



- Strategic Infrastructure Legislation in Place
- Demutualisation of Building Societies
- Employees Information and Consultation Rollout
- Health and Safety - Vibrations and Asbestos
- *Access the MOP Legal News Archive*

Strategic Infrastructure Legislation in Place

The Planning and Development (Strategic Infrastructure) Act 2006 has been signed into law and now awaits the making of the necessary Commencement Orders by the Minister for Environment, Heritage and Local Government.

The Act amends the Planning and Development Act 2000 and provides for the introduction of a streamlined planning consent procedure for 'strategic infrastructure developments'. These developments will be determined by a new Strategic Infrastructure Division within An Bord Pleanála.

Persons seeking permission for specified types of strategic infrastructure will apply directly to An Bord Pleanála. Where the Bord determines that the project in question is of strategic importance and having regard to the criteria set out in the Planning and Development Act 2000, an application accompanied by an environmental impact statement may be made directly through the board. The Act schedules the classes of projects for which a streamlined planning consent procedure is introduced.

The Department of the Environment Heritage and Local Government expect the commencement of the general planning provisions in the Act to be made in September with the strategic consent procedure provisions to be commenced later in the year.

Demutualisation of Building Societies

The Building Societies (Amendment) Act 2006 has been signed into law and now requires the making of the necessary Commencement Orders by the Minister for the Environment, Heritage and Local Government.

The Act amends certain provisions of building societies legislation in relation to the powers and membership of building societies, the conditions under which mutual building societies may convert into companies and other consequential and technical matters. It also updates various provisions of current legislation to widen the powers and flexibility of building societies subject to an appropriate level of approval by the Central Bank.

The Act updates aspects of building societies legislation to allow for de-mutualisation of building societies. In particular, the Act provides sets out two revised schemes to allow building societies to de-mutualise. The first of these allows a building society to disapply the protective measures against takeovers contained in the Building Societies Act 1989 and which would normally apply for a period of five years after de-mutualisation. The second procedure provides an integrated process of conversion and immediate acquisition so that a society opting to convert with the protection of the five year post conversion protective provisions will be empowered to do so through a combined "conversion acquisition scheme" which would be approved by members of the society. This would enable the society to agree a trade sale of the company to be implemented immediately on de-mutualisation.

Employees Information and Consultation Rollout

The Minister for Enterprise Trade and Employment has published a Commencement Order to commence all the provisions of the *Employees (Provision of Information and Consultation) Act 2006* with effect from 24 July 2006. *Employees (Provision of Information and Consultation) Act 2006 (Commencement) Order 2006 (SI 382/2006)*.

The Minister has also published Regulations prescribing 4 September 2006 as the date on which the provisions of the Act will apply to undertakings with at least 150 employees. The Regulations also prescribe the 4 September 2006 as the date on or before which such undertakings must put in place pre-existing agreements if they wish to avail of this option. *Employees (Provision of Information and Consultation) Act (Prescribed Dates) Regulations 2006 (SI 383/2006)*.

Health and Safety - Vibrations and Asbestos

Further Regulations with regard to Safety Health and Welfare at Work have been published.

The Safety Health and Welfare at Work (Control of Vibration at Work) Regulations 2006 (SI 370/2006) implements the provisions of Directive 2002/44/EC sets out the measures to be taken to protect employees from the risks arising from vibrations owing to their effects on safety and health. In particular, measures must be taken to prevent muscular/bone structure, neurological and vascular disorders. The measures create a minimum basis of protection for all employees coming within the scope of the Safety Health and Welfare at Work Act 2005.

The Safety Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 (SI 386/2006) transpose the provisions of Directive 2003/18/EC and also revoke a number of earlier Regulations in this regard. The Regulations apply to all work activities which expose persons to risks arising from the inhalation from dust from asbestos or materials containing asbestos. Protection is afforded to employees by introducing a single exposure limit value for all work activities where exposure to asbestos dust in the air at a place of work may arise. Those involved in demolition and asbestos removal activities must provide evidence of their ability to do this work in a safe way to ensure the protection of their employees.

Back to top

□

. . . . ■

Copyright © 2006 Matheson Ormsby Prentice.

If you require further information on any of the above news items, please contact John Furlong or Una Cassidy.

The information in this document is provided subject to the Legal Terms and Liability Disclaimer contained on the MOP Website. The Material is not intended to provide, and does not constitute, legal or any other advice on any particular matter, and is provided for general information purposes only.

Matheson Ormsby Prentice, 30 Herbert Street, Dublin 2

T: 353 1 619 9000 F: 353 1 619 9010 W: www.mop.ie