



Number 21 of 2004

**CENTRAL BANK AND FINANCIAL SERVICES
AUTHORITY OF IRELAND ACT 2004**

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title and commencement.

PART 2

AMENDMENT OF CENTRAL BANK ACT 1942

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3. Insertion of new section 2A into Central Bank Act 1942.
4. Substitution of section 6B of Central Bank Act 1942.
5. Amendment of section 20 of Central Bank Act 1942 (Prohibition of the Governor holding shares in a bank).
6. New section 33SA inserted into Central Bank Act 1942.
7. Amendment of section 33AC of Central Bank Act 1942 (Registrar to prepare annual report).
8. Amendment of section 33C of Central Bank Act 1942 (Functions and powers of Regulatory Authority).
9. Amendment of section 33AK of Central Bank Act 1942 (Disclosure of information).
10. New Part IIIC inserted into Central Bank Act 1942.
11. Amendment of section 57A of Central Bank Act 1942 (Interpretation Part VIIA and Schedule 5).

[No. 21.] *Central Bank and Financial Services Authority of Ireland Act 2004.* [2004.]

Section

12. Amendment of section 57G of Central Bank Act 1942 (Jurisdiction and powers of the Appeals Tribunal).
13. Amendment of section 57R of Central Bank Act 1942 (Operation and implementation of appealed decision pending determination of appeal).
14. Amendment of section 57Z of Central Bank Act 1942 (What decisions the Appeals Tribunal can make in determining an appeal).
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16. New Part VIIB inserted into Central Bank Act 1942.
17. New Part VIIC inserted into Central Bank Act 1942.
18. Amendment of section 61E of Central Bank Act 1942.
19. Insertion of new section 61G into Central Bank Act 1942.
20. Amendment of Schedule 2 to Central Bank Act 1942 (Enactments and regulations under which Regulatory Authority is to perform functions of the Bank).
21. Amendment of Schedule 5 to Central Bank Act 1942 (Provisions applicable to members of the Appeals Tribunal).
22. Insertion into Central Bank Act 1942 of new Schedules 6 and 7.
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24. Amendment of section 2 of Central Bank Act 1997 (Interpretation).
25. Amendment of section 19 of Central Bank Act 1997 (Prohibition of revocation of certain payments).
26. Substitution of Part IV of Central Bank Act 1997.
27. Substitution of Part V of Central Bank Act 1997.
28. Amendment of section 53 of Central Bank Act 1997 (Application of section 47 of Act of 1989).
29. Amendment of section 75 of Central Bank Act 1997 (Powers of inspection).
30. Amendment of section 76 of Central Bank Act 1997 (Search and seizure).
31. Amendment of section 77 of Central Bank Act 1997 (Examination by Comptroller and Auditor General).

[2004.] *Central Bank and Financial Services Authority of Ireland Act 2004.* [No. 21.]

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32. Amendment of section 84 of Central Bank Act 1997 (Representative offices).

PART 4

AMENDMENT OF OTHER LEGISLATION

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35. Savings and transitional provisions.

SCHEDULE 1

AMENDMENT OF ACTS CONSEQUENTIAL ON INSERTION INTO CENTRAL BANK ACT 1942 OF PART IIIC

SCHEDULE 2

AMENDMENT OF EUROPEAN COMMUNITIES REGULATIONS CONSEQUENTIAL ON INSERTION OF PART IIIC OF CENTRAL BANK ACT 1942

SCHEDULE 3

MISCELLANEOUS AMENDMENTS TO OTHER ACTS ADMINISTERED BY THE BANK

SCHEDULE 4

MISCELLANEOUS AMENDMENTS TO OTHER EUROPEAN COMMUNITIES REGULATIONS ADMINISTERED BY THE BANK

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SAVINGS AND TRANSITIONAL PROVISIONS

[No. 21.] *Central Bank and Financial Services Authority of Ireland Act 2004.* [2004.]

ACTS REFERRED TO

Asset Covered Securities Act 2001	2001, No. 47
Betting Act 1931	1931, No. 27
Building Societies Act 1989	1989, No. 17
Central Bank Act 1942	1942, No. 22
Central Bank Act 1971	1971, No. 24
Central Bank Act 1989	1989, No. 16
Central Bank Act 1997	1997, No. 8
Central Bank Act 1998	1998, No. 2
Central Bank Acts	
Central Bank and Financial Services Authority of Ireland Act 2003	2003, No. 12
Companies Act 1963	1963, No. 33
Companies Act 1990	1990, No. 33
Companies Acts	
Consumer Credit Act 1995	1995, No. 24
Courts Act 1981	1981, No. 11
Credit Union Act 1997	1997, No. 15
Criminal Justice Act 1994	1994, No. 15
Currency Act 1927	1927, No. 32
European Communities Act 1972	1972, No. 27
Gaming and Lotteries Act 1956	1956, No. 2
Insurance Act 1936	1936, No. 45
Insurance Act 1964	1964, No. 18
Insurance Act 1989	1989, No. 3
Insurance Act 2000	2000, No. 42
Insurance Acts 1909-2002	
Insurance (Miscellaneous Provisions) Act 1985	1985, No. 8
Insurance (No. 2) Act 1983	1983, No. 29
Investment Intermediaries Act 1995	1995, No. 11
Investment Limited Partnerships Act 1994	1994, No. 24
Investor Compensation Act 1998	1998, No. 37
Licensing Acts 1833 to 1994	
Netting of Financial Contracts Act 1995	1995, No. 25
Partnership Act 1890	53 & 54 Vic., c 59
Pawnbrokers Act 1964	1964, No. 31
Pensions Acts	
Pensions Act 1990	1990, No. 25
Petty Sessions (Ireland) Act 1851	14 & 15 Vic., c 93
Stock Exchange Act 1995	1995, No. 9
Trustee Savings Banks Act 1989	1989, No. 21
Trustee Savings Banks Acts 1863 to 1979	
Unit Trusts Act 1990	1990, No. 37



Number 21 of 2004

**CENTRAL BANK AND FINANCIAL SERVICES
AUTHORITY OF IRELAND ACT 2004**

AN ACT TO AMEND THE CENTRAL BANK ACT 1942 FOR THE PURPOSES OF ESTABLISHING THE FINANCIAL SERVICES OMBUDSMAN'S BUREAU AND PRESCRIBING THE FUNCTIONS AND POWERS OF THAT OMBUDSMAN, PROVIDING FOR THE ESTABLISHMENT OF CONSULTATIVE PANELS TO ADVISE THE IRISH FINANCIAL SERVICES REGULATORY AUTHORITY ON CERTAIN MATTERS; TO AMEND THE CENTRAL BANK ACT 1997 FOR THE PURPOSES OF MAKING FURTHER PROVISION FOR AUDITING THE ACCOUNTS OF FINANCIAL SERVICE PROVIDERS AND PROVIDING FOR THE REGULATION OF MONEY TRANSMISSION BUSINESSES; AND TO MAKE MISCELLANEOUS AMENDMENTS TO CERTAIN OTHER ACTS AND STATUTORY INSTRUMENTS RELATING TO THE PROVISION OF FINANCIAL SERVICES.

[5th July, 2004.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART 1

PRELIMINARY

1.—(1) This Act may be cited as the Central Bank and Financial Services Authority of Ireland Act 2004. Short title and commencement.

(2) This Act comes into operation on such day or days as may be fixed by an order or orders made by the Minister for Finance, either generally or with reference to any particular purpose or provision. Different days may be fixed for different purposes and different provisions.

PART 2

AMENDMENT OF CENTRAL BANK ACT 1942

2.—Section 2 of the Central Bank Act 1942 (as substituted by section 3 of the Central Bank and Financial Services Authority of Ireland Act 2003) is amended— Amendment of section 2 of Central Bank Act 1942 (Interpretation).