



**AN BILLE UM INSTITUTEID TEICNEOLAÍOCHTA BHAILE  
ÁTHA CLIATH (LEASÚ), 1994**

**DUBLIN INSTITUTE OF TECHNOLOGY (AMENDMENT)  
BILL, 1994**

**EXPLANATORY MEMORANDUM**

The purpose of this Bill is to amend the Dublin Institute of Technology Act, 1992 in respect of matters relating to the appointment of governing bodies.

*Section 1* is a definition section.

*Section 2* relates to the procedures involved in the nomination and appointment of the Governing Body of the Institute. *Subsection (1)* substitutes a new subsection for section 6 (4) of the 1992 Act. *Paragraphs (a), (e) and (f)* remain unaltered from the present provisions. *Paragraph (b)* provides that the electorate in the case of academic staff elections shall be permanent full-time staff and those part-time staff who teach for not less than 280 time-tabled hours in an academic year. Provision is also made to enable the Minister for Education to vary the number of hours from time to time. This paragraph also makes provision for gender equity in the academic staff elections by requiring that the two staff positions on the Governing Body be filled by one man and one woman.

In the case of non-academic staff, provision is made in *paragraph (c) of section 2 (1)* to include in the electorate, all permanent full-time staff and those part-time staff who work at least 50 per cent. of the hours of a full-time staff member. As in the case of academic staff elections, the Minister may vary the number of hours of work in the Institute which are necessary to enable a person to participate in these elections.

*Paragraph (d)* amends the provisions relating to student elections for governing body positions. The 1992 Act provides for elections among students for these positions. It is now proposed to amend this and to provide that the two registered students shall be chosen according to regulations made by the governing body. This paragraph would also deem full-time student representatives to be registered students. Gender equity is also provided for in respect of the two members selected to represent students.

*Section 2 (1) (g)* alters the procedure for selection of other interests to the Governing Body. At present the Vocational Education Committee must select five organisations and accept the nominations of these. This paragraph makes provision for the Vocational Education Committee to seek nominations from any number of relevant organisations and to select their recommendations to the Minister for Education from these nominations.

*Section 2 (2)* would impose an obligation on the Vocational Education Committee, in making recommendations as to the composition of the Governing Body, to ensure a gender balance and also to implement any directives laid down by the Minister. *Subsection (3)* provides for the substitution of *subsection (1)* of this Bill for section 6 (4) of the 1992 Act. *Subsection (4)* provides that any elections held from 1 April, 1994 to select those members of a Governing Body who are to represent the academic staff are to be held under the provisions of *subsection (1) (b)*.

*Section 3* makes provision for a default by the Vocational Education Committee in making recommendations on the composition of the Governing Body. *Subsection (1)* provides that the Minister would inform the Committee of the nature of its default and that the Committee would amend it within one month. *Subsection (2)* provides for the appointment by the Minister of another body to perform the functions of the Governing Body, if the Committee persists in its default and *subsection (3)* provides for any remuneration of such a body. *Subsection (4)* provides for a limit of at most one year to the period during which the body appointed under *subsection (2)* can perform the functions of the Governing Body.

*Section 4* makes provision for the amendment of the Second Schedule to the 1992 Act by providing that where a member of the Governing Body, who has been elected as a staff representative, ceases to be a member of staff he or she would also cease to be a member of the Governing Body.

*Section 5* provides a mechanism for the appointment of the Governing Body where there is no Governing Body in place to make necessary regulations relating to elections of members. In those circumstances the Minister would appoint an incomplete Governing Body. This Governing Body would then be obliged to make the necessary regulations within two months of its appointment and the Minister would appoint any remaining members of the Governing Body within one month of the elections. These provisions are to be effective from 1 January, 1994.

*Section 6* relates to the title of the Bill, collective citation and construction with the 1992 Act.

*An Roinn Oideachais,  
Meán Fómhair, 1994.*

Paragraph (b) amends the provision relating to student elections for governing body members. The Bill also provides for amendments among students for these positions. It is now proposed to amend this and to provide that the two registered students shall be chosen according to regulations made by the governing body. This paragraph would also deal with student representatives to be registered students. Gender equity is also provided for in respect of the two members selected to represent students.

Section 5 (1) (a) alters the procedure for selection of other interests to the Governing Body. At present the Vocational Education Committee must select five organisations and accept the nominations of these. This paragraph makes provision for the Vocational Education Committee to seek nominations from any number of relevant organisations and to select their recommendations to the Minister for Education from the