



STATUTORY INSTRUMENTS.

S.I. No. 603 of 2021

GARDA SÍOCHÁNA (ASSOCIATIONS) (AMENDMENT) (NO. 2)
REGULATIONS 2021

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I, HELEN MCENTEE, Minister for Justice, in exercise of the powers conferred on me by sections 18, 122(1)(m) (amended by section 56(a) of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 (No. 49 of 2015)) and 128(2) of the Garda Síochána Act 2005 (No. 20 of 2005) (adapted by the Justice and Equality (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 452 of 2020)) and section 59(2) of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 (as so adapted) -

- (a) having regard to the risk to human life and public health posed by the spread of the disease known as Covid-19,
- (b) after consulting with the Garda Commissioner and the Policing Authority, and
- (c) with the approval of the Government,

hereby make the following regulations:

Citation and collective citation

1. (1) These Regulations may be cited as the Garda Síochána (Associations) (Amendment) (No. 2) Regulations 2021.

(2) The collective citation “*the Garda Síochána (Associations) Regulations 1978 to 2021*” includes these Regulations.

Definitions

2. In these Regulations -

“2021 Annual Delegate Conference” shall be construed in accordance with Regulation 5;

“Annual Delegate Conference” has the same meaning as it has in the Regulations of 1998;

“Association” has the same meaning as it has in the Regulations of 1998;

“district” has the same meaning as it has in the Regulations of 1998;

“district committee” has the same meaning as it has in the Regulations of 1998;

“Regulations of 1998” means the Garda Síochána (Associations) (Amendment) Regulations 1998 (S.I. No. 63 of 1998);

“Special Delegate Conference” has the same meaning as it has in the Regulations of 1998;

“Trustee” has the same meaning as it has in the Regulations of 1998.

Provision for electronic communications technology

3. (1) A relevant meeting or a relevant conference need not be held at a physical venue but may be conducted wholly or partly by the use of electronic communications technology so long as all attendees have a reasonable opportunity to participate in the meeting or conference in accordance with this Regulation.

- (2) (a) Provision may be made in standing orders or otherwise for participation in a relevant meeting or relevant conference by the use of electronic communications technology, including for a mechanism for casting votes by an attendee, whether before or during the meeting or conference.
- (b) The mechanism referred to in paragraph (a) shall not require the attendee to be physically present at the relevant meeting or relevant conference or require the attendee to appoint a proxy who is to be physically present at the meeting or conference.

(3) Any temporary failure or disruption of electronic communications technology shall not invalidate a relevant meeting or relevant conference merely by virtue of that temporary failure or disruption.

- (4) In this Regulation -

“attendee” means -

- (a) in relation to a relevant meeting, a member of the district or any other person attending the meeting, and
- (b) in relation to a relevant conference, a delegate to the conference or any other person attending the conference;

“electronic communications technology”, in relation to a relevant meeting or relevant conference, means technology that enables real-time transmission and real-time two-way audio or audio-visual communication enabling attendees to participate in the meeting or conference using such technology from a remote location;

“relevant conference” means any of the following conferences of the Association in respect of the year 2021:

- (a) the Annual Delegate Conference;
- (b) a Special Delegate Conference;

“relevant meeting” means any of the following meetings of the members of a district in respect of the year 2021:

- (a) the Annual General Meeting;
- (b) a special general meeting.

Annual General Meetings of District Committees

4. Notwithstanding Regulation 8(4) of the Regulations of 1998, an Annual General Meeting of the members of a district in respect of the year 2021 may be held as soon as is practicable after the making of these Regulations -

- (a) in the year 2021, or
- (b) in the year 2022 prior to the holding of the Annual General Meeting of the members of the district in respect of the year 2022.

Annual Delegate Conference for year 2021

5. Notwithstanding Regulation 12(4) of the Regulations of 1998, the Annual Delegate Conference in respect of the year 2021 (in these Regulations referred to as the “2021 Annual Delegate Conference”) may be held at any time on or after 23 November 2021 and prior to 1 January 2022.

Standing Orders Committee

6. Notwithstanding Regulation 13(1) of the Regulations of 1998, the election of the Standing Orders Committee referred to in that Regulation by the 2021 Annual Delegate Conference may be done by secret ballot carried out using electronic communications technology.

Trustees

7. Notwithstanding Regulation 21(2) of the Regulations of 1998 -

- (a) the Trustee elected by the Annual Delegate Conference in 2016 shall hold office until the close of the 2021 Annual Delegate Conference, and
- (b) the Trustee elected by the 2021 Annual Delegate Conference in accordance with that Regulation shall hold office until the close of the Annual Delegate Conference in 2026.

The Government hereby approve of the foregoing Regulations.

GIVEN under the Official Seal of the Government,
16 November, 2021.

MICHEÁL MARTIN,
Taoiseach.

GIVEN under the Official Seal of the Minister for Justice,
16 November, 2021.

HELEN MCENTEE,
Minister for Justice.

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