



AN BILLE UM INSTITUTE THALMHAIOCHTA, 1956.
AGRICULTURAL INSTITUTE BILL, 1956.

Mar a tugadh isteach.
As introduced

ARRANGEMENT OF SECTIONS.

Section.

1. Commencement.
2. Definitions.
3. Establishment of the Institute.
4. Functions of the Institute.
5. Council of the Institute.
6. Expenses of members of the Council.
7. Committees of the Institute.
8. Seal of the Institute.
9. Agricultural Institute Capital Fund.
10. Agricultural Institute Endowment Fund.
11. State endowment of the Institute.
12. Expenses of the Institute.
13. Offices and premises.
14. Fees.
15. Donations.
16. Staff.
17. Superannuation.
18. Accounts and audits.
19. Annual report of the Institute.
20. Protection of Institute, members and staff against legal proceedings.
21. Expenses.
22. Short title.

SCHEDULE.

PROVISIONS RELATING TO THE COUNCIL.



AN BILLE UM INSTITIUID THALMHAIOCHTA, 1956.
AGRICULTURAL INSTITUTE BILL, 1956.

BILL

entitled

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF AN INSTITUTE FOR AGRICULTURAL RESEARCH TO BE KNOWN AS THE AGRICULTURAL INSTITUTE OF IRELAND AND TO PROVIDE FOR OTHER MATTERS CONNECTED THEREWITH. 5

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :— 10

Commencement. 1.—This Act shall come into operation on such day as the Minister may by order appoint.

Definitions. 2.—In this Act—
“agriculture” includes horticulture, forestry and bee-keeping, and also includes facilities, activities and sciences which relate to or tend to promote or improve agriculture, and cognate words shall be construed accordingly; 15
“the chairman” means the chairman of the Council;
“the Council” means the Council of the Institute;
“facilities for carrying out agricultural research” includes land and buildings used for or in connection with the carrying out of agricultural research; 20
“the Institute” means the Agricultural Institute of Ireland established by this Act;
“the Minister” means the Minister for Agriculture; 25
“research” includes investigation, test, experiment, analysis and study.

Establishment of the Institute. 3.—(1) There is hereby established an Institute to be styled and known as the Agricultural Institute of Ireland to fulfil the functions assigned to it by this Act. 30
(2) The Institute shall be a body corporate with perpetual succession and power to sue and be sued in its corporate name and to acquire, hold and dispose of land.

Functions of the Institute. 4.—(1) The functions of the Institute are to review, facilitate, encourage, assist, co-ordinate, promote and undertake agricultural research. 35

(2) Without prejudice to the generality of *subsection (1)* of this section, the Institute may do all or any of the following:

- 5 (a) make grants, subject to such conditions as it may think fit to impose, to persons engaged in carrying out agricultural research for the extension and development of their facilities for carrying out agricultural research,
- 10 (b) provide such new facilities for carrying out agricultural research as it considers desirable and provide for their use, control and administration by or on behalf of the Institute or otherwise,
- 15 (c) provide for the use, control and administration by the Institute of such facilities for carrying out agricultural research as may be transferred to the Institute, with its consent,
- 20 (d) consult with and advise persons engaged in carrying out agricultural research in relation to their programmes of agricultural research,
- (e) make grants, subject to such conditions as it may think fit to impose, to assist the carrying out of specific programmes of agricultural research or specific agricultural research,
- 25 (f) provide scholarships and other awards for the carrying out of post-graduate agricultural research,
- (g) award fellowships, subject to such conditions as it may think fit to impose, to persons who have done outstanding work in relation to agricultural science or agricultural research,
- 30 (h) provide and organise courses of study for advanced students in agricultural research and related subjects,
- (i) provide and organise seminars, conferences, lectures and demonstrations on agricultural research and related subjects and on specific problems and programmes in relation thereto,
- 35 (j) disseminate, or procure the dissemination of, the results of agricultural research to interested persons, including, in particular, persons engaged in providing advisory services in relation to agriculture,
- (k) publish, or procure the publication of, the results of agricultural research.

40 5.—(1) There shall be a council, to be known as the Council of the Institute, to carry out the general government of the Institute and the administration of its affairs. Council of the Institute.

(2) The Council shall consist of a chairman, and twelve ordinary members.

45 (3) The first chairman shall be appointed by the President as soon as conveniently may be after the commencement of this Act and shall hold office for such term and on such terms and conditions (including terms of remuneration) as may be determined by the Government by order.

50 (4) Subsequently, the chairman shall be appointed by the Council and shall hold office for such term and on such terms and conditions (including terms of remuneration) as may be determined by the Council.

(5) (a) The Government may provide by order for the payment, in such manner and subject to such conditions and limitations as may be specified in the order, of superannuation benefits on retirement to the first chairman.

(b) The Council may provide for the payment, in such manner and subject to such conditions and limitations as it may determine, of superannuation benefits on retirement to subsequent chairmen. 5

(6) The ordinary members of the Council, of whom nine shall be persons nominated under *subsections* (7) and (8) of this section, shall be appointed by the Government and the first appointments shall be made by the Government as soon as conveniently may be after the commencement of this Act. 10

(7) Five persons shall be nominated by agricultural and rural organisations, in such manner as may be determined by the Government by order, to be ordinary members of the Council. 15

(8) One person shall be nominated to be an ordinary member of the Council by each of the following :

the Governing Body of University College, Dublin,

the Governing Body of University College, Cork, 20

the Governing Body of University College, Galway, and
the Board of Trinity College, Dublin.

(9) The provisions of the Schedule to this Act shall apply in respect of the Council.

(10) The Government may by order revoke or amend an order under this section (including this subsection). 25

Expenses of
members of the
Council.

6.—There may be paid, out of the income of the Institute, to members of the Council such expenses of travel and subsistence as the Council may determine.

Committees of
the Institute.

7.—(1) The Council of the Institute may appoint committees to assist and advise the Council in relation to any of its functions. 30

(2) A committee may include persons who are not members of the Council.

(3) The chairman or a person appointed by him to be chairman shall be chairman of a committee appointed under this section. 35

(4) There may be paid, out of the income of the Institute, to members of a committee duly appointed under *subsection* (1) of this section such expenses of travel and subsistence as the Council may determine.

Seal of the
Institute.

8.—(1) As soon as may be after the commencement of this Act the Council shall provide and retain in its possession a seal for the Institute, and such seal shall be authenticated by the signature of the chairman or some other member thereof authorised by the Council to act in that behalf and the signature of a member of the staff of the Institute authorised by the Council to act in that behalf. 40 45

(2) Judicial notice shall be taken of the seal of the Institute, and every document purporting to be an instrument made by the Institute and to be sealed with the seal (purporting to be authenticated in accordance with this section) of the Institute shall be received in evidence and be deemed to be such instrument without further proof unless the contrary is shown. 50

9.—(1) The Minister for Finance shall, immediately after the commencement of this Act, pay to the Institute, out of the monies held in the Grant Counterpart Special Account, a sum of eight hundred and forty thousand pounds and that sum, when paid to the Institute, shall be known as the Agricultural Institute of Ireland Capital Fund and is in this Act referred to as the Capital Fund.

Agricultural
Institute Capital
Fund.

(2) The Capital Fund shall be used by the Institute solely for—

(a) making grants to persons engaged in carrying out agricultural research in respect of the capital cost of the extension and development of their facilities for carrying out agricultural research,

(b) defraying the capital cost of providing such new facilities for carrying out agricultural research, whether for and under the control of the Institute or otherwise, as the Institute considers desirable,

(c) defraying the capital cost of providing and equipping offices and premises for the Institute.

(3) Such part of the Capital Fund, or any unexpended balance thereof, as is not required for the purpose of meeting current expenditure in relation to the grants and capital costs specified in subsection (2) of this section shall be kept invested by the Institute in such securities as may be approved from time to time by the Minister for Finance.

(4) The interest on the Capital Fund or any unexpended balance thereof shall accrue to the Institute as income.

10.—(1) The Minister for Finance shall, immediately after the commencement of this Act, pay to the Institute, out of the monies held in the Grant Counterpart Special Account, a sum of one million pounds and that sum, when paid to the Institute shall be known as the Agricultural Institute of Ireland Endowment Fund and is in this Act referred to as the Endowment Fund.

Agricultural
Institute
Endowment
Fund.

(2) The Endowment Fund shall be kept invested by the Institute in such securities as may be approved from time to time by the Minister for Finance.

(3) The interest on the Endowment Fund shall accrue to the Institute as income.

11.—(1) In every financial year in which, in the opinion of the Council, the Minister and the Minister for Finance, the estimated income of the Institute is less by any amount than its estimated expenditure, there shall be paid to the Institute, out of monies provided by the Oireachtas, such sum as, in the opinion aforesaid, is equal to that amount.

State endowment
of the Institute.

(2) The Institute shall submit to the Minister such information regarding its income and expenditure as he may from time to time require for the purpose of calculating the sum referred to in subsection (1) of this section.

(3) In this section "expenditure" does not include expenditure in relation to the grants or capital costs specified in subsection (2) of section 9 of this Act.

12.—The income of the Institute shall be applied by the Institute in payment of the expenses of the Institute (other than the expenses incurred by the Institute in relation to the grants or capital costs specified in subsection (2) of section 9 of this Act) including, in particular:

Expenses of the
Institute.

- (a) the annual outgoings and expenses in respect of the offices, premises and equipment of the Institute,
- (b) the salaries and expenses of the chairman and staff of the Institute and the expenses of members of the Council and of members of committees appointed under *section 7* of this Act, 5
- (c) the cost of any agricultural research carried out by or on behalf of the Institute,
- (d) the cost of grants to defray the cost of specific programmes of agricultural research or specific agricultural research, 10
- (e) the cost of the provision of scholarships and other awards for the carrying out of post-graduate agricultural research,
- (f) the cost of providing and organising courses of study, seminars, conferences, lectures and demonstrations, 15
- (g) the cost of publication and dissemination of the results of agricultural research, and
- (h) the cost of such other activities of the Institute, consistent with its functions, as may be approved by the Council from time to time. 20

Offices and premises.

13.—(1) The Institute shall, as soon as may be after the commencement of this Act, provide itself with offices and premises necessary for the performance of its functions.

(2) For the purposes of *subsection (1)* of this section the Institute may— 25

- (a) purchase or take on lease any land, offices or premises, and
- (b) build, equip and maintain offices and premises.

(3) The Institute may sell or lease any land, offices or premises held by it and no longer required for the performance of its functions. 30

Fees.

14.—The Institute may charge, receive and recover fees for agricultural research undertaken on behalf of any person and for courses of study, seminars, lectures and demonstrations provided or organised by it.

Donations.

15.—(1) The Institute may accept gifts of money, land or other property, upon such trusts and conditions, if any, as may be specified by the person making the gift. 35

(2) The Institute shall not accept any gift if the conditions attached by the donor to the acceptance thereof are inconsistent with the functions of the Institute. 40

(3) Gifts accepted by the Institute under this section shall be received and applied by the Council.

Staff.

16.—(1) The Institute may employ such staff as is necessary for the performance of its functions.

(2) The members of the staff of the Institute shall be subject to the general control and direction of the chairman. 45

(3) Subject to the provisions of the next following subsection, the members of the staff of the Institute shall be appointed and removed by the Council.

(4) Before making an appointment to an office on the research staff of the Institute, the Council shall appoint a board, composed of persons who, in the opinion of the Council, are suitable and competent for the purpose, to examine the applications, and to
5 recommend a person, for appointment to the office and the Council shall consider the recommendation of the board.

(5) The numbers, grades, remuneration, tenure of office and conditions of service of the members of the staff of the Institute shall be determined from time to time by the Council.

10 **17.**—(1) As soon as conveniently may be after the commencement of this Act, the Council shall prepare and submit to the Minister for Finance a scheme or schemes for the granting of pensions, gratuities and other allowances on retirement to the permanent staff of the Institute. Superannuation.

15 (2) A scheme submitted to the Minister for Finance under this section shall, if approved of by the Minister for Finance, be carried out by the Institute in accordance with its terms.

(3) The Council may at any time, with the approval of the Minister for Finance, amend a scheme under this section.

20 (4) A scheme submitted and approved of under this section shall fix the time and conditions of retirement for all persons to whom pensions, gratuities or allowances on retirement are payable under the scheme, and different times and conditions may be fixed in respect of different classes of persons.

25 (5) If any dispute arises as to the claim of any person to, or the amount of, any pension, gratuity or allowance payable in pursuance of a scheme under this section, such dispute shall be submitted to the Minister for Finance for determination by him.

18.—(1) The Council shall keep, in such form as may be approved by the Minister, with the concurrence of the Minister for Finance, all proper and usual accounts of all monies received or expended by it. Accounts and audits.

(2) Accounts kept in pursuance of this section shall be submitted annually by the Council to the Comptroller and Auditor General for audit at such times as the Minister, with the concurrence of the
35 Minister for Finance, directs and the accounts when so audited shall, together with the report of the Comptroller and Auditor General thereon, be presented to the Minister who shall cause copies thereof to be laid before each House of the Oireachtas.

40 **19.**—(1) The Council shall, at the end of every financial year, prepare and submit to the Minister a report of the work of the Institute in that financial year. Annual report of the Institute.

(2) A copy of every report submitted by the Council to the Minister under this section shall, within two months after its
45 receipt from the Council, be submitted to the Government and laid before each House of the Oireachtas.

20.—No action or proceeding shall lie (except in the case of wilful neglect or default) against the Institute, a member of the Council, or any of the staff of the Institute by reason of, or arising
50 out of, the carrying out of any agricultural research in accordance with this Act or the publication by or on behalf of the Institute of the results thereof. Protection of Institute, members and staff against legal proceedings.

21.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the
55 Minister for Finance, be paid out of monies provided by the Oireachtas. Expenses.

22.—This Act may be cited as the Agricultural Institute Act, 1957. Short title.

PROVISIONS RELATING TO THE COUNCIL.

- Term of Office.** 1. The ordinary members of the Council shall hold office for a period of three years.
- Eligibility of outgoing members.** 2. An ordinary member of the Council whose term of office expires by effluxion of time shall be eligible for re-appointment. **5**
- Resignation.** 3. An ordinary member of the Council may resign his office as member of the Council by letter sent by post to the Council, and the resignation shall take effect as on and from the date which is one month after the date of the receipt of the letter, if the resignation is not previously withdrawn in writing. **10**
- Removal.** 4. The Government may at any time by order, on the advice of the Council, remove an ordinary member of the Council from office.
- Casual vacancies.** 5. (1) A casual vacancy occurring among the ordinary members of the Council shall be filled by appointment by the Government and, where the vacancy occurs among the members nominated under subsection (7) or subsection (8) of section 5 of this Act, the appointment shall be of a person nominated by the organisation or body which nominated the member occasioning the vacancy. **15**
20
- (2) A person appointed under this paragraph shall hold office for the remainder of his predecessor's term.
- Meetings.** 6. (1) The Council shall hold at least three meetings in every year which commences after the commencement of this Act.
- (2) The Council may hold special meetings at any time at the request of the chairman or five ordinary members of the Council. **25**
- Procedure.** 7. (1) The quorum for a meeting of the Council shall be five.
- (2) At a meeting of the Council—
- (a) the chairman shall, if present, be chairman of the meeting,
- (b) if and so long as the chairman is not present or if the office of chairman is vacant, the members of the Council who are present shall choose one of their number to be chairman of the meeting. **30**
- (3) Every question at a meeting of the Council shall be determined by a majority of the votes of the members present and voting on the question, and in the case of an equal division of votes, the chairman of the meeting shall have a second or casting vote, save where the question is the appointment of the chairman, his term of office, terms and conditions of office (including remuneration) or superannuation benefits on retirement. **35**
40
- (4) The Council may act notwithstanding one or more vacancies among its members.
- (5) Subject to the provisions of this Act, the Council shall regulate, by standing orders or otherwise, the procedure and business of the Council and of the committees appointed under section 7 of this Act. **45**

BILL

BILL

(This is a rough sketch)

The following is a rough sketch of the proposed Bill. It is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft.

The following is a rough sketch of the proposed Bill. It is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft.

The following is a rough sketch of the proposed Bill. It is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft.

The following is a rough sketch of the proposed Bill. It is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft.

The following is a rough sketch of the proposed Bill. It is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft. The Bill is intended to be a general outline of the Bill, and is not intended to be a final draft.

BILLE

(mar a tugadh isteach)

dá ngairmtear

Acht do dhéanamh soeruithe chun institiúid le
haghaidh taighde thalmhaíochta a bhunú
dá ngairmfear Institiúid Thalmhaíochta na
hÉireann agus do dhéanamh soeruithe i
dtaobh nithe eile a bhaineas leis sin.

An tAire Talmhaíochta a thug isteach.

*Do hordaíodh ag Dáil Éireann a chló-
bhualadh, 5 Nollaig, 1956.*

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais
An Stúara, Árd Oifig an Phoist, Baile Átha Cliath,
nó trí aon díoltóir leabhar.

Cló-bhuailte ag CAHILL & Co., LTD.

[*Luach : Scilling Glan.*]

BILL

(as introduced)

entitled

An Act to provide for the establishment of an
institute for agricultural research to be
known as the Agricultural Institute of
Ireland and to provide for other matters
connected therewith.

Introduced by the Minister for Agriculture.

*Ordered by Dáil Éireann to be printed,
5th December, 1956.*

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE

To be purchased through any bookseller, or directly
from the Government Publications Sale Office
G.P.O. Arcade, Dublin.

Printed by CAHILL & Co., LTD.

[*Price : One Shilling Net.*]