CONTROL OF SECURED BORROWINGS BY GENERAL GOVERNMENT

18 December 2018

To all Secretaries General

1. Further to Finance Circular 1/2018, the Minister for Finance has updated the list of prescribed bodies which are subject to the provisions of Section 67 of the Credit Institutions (Stabilisation) Act, 2010. The revised schedule is set out in the General Government Secured Borrowings (No.2) Order 2018 (Statutory Instrument (S.I.) No. 522 of 2018) which revokes and replaces the General Government Borrowing Order 2018 (S.I. No. 118 of 2018).

2. Under this Statutory Instrument, and pursuant to S. 67(2) of the Credit Institutions (Stabilisation) Act 2010, the consent of the Minister for Finance to engage in secured borrowing is necessary and must be sought in advance by the bodies prescribed in the Schedule.

3. A copy of S.I. No. 522 of 2018 is attached for your attention.

4. The purpose of this update is to include certain Approved Housing Bodies and the Regional Assemblies in the schedule of prescribed bodies which are subject to Section 67 and to remove Tourism Ireland.

5. The inclusion of these bodies is required to take account of recent changes to the list of bodies included, for statistical measurement purposes, in the definition of general government used by the Central Statistics Office and is solely to ensure compliance with the terms and conditions of Ireland’s loan agreements.

6. Please ensure that this Circular is brought to the attention of all the votes, non-market agencies and extra budgetary funds under your Department’s aegis, as set out in the Schedule to S.I. No. 522 of 2018 (the Schedule).

7. Any such application should be submitted in the first instance to the Post-Programme Central Unit, EU & International Division, Department of Finance, Upper Merrion Street, Dublin 2, Phone 076 100 7598 (cipu@finance.gov.ie).

Nicholas O’Brien
Assistant Secretary General
EU & International Division
Department of Finance
STATUTORY INSTRUMENTS.

S.I. No. 522 of 2018

GENERAL GOVERNMENT SECURED BORROWINGS (NO. 2) ORDER
2018
S.I. No. 522 of 2018

GENERAL GOVERNMENT SECURED BORROWINGS (NO. 2) ORDER 2018

I. PASCHAL DONOHUE, Minister for Finance, in exercise of the powers conferred on me by section 67(5) of the Credit Institutions (Stabilisation) Act 2010 (No. 36 of 2010), hereby order as follows:

1. (1) This Order may be cited as the General Government Secured Borrowings (No.2) Order 2018.

   (2) This Order shall come into operation on 5 December 2018.

2. The bodies listed in the Schedule are prescribed as bodies to which section 67 of the Credit Institutions (Stabilisation) Act 2010 (No. 36 of 2010) applies.


Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 11th December, 2018.
Schedule

(a) Central Government

(i) Departments of State

Department of Agriculture, Food and the Marine
Department of Business, Enterprise and Innovation
Department of Children and Youth Affairs
Department of Communications, Climate Action and Environment
Department of Culture, Heritage and the Gaeltacht
Department of Defence
Department of Education and Skills
Department of Finance
Department of Foreign Affairs and Trade
Department of Health
Department of Housing, Planning and Local Government
Department of Justice and Equality
Department of Public Expenditure and Reform
Department of Employment Affairs and Social Protection
Department of Rural and Community Development
Department of the Taoiseach
Department of Transport, Tourism and Sport

(ii) Additional Votes

Army Pensions
Central Statistics Office
Chief State Solicitor’s Office (a component part of the Office of the Attorney General)
Courts Service
Garda Síochána
Health Services Executive
International Co-operation (Official Development Assistance, accounted for by the Office of the Minister for Foreign Affairs and Trade)
Irish Prison Service
National Shared Services Office
Office of Government Procurement
Office of Public Works
Office of the Attorney General
Office of the Comptroller and Auditor General
Office of the Director of Public Prosecutions
Office of the Revenue Commissioners
Policing Authority
President’s Establishment
Property Registration Authority
Public Appointments Service
Secret Service
State Laboratory
Superannuation and Retired Allowances
Tax Appeals Commission
Valuation Office

(b) Other Non-market Agencies included in Central Government Sector

(i) General

Adoption Authority of Ireland (AAI)
Bord Pleanála
Aquaculture Licences Appeals Board (ALAB)
Army Pensions Board
Arts Council (Comhairle Ealaíon)
Bord Bia
Bord Iascaigh Mhara
Broadcasting Authority of Ireland (BAI)
Charities Regulatory Authority
Chester Beatty Library
Child and Family Agency (Tusla)
Comhairle um Oideachais Gaeltachta agus Gaelscolaíochta (Speisialta)
Citizens Information Board
Commission for Aviation Regulation
Commission for Communications Regulation (CCR ComReg)
Commission for Railway Regulation
Commission for Regulation of Utilities
Commission to Inquire into Child Abuse
Competition and Consumer Protection Commission (CCPC)
Crawford Gallery, Cork
Credit Union Restructuring Board (ReBo)
Criminal Injuries Compensation Tribunal
Defence Forces (Oglaigh na hÉireann)
Dental Council
Discovery Programme Ltd
Dublin Institute for Advanced Studies
Educational Research Centre (ERC)
Enterprise Ireland
Environmental Protection Agency (EPA)
Exchange Bureau (Léargas)
Fáilte Ireland
Financial Services and Pensions Ombudsman
Fee charging schools where the fee income of the school concerned covers less than 50% of its operating costs (pay, purchases of goods and services and depreciation)
Food Safety Authority of Ireland
Forensic Science Ireland
Gaisce (President’s National Challenge Award)
<table>
<thead>
<tr>
<th>Agency/Authority Name</th>
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<tbody>
<tr>
<td>Garda Síochána Ombudsman Commission (GSOC)</td>
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<tr>
<td>Garda Síochána Ombudsman Inspectorate</td>
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<tr>
<td>Grangegeorge Development Agency</td>
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<td>Health and Safety Authority</td>
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<tr>
<td>Health and Social Care Professionals Council (CORU)</td>
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<td>Health Information and Quality Authority (HIQA)</td>
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<td>Health Insurance Authority</td>
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<tr>
<td>Health Research Board (Bord Taighde Sláinte) (HRB)</td>
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<td>Health Products Regulatory Authority (HPRA)</td>
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<td>Health Service National Partnership Forum</td>
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<td>Heritage Council (Comhairle Oidrechta)</td>
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<td>Higher Education Authority</td>
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<td>Horse Racing Ireland</td>
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<td>Horse Sport Ireland</td>
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<tr>
<td>Housing and Sustainable Communities Agency</td>
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<td>Housing Finance Agency</td>
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<td>HRI Racecourses</td>
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<td>IDA Ireland</td>
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<td>Inland Fisheries Ireland</td>
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<td>Insolvency Service of Ireland</td>
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<tr>
<td>International Protection Appeals Tribunal</td>
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<td>International Protection Office (IPO)</td>
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<td>Irish Auditing and Accounting Supervisory Authority</td>
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<td>Irish Bank Resolution Corporation (IBRC)</td>
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<td>Irish Blood Transfusion Service (IBTS)</td>
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<td>Irish Film Board (Bord Scannán na hÉireann)</td>
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<td>Irish Film Classification Office</td>
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<td>Irish Financial Services Appeals Tribunal</td>
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<td>Irish Fiscal Advisory Council (IFAC)</td>
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<td>Irish Heritage Trust</td>
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<td>Irish Human Rights and Equality Commission</td>
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<td>Irish Museum of Modern Art (IMMA)</td>
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<td>Irish National Petroleum Corporation</td>
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<td>Irish Rail (Iarnród Éireann)</td>
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<td>Irish Research Council</td>
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<td>Irish Water</td>
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<td>Irish Water Safety</td>
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<td>Legal Aid Board</td>
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<td>Legal Services Regulatory Authority</td>
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<td>Local Government Management Agency (LGMA)</td>
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<td>Marine Casualty Investigation Board</td>
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<td>Marine Institute (Foras na Mara)</td>
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<td>Medical Bureau of Road Safety</td>
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<td>Medical Council</td>
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<td>Mental Health Commission</td>
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<td>Mental Health (Criminal Law) Review Board</td>
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<td>Moorepark Technology</td>
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<tr>
<td>National Archives Advisory Council</td>
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<td>National Archives, Ireland</td>
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</tbody>
</table>
National Asset Management Agency (NAMA)
National Cancer Registry Board
National Centre for Guidance in Education
National Council for Curriculum and Assessment
National Council for Special Education
National Disability Authority
National Economic and Social Council
National Economic and Social Development Office
National Gallery
National Library of Ireland (NLI)
National Milk Agency
National Museum of Ireland (NMI)
National Oil Reserves Agency (NORA)
National Property Services Regulatory Authority
National Standards Authority of Ireland
National Transport Authority
National Treasury Management Agency (NTMA)
National Treatment Purchase Fund Board
Nursing and Midwifery Board of Ireland
Oberstown Children Detention Campus
Office of the Data Protection Commissioner
Office of the National Lottery Regulator
Office of the Ombudsman for Children
Office of the Ombudsman for the Defence Forces
Office of the State Pathologist
Oifig Choimisínéir na dTeangacha Oifiguala
Ordnance Survey Ireland (OSI)
Parole Board
Pensions Authority
Pensions Council
Pharmaceutical Society of Ireland
Pobal
Pre-Hospital Emergency Care Council (PHECC)
Private Security Authority
Qualifications and Quality Assurance Authority of Ireland
Raidió Teilifís Éireann (RTÉ)
Residential Institutions Redress Board (RIRB)
Residential Institutions Statutory Fund Board (Caranua)
Residential Tenancies Board (RTB)
Road Safety Authority
Scéim Aoslíúnchas Fhoireann (Udarás na Gaeltachta/Bhord na Gaeilge)
Schools (non-fee-charging): voluntary secondary, primary, community and comprehensive schools
Science Foundation Ireland
Sea Fisheries Protection Authority
Skillnets
SOLAS
Sport Ireland
State Examinations Commission (SEC)
Strategic Banking Corporation of Ireland (SBCI)
Sustainable Energy Authority of Ireland (SEAI)
Teaching Council
Teagasc
Teilifís na Gaeilge/TG4
Transport Infrastructure Ireland
Údarás na Gaeltachta
Voluntary hospitals and hospices
Western Development Commission
Workplace Relations Commission (WRC)

(ii) Institutes of Technology and other similar institutions

Athlone Institute of Technology,
Institute of Technology Blanchardstown,
Institute of Technology Carlow,
Cork Institute of Technology,
Dublin Institute of Technology
Dundalk Institute of Technology,
Dun Laoghaire Institute of Art, Design and Technology,
Galway-Mayo Institute of Technology,
Letterkenny Institute of Technology.
Limerick Institute of Technology.
Institute of Technology Sligo,
Institute of Technology Tallaght,
Institute of Technology Tralee.
Waterford Institute of Technology.

(iii) Education and Training Boards

City of Dublin Education and Training Board
Donegal Education and Training Board
Kerry Education and Training Board
Cork Education and Training Board
Galway and Roscommon Education and Training Board
Limerick and Clare Education and Training Board
Cavan and Monaghan Education and Training Board
Dublin and Dun Laoghaire Education and Training Board
Kildare and Wicklow Education and Training Board
Kilkenny and Carlow Education and Training Board
Laois and Offaly Education and Training Board
Longford and Westmeath Education and Training Board
Louth and Meath Education and Training Board
Mayo, Sligo and Leitrim Education and Training Board
Tipperary Education and Training Board
Waterford and Wexford Education and Training Board
(c) Extra Budgetary Funds included in Central Government Sector

- Adult Education Organisations Fund
- Bank Guarantee Scheme Fund
- Capital Service Redemption Account (CSRA)
- Carbon Fund
- Ciste na Gaeilge
- Credit Institutions (Eligible Institutions Guarantee) Scheme Account 2013
- Credit Union Fund
- Department Of Education Scholarship Fund
- Deposit Guarantee Scheme
- Dormant Accounts Fund
- Environment Fund
- Fishery Harbour Centres Fund
- Fund for Cultural, Scientific Etc. Organisations
- Fund for Organisations Promoting Ireland as an Educational Centre
- Garda Síochána Reward Fund
- Hepatitis C and HIV Compensation Tribunal Reparation Account 2013
- Hepatitis C and HIV Compensation Tribunal Special Account 2013
- Horse and Greyhound Racing Fund
- Intestate Estates Fund Deposit Account
- Ireland Strategic Investment Fund
- Ireland-United States Educational Fund 2013
- Land Bond Account
- Local Authority Library and Archive Service
- Local Authority Swimming Pool Programme
- Local Government Fund
- Local Loans Fund Account 2013
- National Lottery Fund
- National Lottery Suspense Account
- National Pensions Reserve Fund
- National Training Fund
- Post Office Savings Bank Fund
- Programme for Peace and Reconciliation
- Rent and Interest Account No. 3
- Residential Institutions Education Fund
- Residential Institutions Redress Scheme
- Residential Institutions Statutory Fund (Caranua)
- Risk Equalisation Fund
- Scientific and Technological Education (Investment) Fund
- Small Savings Reserve Fund (SSRF)
- Social Insurance Fund
- Social Insurance Investment Fund
- Special Account for Compensation of Hepatitis C
- State Property (Misc. Deposits) Account
- Sundry Monies Deposit Account
- Travellers’ Protection Fund
- Voluntary Housing Scheme
- Western Investment Fund
(d) Local Government Sub-Sector

(i) Regional Authorities

Eastern and Midland Regional Assembly
Northern and Western Regional Assembly
Southern Regional Assembly

(ii) Approved Housing Bodies

Cluid Housing
Oaklee Housing
Co-operative Housing Ireland
Circle Housing Association
Focus Housing Association
Tuath Housing Association
Hail Housing Association
North and East Housing Association
Fold Housing Association
Clanmil Housing Association
The Iveagh Trust
Respond! Housing Association
Sophia Housing
St. John of Gods Housing Association

GIVEN under my Official Seal, 5 December 2018.

PASCHAL DONOHOE,
Minister for Finance.
EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation).

The purpose of this Order is to prescribe the persons and bodies subject to the provisions of Section 67 of the Credit Institutions (Stabilisation) Act 2010, which provides that secured borrowing by the prescribed persons and bodies requires the consent of the Minister for Finance.