

Request 10 428

Dublin, July 20 2009

Dear Sir/Madame,

I am making the following request to your department under the Freedom of Information Act. I am enclosing a cheque for €15. I understand that documents under all four headings must be supplied to the department if the special adviser's pay exceeds the maximum salary (standard scale, Class B PRSI) of a Higher Executive Officer in the Civil Service. I also understand that only documents under headings 1 and 3 must be supplied if the special adviser's pay does not exceed the maximum salary (standard scale, Class B PRSI) of a Higher Executive Officer in the Civil Service

- 1) a copy of the contract, or a statement in writing of the terms and conditions, for all special advisers attached to the department from 1998 to present.
- 2) a copy of the statement of registrable interests provided by each of the special advisers from 1998 to present.
- 3) a statement as to whether the Minister hiring the special adviser is a relative of that Special Adviser from 1998 to present.
- 4) a statement of the qualifications of the Special Adviser relevant to the functions of Special Adviser from 1998 to present.
- 5) Any gifts valued in excess of €650 given to a minister attached to the Department from 2007 to present; the exact value of the gifts; the nature and detail of such gifts; and the source of the gifts

I can be contacted at the phone numbers below if there are any difficulties with this request.

Regards,

Michael Brennan
Michael Brennan
Political correspondent
Irish Independent
Independent House,
Talbot Street,
Dublin 1
01 6183402 087 9839940
mbrennan@independent.ie



Department of Communications, Energy and Natural Resources
Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha

24th July, 2009

Mr. Michael Brennan,
Political Correspondent,
Irish Independent,
Independent House,
27 - 32 Talbot Street,
Dublin 1.

FOI Request Reference: FOI/2009/22

Dear Mr. Brennan,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 23rd July, 2009 requesting records regarding special advisors attached to the Department from 1998 to present. The application was received along with the associated fee.

The officer handling your request will be Ms Ann Kissane, Human Resource Division, Department of Communications, Energy and Natural Resources, 29 – 31 Adelaide Rd., Dublin 2. Ann can be contacted at 01 6782173

You can expect to receive your decision by the 21st August, 2009.

If you have not received a decision by that time, you are automatically entitled to appeal to the Department for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. A request for a review should be addressed to the undersigned at the address shown.

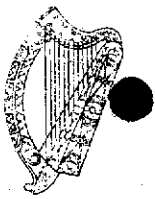
Please note the Department of Communications, Energy and Natural Resources has a policy of posting a summary of non-personal requests and decisions on the Departments website for reference purposes.

Yours sincerely,

Mary Rabbitte

FOI Unit
Department of Communications, Energy and Natural Resources
Elm House,
Earlsvale Rd
Cavan

Phone: 01 6782903



**An Roinn Cumarsáide,
Fuinnimh agus Acmhainní Nádúrtha
Baile Átha Cliath 2.**

**Department of Communications,
Energy and Natural Resources,
Dublin 2.**

20 August 2009

Mr Michael Brennan
Irish Independent
Independent House
27 - 32 Talbot Street
Dublin 1

FOI Request Reference: FOI/2009/22

Dear Mr Brennan

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 23 July 2009 requesting records regarding Special Advisors attached to the Department from 1998 to present.

In considering your request it has become necessary to engage in third party consultations under Section 29 of the Acts (copy attached). The Acts provide for an extension to the time limit for such consultations to be undertaken.

This extension means that you can now expect to receive your decision by 25 September 2009.

Yours sincerely

Ann Kissane
Human Resources Division
Tel: (01) 6782173
email: ann.kissane@dcenr.gov.ie



An Roinn Cumarsáide,
Fuinnimh agus Acmhainní Nádurtha
Baile Átha Cliath 2.

Department of Communications,
Energy and Natural Resources,
Dublin 2.

23 September 2009

Mr Michael Brennan
Irish Independent
Independent House
27 - 32 Talbot Street
Dublin 1

FOI Request Reference: FOI/2009/22

Dear Mr Brennan

I refer to the request you have made under the Freedom of Information Acts, 1997 and 2003, concerning records regarding Special Advisers attached to the Department from 1998 to present.

I have made a final decision and am granting your request in relation to items 1-4 of your request. Please find enclosed all relevant records found in relation to those items. A schedule of the records covered by your request is also enclosed.

Item 5 of your request has been refused under Section 10 (1) (a) of the FOI Acts 1997 and 2003 as such records do not exist.

If you have any queries regarding this correspondence you can contact me by telephone at the number below.

I wish to advise you that, if for any reason you are not satisfied with the outcome of your request, you are entitled to seek a review by appealing the decision. To appeal, you need to write to the FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan, Co Cavan. You must make your appeal within 4 weeks of the date of this letter, but the making of a late appeal may be permitted in certain circumstances. The review will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Please note that an application fee for an appeal is currently €75.00 and a reduced fee of €25.00 applies if you are covered by a Medical Card.

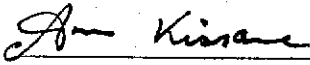
If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "Department of Communications, Energy and Natural Resources".

On receipt of the fee, you will be advised of when you can expect a decision on your appeal, and the contact details of the person handling the appeal.

Yours sincerely



Ann Kissane

Human Resources Division

Tel: (01) 678 2173

email: ann.kissane@dcenr.gov.ie

Requesting records re. Special Advisors attached to the Department from 1998 to present.

Record No.	Brief Description & Date of Record	File Ref.	No. of Pages	Relevant facts	Findings/ conclusions (Public Interest Considerations, (If applicable))	Grant/refuse/ part-grant	Basis of Refusal: Section of Act	Record edited/Identifyd elctions
1	Letter of appointment as Special Adviser to Ms Katherine Licken, dated 15 June 2001		Pages 1-2			Grant		
2	Ethics statement for Ms Licken, dated 14-02-03		Page 3			Grant		
3	Contract of employment for Mr Ciarán Ó Cuinn		Pages 4-6			Grant		
4	Ethics statement for Mr Ó Cuinn, dated 31-01-03		Page 7			Grant		Private address deleted
5	Ethics statement for Mr Ó Cuinn, dated 16-01-04		Page 8			Grant		Private address deleted
6	Statement re relationship of Mr Ó Cuinn to Minister Ahern		Page 9			Grant		
7	Statement re Mr Ó Cuinn's qualifications for Special Adviser post		Page 10			Grant		
8	Contract for Mr Richard Moore		Pages 11-13			Grant		
9	Ethics statement for Mr Moore, dated 20-03-03		Pages 14-19			Grant		
10	Ethics statement for Mr Moore, dated 30-01-2004		Pages 20-25			Grant		

11	Unsigned copy of contract for Ms Olive Stephens retrieved from electronic files	Pages 26-29				Grant		
12	Contract for Ms Grace Cappock	Pages 30 -33				Grant		
13	Unsigned copy of contract for Mr Jimmy Fegan retrieved from electronic files	Pages 34-37				Grant		
14	First contract for Mr Morgan Bazilian	Pages 38-43				Grant		Private address deleted
15	Second contract for Mr Bazilian	Pages 44-49				Grant		Private address deleted
16	Ethics statement for Mr Bazilian dated 16-01-08	Pages 50-51				Grant		
17	Ethics statement for Mr Bazilian dated 15-05-08	Page 52				Grant		
18	Ethics statement for Mr Bazilian dated 29-01-09	Page 53				Grant		
19	Statement re relationship of Mr Bazilian to Minister Ryan	Page 54				Grant		
20	Statement re Mr Bazilian's qualifications for Special Adviser post	Page 55				Grant		
21	First contract for Ms Brid McGrath	Pages 56-61				Grant		Private address deleted
22	Second contract for Ms Brid McGrath	Pages 62-67				Grant		Private address deleted
23	Ethics statement for Ms McGrath, dated 27-01-09	Page 68				Grant		Private address deleted
24	Ethics statement for Ms McGrath, dated 6-06-08	Page 69				Grant		Private address deleted
25	Ethics statement for Ms McGrath, dated 12-03-08	Pages 70 -81				Grant		
26	Statement re relationship of Ms McGrath to Minister Ryan	Page 82				Grant		

27	Contract for Ms Suzanne Duke's appointment as Special Adviser to Minister Killeen	Pages 83-88			Grant		Private address deleted
28	Contract for Ms Suzanne Duke's appointment as Special Adviser to Minister Power	Pages 89-94			Grant		Private address deleted
29	Contract for Ms Suzanne Duke's appointment as Special Adviser to Minister Lenihan	Pages 95-100			Grant		Private address deleted
30	Ethics statement for Ms Dukes, dated 05-06-08	Page 101			Grant		
31	Ethics statement for Ms Dukes, dated 15-01-09	Page 102			Grant		
32	Ethics statement for Ms Dukes, dated 29-04-09	Page 103			Grant		
33	Contract for Mr Stephen O'Connor	Pages 104-109			Grant		
34	Statement re Mr O'Connor's qualifications for Special Adviser post	Pages 110-111			Grant		Private details deleted



Record 1

15 June 2001

Ms Katherine Licken
Ministers Office
Department of the Marine and Natural Resources
Leeson Lane
Dublin 2

Dear Ms Licken,

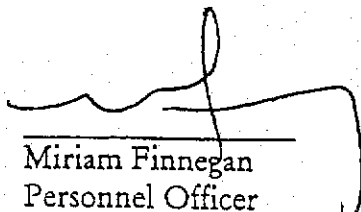
I am pleased to inform you that, following a request made by the Minister for the Marine and Natural Resources under section 11(1) of the Public Service Management Act, 1997, the Government have appointed you as a Special Adviser to the Minister for the Marine and Natural Resources, Mr Frank Fahey, TD. Your appointment is effective from 10 April 2001.

As provided for in section 11(3) of the Public Service Management Act, the terms and conditions of your appointment are subject to determination by the Minister for Finance.

The appointment is strictly temporary and will terminate not later than the date on which the present Minister for the Marine and Natural Resources, Mr Frank Fahey, TD, ceases to hold office or until the formation of the 29th Dáil, whichever is the sooner. The rate of pay offered is £44,331 [which is the minimum point of the Principal Officer (standard scale)] per annum which will be paid fortnightly in arrears. There will be no extra remuneration paid in respect of extra attendance.

Your annual leave allowance will be 29 working days per year, on the basis of a five day week and exclusive of the usual public holidays. This allowance is subject to the usual conditions regarding leave, and, in particular, the requirement that all annual leave must be approved in advance and that quarterly returns of annual leave taken must be made to Personnel Division. During the term of your appointment, you will be required to comply with the Ethics in Public Office Act, 1995 and the Freedom of Information Act, 1997. If you are prepared to accept the appointment on the basis of the terms outlined above, I would be grateful if you would sign the attached form of undertaking and return it to me as soon as possible.

Yours sincerely


Miriam Finnegan
Personnel Officer

Form of Acceptance

I am willing to accept the temporary appointment as Special Adviser to the Minister for the Marine and Natural Resources, Mr Frank Fahey, TD, on the terms and conditions set out in the attached letter dated 15 June 2001.

In addition, I will undertake to return all IT and other equipment issued to me in the course of my duties within one week of the termination of this appointment.

I understand that I am subject to the provisions of the Official Secrets Act, 1963 and I agree not to disclose to any third parties any confidential information, especially that with commercial potential, either during or subsequent to the period of my appointment. I agree not to publish any material related to my duties at the Department of the Marine and Natural Resources without the prior approval of the Minister.

I further understand that, on the termination of my contract, I will have no claim to the rate of pay offered for the post of Special Adviser.

Signed:

Teresa Doleen

Date:

19 June 2001

Ethics in Public Office Acts, 1995 and 2001

SPECIAL ADVISERS

Statement of 'Nil' Interests for the purpose of section 19 of
the Ethics in Public Office Act, 1995

Name:	Katherine Licken
Position Held:	SPECIAL ADVISER
Department:	MARINE & NATURAL RESOURCES
Date of Appointment:	13 May 2001
* Period Covered by this Statement:	1 st Jan 2002 - 7 th June 2002
Address for Correspondence:	DEPT OF COMMUNICATIONS, MARINE & NATURAL RESOURCES, LEESON LANE, DUBLIN 2

* Standard registration year (1 January to 31 December) or any part thereof.

I hereby state that, in respect of the period covered by this statement, there are no interests, as specified in the Ethics in Public Office Act, 1995, of my own, or, to my actual knowledge, of a spouse or child, which could materially influence me in, or in relation to, the performance of my functions as a special adviser.

I am also aware of the obligations placed on me by Section 19(3)(a)(ii) and (iii) of the Ethics in Public Office Act, 1995 (see below) and of the requirement to furnish a statement of interests not later than 28 days from the date on which the office holder to whom I act as special adviser ceases to hold that office.

Signed: Katherine LickenDate: 14.02.03

19(3)(a)(ii) in any case where such a function (as a special adviser) falls to be performed and he or she has actual knowledge that he or she or a connected person has a material interest in a matter to which the function relates (he or she) -

- (i) shall, as soon as may be, prepare and furnish to the office holder and to the Commission a statement in writing of those facts,
 - (ii) shall not perform the function unless there are compelling reasons requiring him or her to do so, and
 - (iii) shall, if he or she proposes to perform the function, prepare and furnish to the office holder and the Commission, before or, if that is not reasonably possible, as soon as may be after such performance, a statement in writing of the compelling reasons aforesaid, and
- (iii) the person shall undertake not to engage in any trade, profession, vocation or other occupation, whether remunerated or otherwise, which might reasonably be seen to be capable of interfering or being incompatible with the performance by the person of his or her functions as a special adviser.



Mr Ciarán Ó Cuinn

Contract of Employment as Special Adviser

Dear Mr Ó Cuinn

I am directed by the Minister for Communications, Marine and Natural Resources to say that he is prepared to offer you an appointment as Special Adviser, on the following terms and conditions, with effect from 1st July 2002.

General

1. The appointment is subject to the Civil Service Regulations Acts, 1956 to 1996, and any other Act for the time being in force relating to the Civil Service.

Pay

2. The rate of pay offered will be €59,384.38 per annum, which is the minimum of the Principal Officer standard scale. Incremental progression on the scale for Principal Officer (Standard Scale) may be granted, subject, where appropriate, to the arrangements in place for established civil servants. Payment will be made fortnightly in arrears.

Tenure

3. The appointment is to a temporary, unestablished position in the civil service. It carries no entitlement to established status, by way of limited competition or otherwise.

4. The appointment, which is strictly temporary, will terminate not later than the date on which the present Minister for Communications, Marine and Natural Resources, Mr Dermot Ahern TD, ceases to hold that office.

5. Notwithstanding paragraph 4 above, the appointment may be terminated at any time by either side in accordance with the Minimum Notice and Terms of Employment Acts, 1973 and 1991.

6. In the event of serious misconduct the appointment may be terminated without notice.

7. In the event of the appointment being terminated under the terms of paragraph 6 above, no remuneration or compensation will be payable other than that applicable to work carried out.

Duties

8. You will be required to perform any duties which may be assigned to you from time to time as appropriate to your position. The position will be whole time and you may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

5

Headquarters

9. Your headquarters will be such as may be designated from time to time by the Secretary General. Travel and subsistence payments will be made at the appropriate civil service rates in respect of official travel and subject to the usual civil service regulations which apply in relation to travel and subsistence.

Hours of attendance

10. Hours of attendance will be fixed from time to time but will amount to not less than 41 hours per week. No additional remuneration will be paid for extra attendance.

Rest Periods

11. Rest periods will be in accordance with the Organisation of Working Time Act 1997.

Annual leave

12. The annual leave allowance will be 29 working days per year, on the basis of a five-day week and exclusive of the usual public holidays. This annual leave allowance is subject to the usual conditions which apply in the civil service regarding the granting of annual leave, and to the making, at such times as may be determined from time to time by the Secretary General, of returns of annual leave taken.

Sick leave

13. Full pay during properly certified sick absence, provided there is no evidence of permanent disability for service, may be allowed up to a maximum of six months in one year and half-pay thereafter, subject to a maximum of twelve months' sick leave in any period of four years or less. The sick leave provisions set out in Appendix A of Department of Finance Circular 25/78 will apply. You will be required to sign a mandate authorising the Department of Social and Family Affairs to pay any benefits due under the Social Welfare Acts direct to the Department of Communications, Marine and Natural Resources, and payment during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social and Family Affairs within the required time limits.

Superannuation

14. The terms of the non-contributory pension scheme for non-established State employees and of the spouses and children's contributory scheme for non-established State employees will apply to this appointment.

Official secrecy and integrity

15. You will, during the term of your appointment, be subject to the provisions of the Official Secrets Act 1963 as amended by the Freedom of Information Act 1997. You will agree not to disclose to third parties any confidential information especially that with commercial potential either during or subsequent to the period of employment.

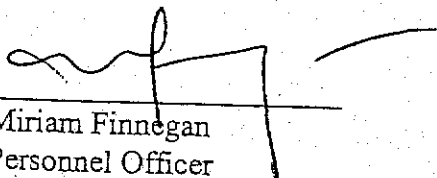
Confidentiality and publication

16. You will not while holding the position of Special Adviser to the Minister for Communications, Marine and Natural Resources, or thereafter, disclose or publish any confidential official information or material, including electronically held data, which you acquired or which came to your knowledge in the course of, or as a consequence of, your employment in that capacity, except where the matter has been submitted for adjudication to

the Secretary General to the Government as to its confidentiality and, on the basis of his decision, the prior approval of the Minister concerned at the time of publication has been obtained for publication or disclosure. The disclosure of official information is also covered by the provisions of the Official Secrets Act, 1963.

17. It is a condition of your employment in the above-stated capacity that the copyright in any book, article or other publication which you write or publish, containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this case would vest in you belong to the Government of Ireland. If in breach of the said condition you write or publish any book, article or other publication containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this clause would vest in you will belong to the Government of Ireland.

If you are prepared to accept the appointment on these terms please complete the acceptance form beneath and return it to me at the above address.

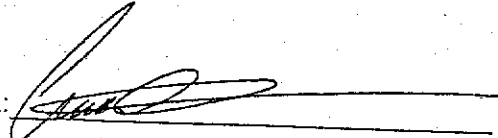


Miriam Finnegan
Personnel Officer

26 July 2002

Form of Acceptance

I am prepared to accept an appointment as Special Adviser to the Minister for Communications, Marine and Natural Resources, Mr Dermot Ahern TD, on the terms and conditions set out above.

Signed: 

Dated: 29/07/02

Record 4

Ethics in Public Office Acts, 1995 and 2001

SPECIAL ADVISERS

Statement of 'Nil' Interests for the purpose of section 19 of
the Ethics in Public Office Act, 1995

Name:	CIARAN O'CUINN
Position Held:	SPECIAL ADVISER
Department:	COMMUNICATIONS, MARINE & NATURAL RESOURCES
Date of Appointment:	01/07/02
* Period Covered by this Statement:	01/07/02 to 31/02/02
Address for Correspondence:	[REDACTED]

* Standard registration year (1 January to 31 December) or any part thereof.

I hereby state that, in respect of the period covered by this statement, there are no interests, as specified in the Ethics in Public Office Act, 1995, of my own, or, to my actual knowledge, of a spouse or child, which could materially influence me in, or in relation to, the performance of my functions as a special adviser.

I am also aware of the obligations placed on me by Section 19(3)(a)(ii) and (iii) of the Ethics in Public Office Act, 1995 (see below) and of the requirement to furnish a statement of interests not later than 28 days from the date on which the office holder to whom I act as special adviser ceases to hold that office.

Signed: [Signature]Date: 31/1/03

- 19(3)(a)(ii) in any case where such a function (as a special adviser) falls to be performed and he or she has actual knowledge that he or she or a connected person has a material interest in a matter to which the function relates (he or she) -
- (i) shall, as soon as may be, prepare and furnish to the office holder and to the Commission a statement in writing of those facts,
 - (ii) shall not perform the function unless there are compelling reasons requiring him or her to do so, and
 - (iii) shall, if he or she proposes to perform the function, prepare and furnish to the office holder and the Commission, before or, if that is not reasonably possible, as soon as may be after such performance, a statement in writing of the compelling reasons aforesaid, and
- (iii) the person shall undertake not to engage in any trade, profession, vocation or other occupation, whether remunerated or otherwise, which might reasonably be seen to be capable of interfering or being incompatible with the performance by the person of his or her functions as a special adviser.

Ethics in Public Office Acts, 1995 and 2001

SPECIAL ADVISERS

Statement of 'Nil' Interests for the purpose of section 19 of
the Ethics in Public Office Act, 1995

Name:	CIARAN O CUINN
Position Held:	SPECIAL ADVISER
Department:	DCMNR
Date of Appointment:	01/07/02
* Period Covered by this Statement:	01/01/03 → 31/12/03
Address for Correspondence:	[REDACTED]

* Standard registration year (1 January to 31 December) or any part thereof.

I hereby state that, in respect of the period covered by this statement, there are no interests, as specified in the Ethics in Public Office Act, 1995, of my own, or, to my actual knowledge, of a spouse or child, which could materially influence me in, or in relation to, the performance of my functions as a special adviser.

I am also aware of the obligations placed on me by Section 19(3)(a)(ii) and (iii) of the Ethics in Public Office Act, 1995 (see below) and of the requirement to furnish a statement of interests not later than 28 days from the date on which the office holder to whom I act as special adviser ceases to hold that office.

Signed: _____

Date: 16/01/04

19(3)(a)(ii) in any case where such a function (as a special adviser) falls to be performed and he or she has actual knowledge that he or she or a connected person has a material interest in a matter to which the function relates (he or she) -

- (i) shall, as soon as may be, prepare and furnish to the office holder and to the Commission a statement in writing of those facts,
 - (ii) shall not perform the function unless there are compelling reasons requiring him or her to do so, and
 - (iii) shall, if he or she proposes to perform the function, prepare and furnish to the office holder and the Commission, before or, if that is not reasonably possible, as soon as may be after such performance, a statement in writing of the compelling reasons aforesaid, and
- (iii) the person shall undertake not to engage in any trade, profession, vocation or other occupation, whether remunerated or otherwise, which might reasonably be seen to be capable of interfering or being incompatible with the performance by the person of his or her functions as a special adviser.

An Roinn Cumarsáide,
Mara agus Acmhainní Nádurtha



Received 6 9
Department of Communications,
Marine and Natural Resources

31st March 2003

To Whom it Concerns,

Mr Ciarán O'Cuinn is employed by the Minister for Communications, Marine & Natural Resources, Mr Dermot Ahern TD. I wish to confirm that Mr Ó Cuinn is not a relative of Minister Dermot Ahern TD.

Yours Sincerely,

Susan Lowen

HR Division

Department of Communications, Marine & Natural Resources

Adelaide Road

Dublin 2

Tel. 01-6782179

Fax. 01-6782179

Ms. Joan Flynn
Leinster House
Dublin 2

Joan, a Chara,

I enclose herewith Statement of Qualification for Position of Special Adviser

Relevant Employment Experience

August 2000 - July 2002

Position Employer
**Head of Fianna Fáil
Research**

Duties

I managed the Fianna Fáil Research Office which Research was charged with Party policy creation and assessment. I was also involved in co-ordinating the Party Policy Groups and in the rebuttal of Opposition policy.

January 2000 - August 2000

Position Employer
Researcher Fianna Fáil

Duties

Working in the Party Research Office my duties involved conducting research, speech and statement writing and also providing briefing material on all aspects of Government policy.

Relevant Education Experience

Third Level

October 1992-June 1996

Establishment:

Course of Study:

Address:

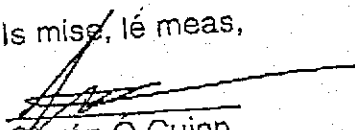
Trinity College Dublin
Degree Course in Single Honours History
School of History
Trinity College Dublin
Dublin 2
Single Honours History
Moderatorship Examinations in History
2.1

Course of Study:

Examinations:

Grade Awarded:

Is mise, lé meas,


Ciarán Ó Cuinn
Special Adviser



Mr Richard Moore

Contract of Employment as Press Advisor

I am directed by the Minister for Communications, Marine and Natural Resources to say that he is prepared to offer you an appointment as a Press Advisor on the following terms and conditions with effect from 7th June 2002.

General

1. The appointment is subject to the Civil Service Regulation Acts 1956 to 1996, and any other Act for the time being in force relating to the civil service.

Pay

2. The rate of pay offered will be €71,253.89 per annum. Payment will be made fortnightly in arrears.

Tenure

3. The appointment is to a temporary, unestablished position in the civil service. It carries no entitlement to established status, by way of limited competition or otherwise.

4. The appointment, which is strictly temporary, will terminate not later than the date on which the present Minister for Communications, Marine and Natural Resources, Mr Dermot Ahern, T.D., ceases to hold that office.

5. Notwithstanding paragraph 4 above, the appointment may be terminated at any time by either side in accordance with the Minimum Notice and Terms of Employment Acts 1973 and 1991.

6. In the event of serious misconduct the appointment may be terminated without notice.

7. In the event of the appointment being terminated under the terms of paragraph 6 above, no remuneration or compensation will be payable other than that applicable to work carried out.

Duties

8. You will be required to perform any duties, which may be assigned to you from time to time as appropriate to your position. The position will be whole-time and you may not engage in private practice or be connected with any outside business, which would interfere with the performance of official duties.

Headquarters

9. Your headquarters will be such as may be designated from time to time by the Secretary General. Travel and subsistence payments will be made at the appropriate civil service rates in respect of certified official travel and subject to the usual civil service regulations which apply in relation to travel and subsistence.

Hours of attendance

10. Hours of attendance will be as fixed from time to time but will amount to not less than 41 hours per week. No additional remuneration will be paid for extra attendance.

Rest Periods

11. Rest periods will be in accordance with the Organisation of Working Time Act 1997.

Annual leave

12. The annual leave allowance will be 29 working days per year, exclusive of the usual public holidays. This annual leave allowance is subject to the usual conditions which apply in the civil service regarding the granting of annual leave, and to the making, at such times as may be determined from time to time by the Secretary General, of returns of annual leave taken.

Sick leave

13. Full pay during properly certified sick absence, provided there is no evidence of permanent disability for service, may be allowed up to a maximum of six months in one year and half-pay thereafter, subject to a maximum of twelve months' sick leave in any period of four years or less. The sick leave provisions set out in Appendix A of Department of the Public Service Circular 25/78 will apply. You will be required to sign a mandate authorising the Department of Social and Family Affairs to pay any benefits due under the Social Welfare Acts direct to the Department of Communications, Marine and Natural Resources, and payment during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social and Family Affairs within the required time limits.

Superannuation

14. The terms of the non-contributory pension scheme for non-established State employees and of the spouses and children's contributory scheme for non-established State employees will apply to this appointment.

Official secrecy and integrity

15. You will, during the term of your appointment, be subject to the provisions of the Official Secrets Act 1963 as amended by the Freedom of Information Act 1997. You will agree not to disclose to third parties any confidential information especially that with commercial potential either during or subsequent to the period of employment.

Confidentiality and publication

16. You will not while holding the position of Press Advisor to the Minister for Communications, Marine and Natural Resources, Mr Dermot Ahern T.D., or thereafter, disclose or publish any confidential official information or material, including electronically held data, which you acquired or which came to your knowledge in the course of, or as a consequence of, your employment in that capacity, except where the matter has been submitted for adjudication to the Secretary General to the Government as to its confidentiality and, on the basis of his decision, the prior approval of the Minister concerned at the time of publication has been obtained for publication or disclosure. The disclosure of official information is also covered by the provisions of the Official Secrets Act 1963.

17. It is a condition of your employment in the above-stated capacity that the copyright in any book, article or other publication which you write or publish, containing unauthorised disclosures of official information is vested in the Government of Ireland. If in breach of the said condition you write or publish any book, article or other publication containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this clause would vest in you will belong to the Government of Ireland.

If you are prepared to accept the appointment on these terms please complete the enclosed acceptance form and return it to me at the above address.

Miriam Finnegan
Personnel Officer

September 2002

Form of Acceptance

I am prepared to accept an appointment as Press Advisor to the Minister for Communications, Marine and Natural Resources, on the terms and conditions set out above.

Signed: _____

Dated: _____

Ethics in Public Office Acts, 1995 and 2001

- Special Advisers -

Statement of Interests of a Senior Special Adviser for the purpose of Section 19(3)(a)(i)(I) of the Ethics in Public Office Act, 1995


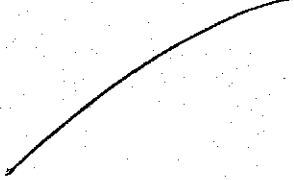
Name:	RICHARD MOORE
Position Held:	Press Advisor
Department:	Communications, Marine and Natural Resources
Date of Appointment:	16 June 2002
Period comprehended by this Statement:	1st January 2002 / 31/12/05
Address for correspondence:	Leeson Lane DUBLIN

In relation to each of the following registrable interests, you should state any interest held by you which could materially influence¹ you in or in relation to the performance of your official functions. It will not be necessary to specify the amount or monetary value of any interest or the remuneration of any trade, profession, employment, vocation or other occupation included in this statement. Explanatory notes on certain of the required statements are attached. This statement will be laid before each House of the Oireachtas.

RECEIVED IN PERSONNEL
21 MAR 2003

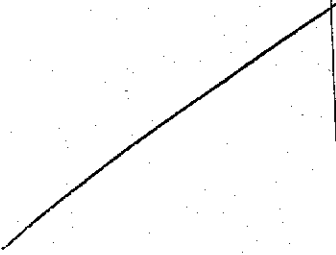


1. OCCUPATIONAL INCOME, ETC.

Details of any remunerated trade, profession, employment, vocation or other occupation (other than your current position), the remuneration from which exceeded €2,600, during the period comprehended by this statement, should be listed here.

Description of Occupation	Business Address
	

2. SHARES, ETC.

Details of any holding of shares in, or bonds or debentures of, or other like investments in, a particular company or other enterprise or undertaking, where the aggregate value of the holding exceeded €13,000 at any time during the period comprehended by this statement, should be listed here².

Type of Holding	Where held	Nature of Business
		

3. DIRECTORSHIPS

Details of any directorship or shadow directorship of any company held during the period comprehended by this statement should be listed here³.

Type of Directorship	Business Address	Nature of Business
Director	HANNOVER CAPITAL CLOTH STREET BARBICAN LONDON	PROPERTY HOLDING COMPANY IN UK.

4. LAND



Details of any interest in land where the value of such interest exceeded €13,000 at any time during the period comprehended by this statement should be listed here, including -

- (i) any contract entered into for the purchase of land, whether or not a deposit or part payment has been made under the contract; and
- (ii) any option held to purchase land, whether or not any consideration has been paid in respect thereof, or land in respect of which such an option has been exercised but has not yet been conveyed⁴.

Property Address	Purpose for which used

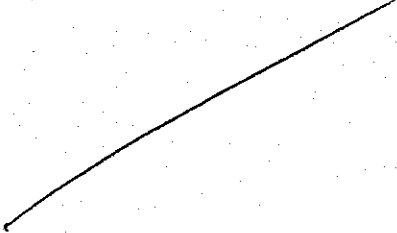
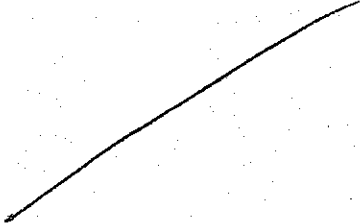
5. TRAVEL, ACCOMMODATION, MEALS, ETC.

Details of travel facilities, living accommodation, meals or entertainment supplied during the period comprehended by this statement, free of charge or at a price that was less than the commercial price or prices, should be listed here⁵.

Full Description	Name and Address of Supplier
	

6. OTHER REMUNERATED POSITIONS

Details of any remunerated positions held as a political or public affairs lobbyist, consultant or adviser during the period comprehended by this statement, should be listed here.

Full Description of Position	Name and Address of Person / Company / Organisation
	

7. PUBLIC SERVICE CONTRACTS

Details of any contract to which the person concerned was a party, or was in any other way, directly or indirectly interested, for the supply of goods or services to a Minister of the Government, or a public body during the period comprehended by this statement, if the value of the goods or services supplied exceeded €6,500 or, in case other goods or services were supplied under such a contract if the aggregate of their value and the value aforesaid exceeded €6,500, should be listed here.

Description of Contract and Interest	Name and Address of Contractor	Minister / Public Body Concerned
/	/	/

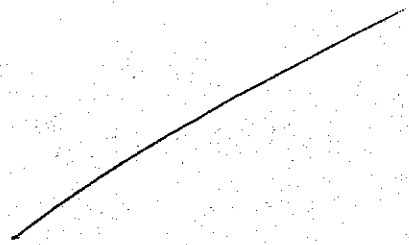
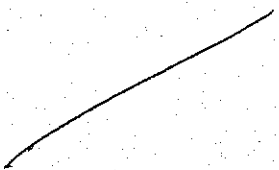
8. GIFTS, PROPERTY & SERVICES

Details of:

- (i) any gift given during the period comprehended by this statement⁶;
- (ii) property supplied or lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, for a consideration or considerations, or at a price or prices less than the commercial consideration or considerations, or the commercial price or prices, by more than €650; and
- (iii) property lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, free of charge if the commercial consideration or considerations, or the commercial price or prices was, or were more than €650⁷;

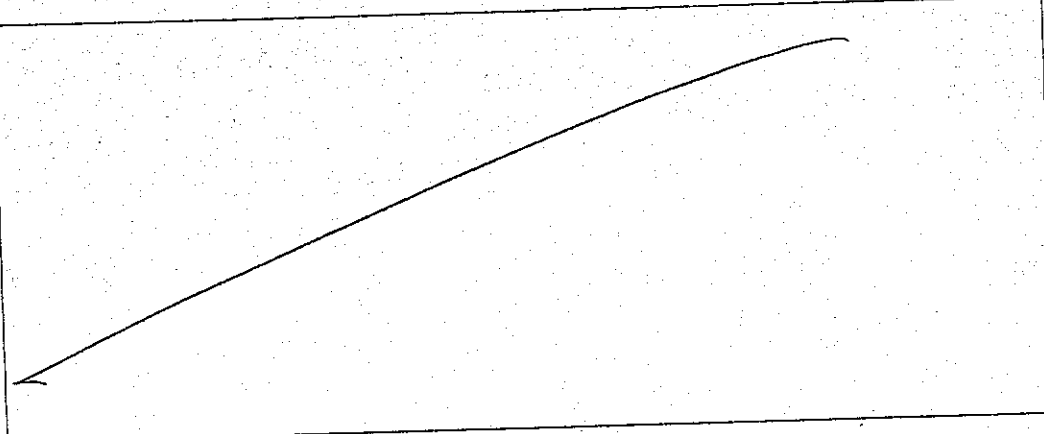
should be listed here⁸.

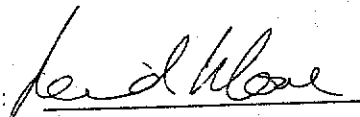
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Full Description of Gift, Property and/or Service	Name and Address of Benefactor, Supplier and/or Lender
	

9. OTHER INTERESTS

In line with the provisions of Section 30 of the Act, voluntary statements in respect of any interests not specified in the Second Schedule, and which are held by you may be listed here if it is considered that such interests could materially influence you in or in relation to the performance of your official duties.



Signed: 

Dated: 20/3/03

Ethics in Public Office Acts, 1995 and 2001

- Special Advisers -

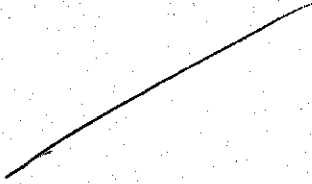

Statement of Interests of a Senior Special Adviser for the purpose of Section 19(3)(a)(i)(i) of the Ethics in Public Office Act, 1995

Name:	RICHARD MORRE
Position Held:	Press Advisor
Department:	DCMNR
Date of Appointment:	June 18/02
Period comprehended by this Statement:	2003 / 2004 DCMNR
Address for correspondence:	ADELAIDE ROAD DUBLIN 2

In relation to each of the following registrable interests, you should state any interest held by you which could materially influence¹ you in or in relation to the performance of your official functions. It will not be necessary to specify the amount or monetary value of any interest or the remuneration of any trade, profession, employment, vocation or other occupation included in this statement. Explanatory notes on certain of the required statements are attached. This statement will be laid before each House of the Oireachtas.


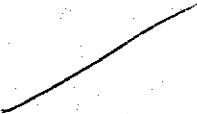
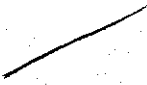
1. OCCUPATIONAL INCOME, ETC.

Details of any remunerated trade, profession, employment, vocation or other occupation (other than your current position), the remuneration from which exceeded €2,600, during the period comprehended by this statement, should be listed here.

Description of Occupation	Business Address
	

2. SHARES, ETC.

Details of any holding of shares in, or bonds or debentures of, or other like investments in, a particular company or other enterprise or undertaking, where the aggregate value of the holding exceeded €13,000 at any time during the period comprehended by this statement, should be listed here².

Type of Holding	Where held	Nature of Business
		

3. DIRECTORSHIPS

Details of any directorship or shadow directorship of any company held during the period comprehended by this statement should be listed here³.

Type of Directorship	Business Address	Nature of Business

4. LAND

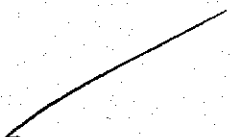
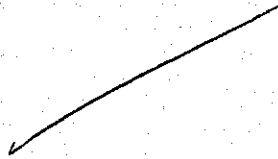
Details of any interest in land where the value of such interest exceeded €13,000 at any time during the period comprehended by this statement should be listed here, including -

- (i) any contract entered into for the purchase of land, whether or not a deposit or part payment has been made under the contract; and
- (ii) any option held to purchase land, whether or not any consideration has been paid in respect thereof, or land in respect of which such an option has been exercised but has not yet been conveyed⁴.

Property Address	Purpose for which used



5. TRAVEL, ACCOMMODATION, MEALS, ETC.

Details of travel facilities, living accommodation, meals or entertainment supplied during the period comprehended by this statement, free of charge or at a price that was less than the commercial price or prices, should be listed here⁵.

Full Description	Name and Address of Supplier
	

6. OTHER REMUNERATED POSITIONS

Details of any remunerated positions held as a political or public affairs lobbyist, consultant or adviser during the period comprehended by this statement, should be listed here.

Full Description of Position	Name and Address of Person / Company / Organisation
	

7. PUBLIC SERVICE CONTRACTS

Details of any contract to which the person concerned was a party, or was in any other way, directly or indirectly interested, for the supply of goods or services to a Minister of the Government, or a public body during the period comprehended by this statement, if the value of the goods or services supplied exceeded €6,500 or, in case other goods or services were supplied under such a contract if the aggregate of their value and the value aforesaid exceeded €6,500, should be listed here.

Description of Contract and Interest	Name and Address of Contractor	Minister / Public Body Concerned
/	/	/


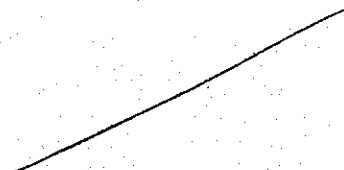
8. GIFTS, PROPERTY & SERVICES

Details of:

- (i) any gift given during the period comprehended by this statement⁶;
- (ii) property supplied or lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, for a consideration or considerations, or at a price or prices less than the commercial consideration or considerations, or the commercial price or prices, by more than €650; and
- (iii) property lent, or a service supplied to the person, once or more than once by the same person, during the period comprehended by this statement, free of charge if the commercial consideration or considerations, or the commercial price or prices was, or were more than €650⁷;

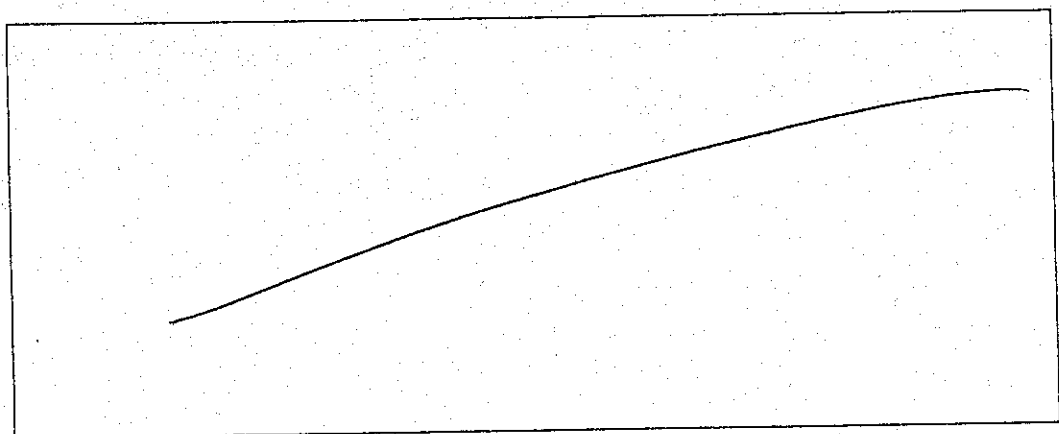
should be listed here⁸.

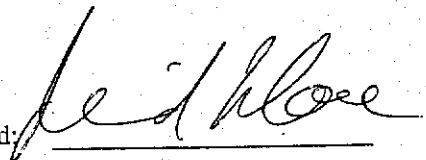
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Full Description of Gift, Property and/or Service	Name and Address of Benefactor, Supplier and/or Lender
	

9. OTHER INTERESTS

In line with the provisions of Section 30 of the Act, voluntary statements in respect of any interests not specified in the Second Schedule, and which are held by you may be listed here if it is considered that such interests could materially influence you in or in relation to the performance of your official duties.



Signed: 

Dated: 30/1/2004

Ms Olive Stephens

Contract of Employment as Press Advisor

I am directed by the Minister for Communications, Marine and Natural Resources to say that he is prepared to offer you an appointment as a Press Advisor on the following terms and conditions with effect from 09th October 2006.

General

1. The appointment is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004, and any other Act for the time being in force relating to the Civil Service.

Pay

2. The rate of pay offered will be €78,066.00 per annum. It being the 1st point of the Principal Officer (Standard) Modified Scale. Normal incremental progression on the Principal Officer (standard) scale will apply.

Tenure

3. The appointment is to a temporary, unestablished position in the civil service. It carries no entitlement to established status, by way of limited competition or otherwise.

4. The appointment, which is strictly temporary, will terminate not later than the date on which the present Minister for Communications, Marine and Natural Resources, Mr Noel Dempsey, T.D., ceases to hold that office.

5. Notwithstanding paragraph 4 above, the appointment may be terminated at any time by either side in accordance with the Minimum Notice and Terms of Employment Acts 1973 and 1991.

6. In the event of serious misconduct the appointment may be terminated without notice.

7. In the event of the appointment being terminated under the terms of paragraph 6 above, no remuneration or compensation will be payable other than that applicable to work carried out.

Duties

8. You will be required to perform any duties, which may be assigned to you from time to time as appropriate to your position. The position will be wholetime and you may not engage in private practice or be connected with any outside business, which would interfere with the performance of official duties.

Headquarters

9. Your headquarters will be such as may be designated from time to time by the Secretary General. In accordance with the Government's decentralisation programme, your appointment is being made on condition that you are prepared, where required to do so by the Secretary General, to relocate to a decentralised location with the Department of Communications, Marine and Natural Resources. The provisions of Circular 6/89, Removal Expenses, will not apply to relocation from headquarters or to a direct appointment to a decentralised location. Travel to and from headquarters will not be eligible for travel expenses; this rule will also apply if the headquarters is in a decentralised location.

Hours of attendance

10. Hours of attendance will be as fixed from time to time but will amount to not less than 41 hours per week. No additional remuneration will be paid for extra attendance.

Rest Periods

11. Rest periods will be in accordance with the Organisation of Working Time Act 1997.

Annual leave

12. The annual leave allowance will be 31 working days per year, exclusive of the usual public holidays. This annual leave allowance is subject to the usual conditions which apply in the civil service regarding the granting of annual leave, and to the making, at such times as may be determined from time to time by the Secretary General, of returns of annual leave taken.

Sick leave

13. Full pay during properly certified sick absence, provided there is no evidence of permanent disability for service, may be allowed up to a maximum of six months in one year and half-pay thereafter, subject to a maximum of twelve months' sick leave in any period of four years or less. The sick leave provisions set out in Appendix A of Department of the Public Service Circular 25/78 will apply. You will be required to sign a mandate authorising the Department of Social and Family Affairs to pay any benefits due under the Social Welfare Acts direct to the Department of Communications, Marine and Natural Resources, and payment during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social and Family Affairs within the required time limits.

Superannuation

14. The terms of the non-contributory pension scheme for non-established State employees and of the spouses and children's contributory scheme for non-established State employees will apply to this appointment.

As you are deemed not to be a new entrant (as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004), retirement is compulsory on reaching 65 years of age.

Official Secrecy and Integrity

15. You will, during the term of your appointment, be subject to the provisions of the Official Secrets Act 1963 as amended by the Freedom of Information Act 1997 and 2003. You will agree not to disclose to third parties any confidential information especially that with commercial potential either during or subsequent to the period of employment.

Confidentiality and Publication

16. You will not while holding the position of Press Advisor to the Minister for Communications, Marine and Natural Resources, Mr Noel Dempsey T.D., or thereafter, disclose or publish any confidential official information or material, including electronically held data, which you acquired or which came to your knowledge in the course of, or as a consequence of, your employment in that capacity, except where the matter has been submitted for adjudication to the Secretary General to the Government as to its confidentiality and, on the basis of his decision, the prior approval of the Minister concerned at the time of publication has been obtained for publication or disclosure. The disclosure of official information is also covered by the provisions of the Official Secrets Act 1963.

17. It is a condition of your employment in the above-stated capacity that the copyright in any book, article or other publication which you write or publish, containing unauthorised disclosures of official information is vested in the Government of Ireland. If in breach of the said condition you write or publish any book, article or other publication containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this clause would vest in you will belong to the Government of Ireland.

18. The provisions of The Civil Service Code of Standards and Behaviour will apply to this appointment.

If you are prepared to accept the appointment on these terms and conditions please complete the enclosed acceptance form and return it to me at the address below.

Dave Hanley
Personnel Officer

November 2006

Form of Acceptance

I am prepared to accept an appointment as Press Advisor to the Minister for Communications, Marine and Natural Resources, on the terms and conditions set out above.

Signed: _____

Dated: _____



Record 12

Ms Grace Cappock

Contract of Employment as Press Advisor

I am directed by the Minister for Communications, Marine and Natural Resources to say that he is prepared to offer you an appointment as a Press Advisor on the following terms and conditions with effect from 30th September 2004.

General

1. The appointment is subject to the Civil Service Regulation Acts 1956 to 1996, and any other Act for the time being in force relating to the civil service.

Pay

2. The rate of pay offered will be €74,294.00 per annum. * Normal incremental progression on the Principal Officer (standard) scale will apply.

Tenure

3. The appointment is to a temporary, unestablished position in the civil service. It carries no entitlement to established status, by way of limited competition or otherwise.

4. The appointment, which is strictly temporary, will terminate not later than the date on which the present Minister for Communications, Marine and Natural Resources, Mr Noel Dempsey, T.D., ceases to hold that office.

5. Notwithstanding paragraph 4 above, the appointment may be terminated at any time by either side in accordance with the Minimum Notice and Terms of Employment Acts 1973 and 1991.

6. In the event of serious misconduct the appointment may be terminated without notice.

7. In the event of the appointment being terminated under the terms of paragraph 6 above, no remuneration or compensation will be payable other than that applicable to work carried out.

* should be Pt. 2. of
Modified Scale i.e. €73,577
adjusted pay day 10/3/05
see Payroll Direction 65/
on file. Hanora Keane



Duties

8. You will be required to perform any duties, which may be assigned to you from time to time as appropriate to your position. The position will be wholetime and you may not engage in private practice or be connected with any outside business, which would interfere with the performance of official duties.

Headquarters

9. Your headquarters will be such as may be designated from time to time by the Secretary General. In accordance with the Government's decentralisation programme, your appointment is being made on condition that you are prepared, where required to do so by the Secretary General, to relocate to a decentralised location with the Department of Communications, Marine and Natural Resources. The provisions of Circular 6/89, Removal Expenses, will not apply to relocation from headquarters or to a direct appointment to a decentralised location. Travel to and from headquarters will not be eligible for travel expenses; this rule will also apply if the headquarters is in a decentralised location.

Hours of attendance

10. Hours of attendance will be as fixed from time to time but will amount to not less than 41 hours per week. No additional remuneration will be paid for extra attendance.

Rest Periods

11. Rest periods will be in accordance with the Organisation of Working Time Act 1997.

Annual leave

12. The annual leave allowance will be 31 working days per year, exclusive of the usual public holidays. This annual leave allowance is subject to the usual conditions which apply in the civil service regarding the granting of annual leave, and to the making, at such times as may be determined from time to time by the Secretary General, of returns of annual leave taken.

Sick leave

13. Full pay during properly certified sick absence, provided there is no evidence of permanent disability for service, may be allowed up to a maximum of six months in one year and half-pay thereafter, subject to a maximum of twelve months' sick leave in any period of four years or less. The sick leave provisions set out in Appendix A of Department of the Public Service Circular 25/78 will apply. You will be required to sign a mandate authorising the Department of Social and Family Affairs to pay any benefits due under the Social Welfare Acts direct to the Department of Communications, Marine and Natural Resources, and payment during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social and Family Affairs within the required time limits.

Superannuation

14. The terms of the non-contributory pension scheme for non-established State employees and of the spouses and children's contributory scheme for non-established State employees will apply to this appointment.



~~As you are deemed not to be a new entrant (as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004), retirement is compulsory on reaching 65 years of age.~~

Official Secrecy and Integrity

15. You will, during the term of your appointment, be subject to the provisions of the Official Secrets Act 1963 as amended by the Freedom of Information Act 1997 and 2003. You will agree not to disclose to third parties any confidential information especially that with commercial potential either during or subsequent to the period of employment.


Confidentiality and Publication

16. You will not while holding the position of Press Advisor to the Minister for Communications, Marine and Natural Resources, Mr Noel Dempsey T.D., or thereafter, disclose or publish any confidential official information or material, including electronically held data, which you acquired or which came to your knowledge in the course of, or as a consequence of, your employment in that capacity, except where the matter has been submitted for adjudication to the Secretary General to the Government as to its confidentiality and, on the basis of his decision, the prior approval of the Minister concerned at the time of publication has been obtained for publication or disclosure. The disclosure of official information is also covered by the provisions of the Official Secrets Act 1963.

17. It is a condition of your employment in the above-stated capacity that the copyright in any book, article or other publication which you write or publish, containing unauthorised disclosures of official information is vested in the Government of Ireland. If in breach of the said condition you write or publish any book, article or other publication containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this clause would vest in you will belong to the Government of Ireland.

18. The provisions of The Civil Service Code of Standards and Behaviour will apply to this appointment.

If you are prepared to accept the appointment on these terms and conditions please complete the enclosed acceptance form and return it to me at the address below.


pp Tony Fitzpatrick
Personnel Officer

12 November 2004



Form of Acceptance

I am prepared to accept an appointment as Press Advisor to the Minister for Communications, Marine and Natural Resources, on the terms and conditions set out above.

Signed: Grace Curran

Dated: 9 Dec '04

Record B

Mr Jimmy Fegan

Contract of Employment as Special Adviser

Dear Mr Fegan

I am directed by the Minister for Communications, Marine and Natural Resources to say that he is prepared to offer you an appointment as Special Adviser under Section 11 of the Public Service Management Act, 1997 on the following terms and conditions, with effect from 30 September 2004.

General

- 1. The appointment is subject to the Civil Service Regulations Acts, 1956 to 1996, and any other Act for the time being in force relating to the Civil Service.

Pay

- 2. You will be seconded from your existing position as a post-primary teacher. You will continue to receive your teaching salary as normal. In addition, you will be paid an allowance such as to bring your total gross annual remuneration from both sources to the maximum point of the Principal Officer (Standard) scale, starting at €82,066 per annum, increased to €83,707 with effect from 1 December 2004. As is normal in cases of secondment, this allowance will be non-pensionable. As Long Service Increments do not apply to this post, your salary will be increased at your next incremental date, 4th July 2005, to the equivalent of the 4th point of the Principal Officer (Higher) scale. The allowance may be increased so as to grant you incremental progression to the maximum point on the Principal Officer (Higher) scale subject, where appropriate, to the arrangements in place for established civil servants. Payment will be made fortnightly in arrears. The current salary scale for Principal Officer (Higher), with effect from 1 December 2004 is as follows:

€77,474, €80,670, €83,874, €87,071, €89,801 Long Service Increments do not apply to your appointment.

Tenure

- 3. The appointment is to a temporary, unestablished position in the civil service. It carries no entitlement to established status, by way of limited competition or otherwise.

- 4. The appointment, which is strictly temporary, will terminate not later than the date on which the present Minister for Communications, Marine and Natural Resources, Mr Noel Dempsey, T.D., ceases to hold that office.
- 5. Notwithstanding paragraph 4 above, the appointment may be terminated at any time by either side in accordance with the Minimum Notice and Terms of Employment Acts, 1973 and 1991.
- 6. In the event of serious misconduct the appointment may be terminated without notice.
- 7. In the event of the appointment being terminated under the terms of paragraph 6 above, no remuneration or compensation will be payable other than that applicable to work carried out.

Duties

- 8. You will be required to perform any duties which may be assigned to you from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act, 1997. These include providing advice to the Minister and monitoring, facilitating and securing the achievement of Government objectives that relate to the Department of Communications, Marine and Natural Resources, as requested by the Minister. The position will be whole time and you may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

Headquarters

- 9. Your headquarters will be such as may be designated from time to time by the Minister. Travel and subsistence payments will be made at the appropriate civil service rates in respect of official travel and subject to the usual civil service regulations which apply in relation to travel and subsistence. Where your appointment is to a post in a Department/Office that is planned to be decentralised, your appointment will be on condition that you are prepared to relocate to a particular decentralised location with that Department/Office as instructed by the Minister. The provisions of Circular 6/89: Removal Expenses, **will not apply** to relocation from headquarters or to a direct appointment to a decentralised location. Travel to and from headquarters will not be eligible for travel expenses; this rule will also apply if the headquarters is in a decentralised location.

Hours of attendance

- 10. Hours of attendance will be fixed from time to time but will amount to not less than 41 hours per week. No additional remuneration will be paid for extra attendance.

Rest Periods

- 11. Rest periods will be in accordance with the Organisation of Working Time Act 1997.

Annual leave

- 12. The annual leave allowance will be 31 working days per year, on the basis of a five-day week and exclusive of the usual public holidays. This annual leave allowance is subject to the usual conditions which apply in the civil service regarding the granting of annual leave, and to the making, at such times as may be determined from time to time by the Secretary General, of returns of annual leave taken.

Sick leave

- 13. Full pay during properly certified sick absence, provided there is no evidence of permanent disability for service, may be allowed up to a maximum of six months in one year and half-pay thereafter, subject to a maximum of twelve months' sick leave in any period of four years or less. The sick leave provisions set out in Appendix A of Department of Finance Circular 25/78 will apply. You will be required to sign a mandate authorising the Department of Social and Family Affairs to pay any benefits due under the Social Welfare Acts direct to the Department of Communications, Marine and Natural Resources, and payment during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social and Family Affairs within the required time limits.

Superannuation

- 14. The period of secondment reckons as service in the Established Scheme as if you had remained in the substantive established grade for the duration of the secondment.

Official secrecy and integrity

- 15. You will, during the term of your appointment, be subject to the provisions of the Official Secrets Act 1963 as amended by the Freedom of Information Act 1997. You will agree not to disclose to third parties any confidential information especially that with commercial potential either during or subsequent to the period of employment. You will also be subject to the provisions of the Ethics in Public Office Acts which require you, inter alia, to provide the Minister for Communications, Marine and Natural Resources each year with a statement of interest which could influence you in performing your duties, and which will be laid before each House of the Oireachtas. You will also be subject to the Civil Service Code of Standards and Behaviour.

Confidentiality and publication

- 16. You will not while holding the position of Special Adviser to the Minister for Communications, Marine and Natural Resources, or thereafter, disclose or publish any confidential official information or material, including electronically held data, which you acquired or which came to your knowledge in the course of, or as a consequence of, your employment in that capacity, except where the matter has been submitted for adjudication to the Secretary General to the Government as to its confidentiality and, on the basis of his decision, the prior approval of the Minister concerned at the time of publication has been obtained for publication or disclosure. The disclosure of official information is also covered by the provisions of the Official Secrets Act, 1963.

17. It is a condition of your employment in the above-stated capacity that the copyright in any book, article or other publication which you write or publish, containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this case would vest in you belong to the Government of Ireland. If in breach of the said condition you write or publish any book, article or other publication containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this clause would vest in you will belong to the Government of Ireland.

If you are prepared to accept the appointment on these terms please complete the acceptance form beneath and return it to me at the above address.

Tony Fitzpatrick
Personnel Officer

18 February 2005

Form of Acceptance

I am prepared to accept an appointment as Special Adviser to the Minister for Communications, Marine and Natural Resources, Mr Noel Dempsey, T.D., on the terms and conditions set out above.

Signed: _____

Dated: _____



Record 14

Employing Department: Communications, Marine and Natural Resources

Address 29-31 Adelaide Road
Dublin 2

Employee Mr Morgan Bazilian

Address: [REDACTED]

I am directed by the Minister for Communications, Marine and Natural Resources that following Government Decision S180/20/10/0314B of 30/07/2007, he is prepared to offer you an appointment as Special Adviser under Section 11 of the Public Service Management Act 1997 (on secondment from Sustainable Energy Ireland) on the following terms and conditions, with effect from 27 August 2007.

General

1. The appointment is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004, the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 and any other Act for the time being in force or any other regulations relating to your employment in the civil service.

Pay

2. You will be seconded from your existing position with Sustainable Energy Ireland (SEI). You will continue to receive your salary from SEI as normal. In addition, you will be paid an allowance such as to bring your total gross annual remuneration from both sources to the maximum point of the Principal Officer (Higher) scale, currently €102,305. As is normal in cases of secondment, this allowance will be non-pensionable. Long Service Increments do not apply to your appointment. However, this does not prevent you from continuing to accrue LSIs from Sustainable Energy Ireland.

Payment of your allowance will be made fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until you supply a bank account number and bank sort code to the Personnel Section.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. The Department will advise you in writing of the amount and

details of any such overpayment and give you at least one week's notice of the deduction to take place and will deduct the overpayment within six months of such notice in accordance with the Act.

Tenure

3. The appointment is to a temporary, unestablished position in the civil service. It carries no entitlement to established status, by way of limited competition or otherwise. Your term of office of Special Adviser shall cease on the date on which the Minister ceases to be a Minister of the Government

4. In accordance with the Protection of Employees (Fixed Term Work) Act 2003, your contract is on a fixed-term contract basis only.

5. Notwithstanding paragraph 4 above, the appointment may be terminated at any time by either side in accordance with the Minimum Notice and Terms of Employment Acts 1973 to 2005.

6. In the event of serious misconduct, the appointment may be terminated without notice.

7. In the event of the appointment being terminated under the terms of paragraph 6 above, no remuneration or compensation will be payable other than that applicable to work carried out.

Duties

8. You will be required to perform any duties which may be assigned to you from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.

Ethics in Public Office Acts

9. The terms of the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 apply to this appointment (i.e. your contract of employment and a statement whether you are a relative of the Minister on whose behalf you are appointed will be laid before the Houses of the Oireachtas).

9.1 As provided for by section 19(3)(a)(iii) of the Ethics in Public Office Act 1995, you undertake not to engage in any trade, profession, vocation or other occupation, whether remunerated or otherwise, which might reasonably be seen to be capable of interfering or being incompatible with the performance by you of your official functions.

9.2. Each year, during any part of which you hold or held a position to which the provisions of section 19 of the Ethics in Public Office Act 1995 apply, you must prepare:

- a statement of writing of your own registrable interests, as provided in the Second Schedule to the Ethics in Public Office Act 1995 which could materially influence you in, or in relation to, the performance of your official functions; and

- 40
- a statement in writing of the registrable interests, of which you have actual knowledge, of your spouse, of a child of yours or of a child of your spouse, which could materially influence you in or in relation to your official functions.

9.3 You must furnish these statements of interests to the office holder who selected you for appointment and to the Standards in Public Office Commission, in the form determined by the Minister for Finance, and which, in relation to your personal interests, will be laid before each House of the Oireachtas.

9.4 The first statements must cover the period from your date of appointment to 31 December of that year. Subsequent statements must cover any calendar year or any part thereof you hold any post to which the provisions of section 19 of the Ethics in Public Office Act 1995 apply.

9.5 The statements must be furnished not later than 31 January of the following year. In the year your appointment ends, the statements must be furnished within 28 days of your appointment ending.

9.6 The office holder who selected you for appointment will also lay before the Houses of the Oireachtas a statement of your qualifications relevant to your official function.

9.7 Where an official function falls to be performed by you, and you have actual knowledge that you, or a connected person, as defined in the Ethics in Public Office Act 1995, have or has a material interest in the matter to which the function relates, you must, as soon as may be, prepare and furnish a statement in writing of those facts to the office holder who selected you for appointment and to the Standards in Public Office Commission. You must not perform the function unless there are compelling reasons requiring you to do so. If you propose to perform the function you must, before doing so, or, if that is not reasonably practicable, as soon as possible afterwards, furnish a statement in writing of the compelling reasons to the office holder who selected you for appointment and to the Standards in Public Office Commission. The requirements set out in this paragraph apply whether or not an interest has been disclosed in a statement of registrable interests referred to above.

Headquarters

10. Your headquarters will be such as may be designated from time to time by the Secretary General. Where your appointment is to a post in a Department/Office that it is planned to decentralise, your appointment will be on condition that you are prepared to relocate to a particular decentralised location with that Department/Office, as instructed by the Secretary General. The provisions of Circular 6/89, Removal Expenses, will not apply to relocation from headquarters or to a direct appointment to a decentralised location. Travel to and from headquarters will not be eligible for travel expenses; this rule will also apply if the headquarters is in a decentralised location.

Hours of attendance

11. Hours of attendance will be as fixed from time to time but will amount to not less than 41 hours per week. No additional remuneration will be paid for extra attendance.

Annual leave

12. The annual leave allowance will be 31 working days per year, exclusive of the usual public holidays. This annual leave allowance is subject to the usual conditions which apply in the civil service regarding the granting of annual leave, and to the making, at such times as may be determined from time to time by the Secretary General, of returns of annual leave taken.

Organisation of Working Time Act

13. The terms of the Organisation of Working Time Act 1997 will apply, as appropriate, to your appointment.

Sick Leave

14. Pay during properly certified sick absence, provided there is no evidence of permanent disability for service, may be allowed on a pro-rata basis, in accordance with the provisions of the appropriate sick leave circulars.

You will be required to sign a mandate authorising the Department of Social and Family Affairs to pay any benefits due under the Social Welfare Acts direct to this Department and payment during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social and Family Affairs within the required time limits.

Superannuation and Retirement

15.1 *Superannuation Terms:*

You will retain the pension arrangements of your substantive position and any additional remuneration will be in the form of a variable, non-pensionable allowance.

15.2 *Retirement Age:*

As you are deemed not to be a new entrant (as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004), retirement is compulsory on reaching 65 years' of age.

Official secrecy and integrity

16. You will, during the term of your appointment, be subject to the provisions of the Official Secrets Act 1963 as amended by the Freedom of Information Act 1997 and 2003. You will agree not to disclose to third parties any confidential information especially that with commercial potential either during or subsequent to the period of employment. You will also be subject to the Civil Service Code of Standards and Behaviour.

Confidentiality and publication

17. You will not while holding the position of Special Adviser to the Minister for Communications, Marine and Natural Resources, or thereafter, disclose or publish any confidential official information or material, including electronically held data, which you acquired or which came to your knowledge in the course of, or as a consequence of, your employment in that capacity, except where the matter has been submitted for adjudication to the Secretary General to the Government as to its confidentiality and, on the basis of his decision, the prior approval of the Minister concerned at the time of publication has been obtained for publication or disclosure. The disclosure of official information is also covered by the provisions of the Official Secrets Act 1963.

18. It is a condition of your employment in the above-stated capacity that the copyright in any book, article or other publication which you write or publish, containing unauthorised disclosures of official information is vested in the Government of Ireland. If in breach of the said condition you write or publish any book, article or other publication containing unauthorised disclosures of official information, any copyright in the said book, article or other publication which but for this clause would vest in you will belong to the Government of Ireland.

Civil Service Code of Standards and Behaviour

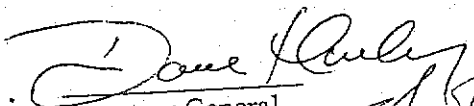
19. The Civil Service Code of Standards and Behaviour forms part of your contract for this appointment.

Personnel Code

20. All circulars are available on the website www.codpearsaura.gov.ie or from the Personnel Section.

Acceptance of appointment

21. If you are prepared to accept the appointment on these terms please complete the enclosed acceptance form and return it to me at the above address.

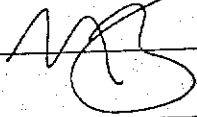
AD 
Secretary General
Aidan Dunning *8/15/07*

Department of Communications, Marine and Natural Resources

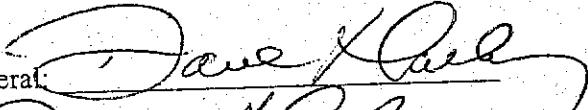
Form of Acceptance

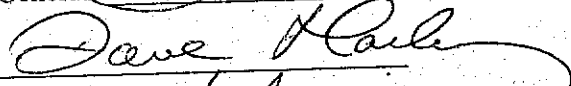
I have read and noted the contract and I am prepared to accept an appointment as Special Adviser to the Minister for Communications, Marine and Natural Resources, on the terms and conditions set out above. I also acknowledge receipt of a copy of the Civil Service Code of Standards and Behaviour and confirm that I have read same.

Name: Morgan Bazilias

Signed: 

Dated: 8/10/07

Secretary General:  f.c.

Signed: 

Dated: 9/10/07



An Roinn Cumarsáide,
Fuinnimh agus Acmhainní Nádurtha
Baile Átha Cliath 2.

44
Department of Communications,
Energy and Natural Resources,
Dublin 2.

Record 15

Employing Department: Communications, Energy and Natural Resources

Address 29-31 Adelaide Road
Dublin 2

Employee Mr Morgan Bazilian

Address: [REDACTED]

I am directed by the Minister for Communications, Energy and Natural Resources that following Government Decision SI80/20/10/0314D of 24 June 2008, he is prepared to offer you an appointment as Special Adviser under Section 11 of the Public Service Management Act 1997 on the following terms and conditions, with effect from 7 May 2008.

General

1. The appointment is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004, the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 and any other Act for the time being in force or any other regulations relating to your employment in the civil service.

Pay

2. You will be seconded from your existing position with Sustainable Energy Ireland (SEI). You will continue to receive your salary from SEI as normal. Your salary for this post, the maximum point of the Principal Officer (Higher) scale, currently €104,863, will be refunded to SEI.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. The Department will advise you in writing of the amount and details of any such overpayment and give you at least one week's notice of the deduction to take place and will deduct the overpayment within six months of such notice in accordance with the Act.

Tenure

- 3. The appointment is to a temporary, unestablished position in the civil service. It carries no entitlement to established status, by way of limited competition or otherwise. Your term of office of Special Adviser shall cease on the date on which the Minister ceases to be a Minister of the Government
- 4. In accordance with the Protection of Employees (Fixed Term Work) Act 2003, your contract is on a fixed-term contract basis only.
- 5. Notwithstanding paragraph 4 above, the appointment may be terminated at any time by either side in accordance with the Minimum Notice and Terms of Employment Acts 1973 to 2005.
- 6. In the event of serious misconduct, the appointment may be terminated without notice.
- 7. In the event of the appointment being terminated under the terms of paragraph 6 above, no remuneration or compensation will be payable other than that applicable to work carried out.

Duties

- 8. You will be required to perform any duties which may be assigned to you from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.

Ethics in Public Office Acts

- 9. The terms of the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 apply to this appointment (i.e. your contract of employment and a statement whether you are a relative of the Minister on whose behalf you are appointed will be laid before the Houses of the Oireachtas).
- 9.1 As provided for by section 19(3)(a)(iii) of the Ethics in Public Office Act 1995, you undertake not to engage in any trade, profession, vocation or other occupation, whether remunerated or otherwise, which might reasonably be seen to be capable of interfering or being incompatible with the performance by you of your official functions.
- 9.2. Each year, during any part of which you hold or held a position to which the provisions of section 19 of the Ethics in Public Office Act 1995 apply, you must prepare:
 - a statement of writing of your own registrable interests, as provided in the Second Schedule to the Ethics in Public Office Act 1995 which could materially influence you in, or in relation to, the performance of your official functions; and