the letter by the Minister.

(3) A member of the Board holds office as such member until his or her term of office expires, unless he or she sooner dies, resigns, is removed from office or otherwise ceases to be a member.

(4) The Minister may at any time remove a member of the Board from office if—

(a) in the Minister's opinion—

(i) the member has become incapable through ill-health of performing the functions of the office,

(ii) the member has committed stated misbehaviour, or

(iii) the member's removal appears to the Minister to be necessary for the effective performance by the Board of its functions,

(b) the member has contravened, or failed to discharge a duty imposed by, a provision of the Ethics in Public Office Act 1995 that by a regulation made under section 3 of that Act applies to that member, or

(c) in performing functions under this Act, the member has not complied with a code of conduct under section 10(3) of the Standards in Public Office Act 2001.

(5) A person shall be disqualified for holding, and shall cease to hold, office as a member of the Board or a committee of the Board appointed under *section 26* if he or she—

(a) is adjudicated bankrupt,

(b) makes a composition or arrangement with his or her creditors,

(c) is convicted of an indictable offence,

(d) is sentenced by a court of competent jurisdiction to a term of imprisonment,

(e) is convicted of an offence involving fraud or dishonesty,

(f) has a conflict of interest of such significance that, in the opinion of the Minister, requires that he or she should not hold or should cease to hold such office,

(g) has a declaration under section 819 of the Companies Act 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or

(h) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.

Vacancies

22. (1) Subject to *section 25(2)*, the Board may act notwithstanding any vacancy in its membership.

(2) If a member of the Board dies, resigns, ceases to hold office or is removed from office, the Minister may appoint a person to be a member of the Board to fill the vacancy.

(3) A person so appointed holds office for the remainder of the term of office of the member whom he or she replaces and is eligible for reappointment for one further term.

(4) Where a vacancy occurs, the Minister shall take steps to fill it as soon as practicable.

Disclosure of interests

23. (1) Where a member of the Board, or a consultant or an adviser engaged by the Board, has a pecuniary interest or other beneficial interest in, or material to, any matter to be considered by the Board, he or she shall—

(a) in advance of any consideration of the matter, disclose that interest and its nature to the Board,

(b) not take part in any consideration of the matter or make any recommendation in relation to the matter,

(c) not influence, seek to influence or vote on any decision to be made in relation to the matter, and

(d) withdraw from a meeting at which the matter is being discussed or considered for so long as it is being so discussed or considered, and shall not be counted towards a quorum during any such consideration or discussion.

(2) Without prejudice to the generality of *subsection (1)*, a person is regarded for the purposes of this section as having a beneficial interest if—

(a) he or she or any connected relative, any nominee of his or hers or any connected relative of the nominee is a member of a company or any other entity which has a beneficial interest in, or material to, a matter to be considered by the Board,

(b) he or she or any connected relative is in partnership with or in the employment of a person who has a beneficial interest in, or material to, such a matter,

(c) he or she or any connected relative is a party to any arrangement or agreement (whether or not enforceable) concerning land to which such a matter relates, or

(d) any connected relative has a beneficial interest in, or material to, such a matter.

(3) For the purposes of this section a person shall not be regarded as having a beneficial interest in, or material to, any matter by reason only of an interest of the person, or of any company or other entity or person referred to in *subsection (2)*, which is so remote or insignificant that it could not reasonably be regarded as likely to influence a person in considering, discussing or voting on any question with respect to the matter or in performing any function in relation to it.

(4) Where a question arises as to whether or not a course of conduct, if pursued by a person, would be a failure by the person to comply with *subsection (1)*, the question shall be determined by the Board, and particulars of the determination shall be recorded in the minutes of the meeting concerned.

(5) Where a disclosure under *subsection (1)* is made to the Board, particulars of the disclosure shall be recorded in the minutes of the meeting concerned.

(6) Where the Minister is satisfied, on being informed by the Board, that a member of the Board has contravened *subsection (1)*, the Minister shall determine the appropriate action (including removal from office) to be taken in relation to that person.

(7) Where the Board is satisfied that a person other than a member of the Board has contravened *subsection (1)*, the Board shall determine the appropriate action (including termination of contract) to be taken.

(8) In this section—

(a) "connected relative", in relation to a person, means—

(i) a spouse, civil partner, parent, brother, sister or child of that person, or

(ii) a spouse or civil partner of a child of that person,

and

(b) a reference to the Board includes a reference to a committee of the Board appointed under *section 26*.

Confidential information

24. (1) A person shall not, unless authorised by the Office or required by law, disclose any confidential information obtained by him or her while performing, or as a result of having performed, duties as any of the following:

(a) the chief executive;

(b) a member of staff of the Office;

(c) a member of the Board;

(d) a member of a committee of the Board appointed under *section 26*;

(e) a consultant or an adviser engaged by the Board under *section 14* or a member of staff of such consultant or adviser;

(f) any other person engaged under a contract for services by the Office or a member of staff of such person.

(2) A person who contravenes *subsection (1)* shall be guilty of an offence and shall be liable, on summary conviction, to a class C fine.

(3) In this section, "confidential information" includes information that is expressed by the Office to be confidential either as regards particular information or information of a particular class or description.

Meetings

25. (1) The Board shall hold such and so many meetings as may be necessary for the due performance of its functions but in each year it shall hold not less than 1 meeting in each period of 3 months.

(2) Subject to *section 18(6)(c)*, the quorum for a meeting of the Board shall be 4.

(3) The Minister shall fix the date, time and place of the first meeting of the Board.

(4) At a meeting of the Board—

(a) the chairperson shall, if present, be chairperson of the meeting, and

(b) if and so long as the chairperson is not present or if the office of chairperson is vacant, the members of the Board present shall choose one of their members, other than the chief executive, to act as chairperson.

Committees of Board

26. (1) The Board may establish committees, consisting in whole or in part of persons who are members of the Board or members of staff of the Office, to assist and advise it in relation to the performance of any of its functions.

(2) In appointing members of a committee established under this section, the Board shall have regard to—

(a) the range of qualifications and experience necessary for the proper and effective discharge of the functions of the committee, and

(b) the objective that at least 40 per cent of members of the committee shall be women and at least 40 per cent shall be men.

(3) The Board may pay to a member of a committee established under this section such allowances for expenses (if any) incurred by him or her as the Board may, with the consent of the Minister, determine.

(4) The Board may remove a member of a committee established under this section from the committee at any time.

(5) The acts of a committee shall be subject to confirmation by the Board, unless the Board otherwise determines.

(6) The Board may determine the terms of reference and the procedure of a committee established under this section.

(7) The Board may appoint a person to be chairperson of a committee established under this section.

(8) A committee shall provide the Board with such information as the Board may from time to time require, in respect of the committee's activities and operations, for the purposes of the performance by the Board of its functions.

(9) The Board may at any time dissolve a committee established under this section.

PART 4

Transitional and Consequential Provisions

Transfer of staff to Office

27. (1) The Minister may designate for employment by the Office a person who, immediately before the establishment day, was an officer of the Minister.

(2) Save in accordance with a collective agreement negotiated with a recognised trade union or staff association concerned, a person designated by the Minister under *subsection (1)* shall not, on the employment transfer day, be brought to less beneficial conditions of remuneration than the conditions of remuneration to which he or she was subject immediately before the employment transfer day.

(3) In *subsection (2)*, a reference to conditions of remuneration does not include conditions in relation to superannuation.

(4) In relation to a person designated by the Minister under *subsection (1)*, previous service in the civil service shall be reckonable for the purposes of, but subject to any other exceptions or exclusions in—

(a) the Redundancy Payments Acts 1967 to 2014,

(b) the Protection of Employees (Part-Time Work) Act 2001,

(c) the Protection of Employees (Fixed-Term Work) Act 2003,

(d) the Organisation of Working Time Act 1997,

(e) the Minimum Notice and Terms of Employment Acts 1973 to 2005,

(f) the Unfair Dismissals Acts 1977 to 2015,

(g) the Terms of Employment (Information) Acts 1994 to 2012,

(h) the Maternity Protection Acts 1994 and 2004,

(i) the Adoptive Leave Acts 1995 and 2005,

(j) the Parental Leave Acts 1998 and 2006, and

(k) the Carer's Leave Act 2001.

(5) Save in accordance with any collective agreement negotiated with a recognised trade union or staff association and approved by the Minister, a person designated by the Minister under *subsection (1)* who, immediately before the employment transfer day, was a member of a staff superannuation scheme shall, on and after the employment transfer day,

continue to be a member of such scheme in accordance with its terms and conditions in force from time to time.

(6) In this section, "employment transfer day" means, in relation to a person designated by the Minister under *subsection (1)*, such day as may be specified in writing by the Minister.

Transfer of property to Office

28. (1) On the establishment day, all such property (other than land), including choses-in-action, as is designated by the Minister, which immediately before that day was vested in the Minister in respect of a function transferred to the Office by or under this Act, shall stand vested in the Office without any assignment.

(2) Every chose-in-action vested in the Office by virtue of *subsection (1)* may, on and from the establishment day, be sued on, recovered or enforced by the Office in its own name, and it shall not be necessary for the Office to give notice to any person bound by the chose-in-action of the vesting effected by that subsection.

Transfer of records to Office

29. Each record held by the Minister immediately before the establishment day in so far as it relates to a function transferred to the Office by or under this Act shall, on that establishment day, stand transferred to the Office and shall, on and after that day, be the property of the Office and be regarded as being held by the Office.

Transfer of rights and liabilities to Office

30. (1) All rights and liabilities of the Minister in respect of a function transferred to the Office by or under this Act, subsisting immediately before the establishment day and arising by virtue of any contract or commitment (expressed or implied), shall on that day stand transferred to the Office.

(2) Every right and liability transferred by *subsection (1)* to the Office may, on and after the establishment day, be sued on, recovered or enforced by or against the Office in its own name, and it shall not be necessary for the Office to give notice to the person whose right or liability is transferred by that subsection of such transfer.

Continuance of pending legal proceedings

31. (1) Any legal proceedings pending immediately before the establishment day, to which the Minister is a party, that relate to a function transferred to the Office by or under this Act, shall be continued on and after that day, with the substitution in the proceedings of the Office in so far as they so relate, for the Minister.

(2) Any claim made or proper to be made by the Minister in respect of any loss or injury arising from the act or default of any person before the establishment day shall, where the claim relates to a function transferred to the Office by or under this Act, be regarded as having been made by or proper to be made by the Office and may be pursued and sued for by the Office on and after that day as if the loss or injury had been suffered by the Office.

Provisions consequent upon transfer of functions, assets and liabilities to Office

32. (1) Anything commenced and not completed before the establishment day by or under the authority of the Minister may, in so far as it relates to a function transferred to the Office by or under this Act, be carried on or completed on or after the establishment day by the Office.

(2) Every instrument made under an enactment and every document (including any certificate) granted or made by or under the authority of the Minister, if and in so far as it was operative immediately before the establishment day and relates to a function transferred to the Office by or under this Act, shall have effect on and after that day as if it had been granted or made by the Office.

(3) A reference to the Minister in the memorandum and articles of association or constitution of any company, where it relates to a function transferred to the Office by or under this Act, shall on and after that day be construed as a reference to the Office.

(4) Any money, stocks, shares or securities transferred by *section 28* or *30* that immediately before the establishment day were standing in the name of the Minister and that relate to a function transferred to the Office by or under this Act shall, on and after that day on the request of the Office, be transferred into its name.

(5) A certificate signed by the Minister that any property, right or liability has or, as the case may be, has not vested in the Office under *section 28* or *30* shall be sufficient evidence, unless the contrary is shown, of the fact so certified for all purposes.

Preservation of contracts

33. Every contract, agreement or arrangement made between the Minister and any other person, which is in force immediately before the establishment day and relates to a function transferred to the Office by or under this Act, shall continue in force on and after that day and shall be construed and have effect as if the name of the Office were substituted therein for that of the Minister and shall be enforceable by or against the Office.

PART 5

Miscellaneous

Amendment of Public Service Management Act 1997

34. The Public Service Management Act 1997 is amended in Part II of the Schedule by the insertion of the following after reference number 12:

"13. The National Shared Services Office".

Sharing of data

35. (1) F4**[**Notwithstanding anything contained in any enactment, but subject to the Data Protection Regulation and the Data Protection Act 2018**]** or any other enactment, the F4**[**controller**]** of Oifig an Ard-Chláraitheora (the first-named person) shall provide to the F4**[**controller**]** of the Office such of the following certificates capable of being produced by the first-named

person as may be requested by the F4**[**controller**]** of the Office, if the first-named person is satisfied that the certificate will be used for a relevant purpose only—

(a) a birth certificate relating to a child of a member of staff of a public service body,

(b) a marriage certificate relating to a member of staff of a public service body,

(c) a death certificate relating to a member of staff of a public service body.

(2) Any provision of documents for the purposes of *subsection (1)* shall go no further than is reasonably necessary for the attainment of the relevant purpose.

(3) The F4**[**controller**]** of Oifig an Ard-Chláraitheora may refuse a request under *subsection (1)* if he or she is satisfied that it would be unwarranted in any particular case by reason of prejudice to the fundamental rights and freedoms or legitimate interests of the data subject.

(4) In this section—

F4**[**'controller' has the same meaning as it has in the Data Protection Regulation;**]**

F5**[**...**]**

"member of staff" in *subsection (1)* and in *paragraph (a)* of the definition of "relevant purpose" includes former member of staff;

"relevant purpose" means, in relation to a public service body in respect of which an order under *section 9(1)* is in force, any of the following purposes—

(a) verification of entitlement of a member of staff of the public service body to a superannuation payment,

(b) verification of entitlement of a member of staff of the public service body to parental leave (within the meaning of the Parental Leave Acts 1998 and 2006),

(c) verification of entitlement of a member of staff of the public service body to paternity leave (within the meaning of the Paternity Leave and Benefit Act 2016),

(d) verification of entitlement of a person as the surviving spouse or child, or beneficiary of the estate, of a deceased member of staff of the public service body.

Annotations

Amendments:

F4 Substituted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 232(c)(i), (ii), (iii)(I), S.I. No. 174 of 2018.

F5 Deleted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 232(c)(iii)(II), S.I. No. 174 of 2018.

SCHEDULE 1

Public service body

Section 3

1. A Department of State.

2. The Credit Union Restructuring Board.

3. The Competition and Consumer Protection Commission.

4. The Courts Service.

5. The Central Statistics Office.

6. An Garda Síochána.

F6**[**7. Fiosrú - Oifig an Ombudsman Póilíneachta.**]**

8. The Health Information and Quality Authority.

9. The Houses of the Oireachtas Commission.

10. That part of the Department of Foreign Affairs and Trade responsible for administration of the scheme known as Irish Aid.

11. The Irish Auditing and Accounting Supervisory Authority.

12. The Irish Human Rights and Equality Commission.

13. The Irish Prison Service of the Department of Justice and Equality.

14. The Law Reform Commission.

15. The Legal Aid Board.

16. The National Council for Curriculum and Assessment.

17. The National Council for Special Education.

18. The National Disability Authority.

19. The National Gallery of Ireland.

20. The National Library of Ireland.

21. The National Museum of Ireland.

22. The Office of the Appeal Commissioners.

23. The Office of the Attorney General (including the services assigned to the Attorney General).

24. The Office of the Chief State Solicitor.

25. The Office of the Commissioners of Public Works in Ireland.

26. The Office of the Comptroller and Auditor General.

27. The Office of the Director of Public Prosecutions.

28. The Office of the Ombudsman.

29. The Office of the Pensions Ombudsman.

30. The Office of the President.

31. The Office of the Revenue Commissioners.

32. Ordnance Survey Ireland.

33. The Permanent Defence Force.

34. The Public Appointments Service.

35. The Property Registration Authority.

36. The Road Safety Authority.

37. The State Examinations Commission.

38. The State Laboratory.

39. The Valuation Office.

40. The Workplace Relations Commission.

41. The National Shared Services Office.

Annotations

Amendments:

F6 Substituted (2.04.2025) by *Policing, Security and Community Safety Act 2024* (1/2024), s. 295, S.I. No. 107 of 2025.

Modifications (not altering text):

C1 Reference to "Pensions Ombudsman" construed (1.01.2018) by *Financial Services and Pensions Ombudsman Act 2017* (22/2017), s. 29(3), S.I. No. 524 of 2017.

References in enactments

29. ...

(3) References to the Financial Services Ombudsman, the Deputy Financial Services Ombudsman or the Pensions Ombudsman in any enactment (other than this Act) or any instrument made under such an enactment shall, on and after the establishment day, be construed as references to the Ombudsman.

SCHEDULE 2

Functions of a public service body that may be delegated to the Office

Section 9

1. Functions consisting of or relating to—

(a) management of data or classes of data relating to recruitment and cessation of employment of staff,

(b) management of data or classes of data relating to absence, leave and performance of staff,

(c) management of data or classes of data relating to payments to and remuneration of staff, and

(d) administration of superannuation schemes of which staff are members.

2. Functions consisting of or relating to—

(a) processing of financial transactions or classes of such transactions and maintenance of financial accounts or classes of such accounts, and

(b) preparation of financial reports or classes of such reports.

3. Functions consisting of or relating to making direct payments in respect of superannuation of former staff and management of data or classes of data relating to such superannuation payments.

4. Functions consisting of or relating to making direct payments in respect of remuneration of staff and management of data or classes of data relating to such remuneration payments.

5. In this Schedule "staff" means staff of the public service body concerned.

Number 26 *of* 2017

NATIONAL SHARED SERVICES OFFICE ACT 2017

REVISED

Updated to 2 April 2025

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

- *Policing, Security and Community Safety Act 2024* (1/2024)
- *Data Sharing and Governance Act 2019* (5/2019)
- *Data Protection Act 2018* (7/2018)
- *Financial Services and Pensions Ombudsman Act 2017* (22/2017)

All Acts up to and including *Merchant Shipping (Investigation of Marine Accidents) Act 2025* (2/2025), enacted 14 April 2025, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *National Shared Services Office (Appointment of Public Service Bodies) Order 2018* (S.I. No. 268 of 2018)
- *National Shared Services Office (Delegation of Functions) Order 2018* (S.I. No. 267 of 2018)
- *National Shared Services Office Act 2017 (Establishment Day) Order 2017* (S.I. No. 580 of 2017)
- *National Shared Services Office Act 2017 (Commencement) Order 2017* (S.I. No. 579 of 2017)

All statutory instruments up to and including *Policing, Security and Community Safety Act 2024 (Commencement) Order 2025* (S.I. No. 107 of 2025), made 2 April 2025, were considered in the preparation of this revision.