



# **DÁIL ÉIREANN**

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## **AN BILLE UM BOIRD OIDEACHAIS AGUS OILIÚNA, 2012 EDUCATION AND TRAINING BOARDS BILL 2012**

### **LEASUITHE COISTE COMMITTEE AMENDMENTS**

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# DÁIL ÉIREANN

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## AN BILLE UM BOIRD OIDEACHAIS AGUS OILIÚNA, 2012 —ROGHFHOCHOISTE

### EDUCATION AND TRAINING BOARDS BILL 2012 —SELECT SUB-COMMITTEE

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#### *Leasuithe Amendments*

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#### SECTION 2

1. In page 8, line 28, after “instruction” to insert the following:

“to include apprenticeships (formerly provided by FÁS), adult literacy and community and adult education”.

—Charlie McConalogue.

#### SECTION 4

2. In page 10, subsection (1), line 1, to delete “*columns (1) and (2)*” and substitute “*columns (2) and (3)*”.

—An tAire Oideachais agus Scileanna.

3. In page 10, subsection (1), line 2, to delete “*column (3)*” and substitute “*column (4)*”.

—An tAire Oideachais agus Scileanna.

#### SECTION 9

4. In page 10, subsection (1), line 36, after “boards” to insert the following:

“(each of which shall be known as an education and training board)”.

—An tAire Oideachais agus Scileanna.

#### SECTION 10

5. In page 12, subsection (1)(i), line 13, after “support” to insert “in accordance with the Youth Work Act 2001”.

—Charlie McConalogue.

6. In page 12, subsection (1), between lines 16 and 17, to insert the following:

“(k) provide an Irish language service to any training centre or educational centre or school that operates through Irish in the area of the Education and Training Board, and provide this service to the same standard that the service will be provided to any other education centre or training centre or the school under the auspices of the Board,

(l) prepare and implement a plan for the Education and Training Board that caters for education through the medium of Irish and that takes the needs of the Irish language community and the Gaeltacht (if there is a Gaeltacht in the area of the Board) into account.”.

[ SECTION 10 ]

—Clare Daly, Jonathan O'Brien, Charlie McConalogue.

7. In page 12, subsection (2), between lines 20 and 21, to insert the following:

“(b) recognised teaching unions representing staff of an education and training board.”

—Jonathan O'Brien.

8. In page 12, subsection (2), between lines 41 and 42, to insert the following:

“(g) bodies representative of business, industry and employers.”

—An tAire Oideachais agus Scileanna.

SECTION 14

9. In page 15, subsection (2), lines 1 to 7, to delete paragraphs (a) and (b) and substitute the following:

“(a) in accordance with procedures determined by the Minister following consultation with the Minister for Public Expenditure and Reform, and

(b) with the consent of the Minister.”

—An tAire Oideachais agus Scileanna.

10. In page 15, subsection (3), to delete lines 10 to 14 and substitute the following:

“remuneration, allowances and superannuation, as may be determined by the Minister with the consent of the Minister for Public Expenditure and Reform.”

—An tAire Oideachais agus Scileanna.

SECTION 15

11. In page 15, subsection (2), line 40, after “functions,” to insert the following:

“and all relevant information in relation to the conduct of industrial relations.”

—Jonathan O'Brien.

SECTION 17

12. In page 16, subsection (2), lines 29 and 30, to delete “A notice of intention to propose a resolution under *subsection (1)*” and substitute the following:

“Where an education and training board intends to propose a resolution to suspend the chief executive of that board for any of the reasons set out in *subsection (1)*, a notice of intention to propose the resolution”.

—An tAire Oideachais agus Scileanna.

13. In page 16, subsection (3)(a), line 33, to delete “one third” and substitute “half”.

—An tAire Oideachais agus Scileanna.

14. In page 17, subsection (5), line 8, to delete “two thirds” and substitute “three quarters”.

—An tAire Oideachais agus Scileanna.

[ SECTION 18 ]

SECTION 18

15. In page 18, before section 18, to insert the following new section:

“Suspension and removal of chief executive by Minister.

18.—(1) The Minister may, subject to this section, suspend a chief executive of an education and training board—

(a) for stated misbehaviour, or

(b) where it appears necessary to the Minister for the effective performance by the board of its functions.

(2) Where the Minister proposes to suspend a chief executive of an education and training board for any of the reasons set out in *subsection (1)*, a notice of intention to suspend the chief executive shall be served by the Minister on the chief executive and on each member of the board concerned.

(3) A notice under *subsection (2)* shall—

(a) state the reasons for the proposed suspension, and

(b) state that the chief executive, and the education and training board concerned, may each submit a statement to the Minister within 14 days of the service of the notice in relation to the reasons stated under *paragraph (a)*.

(4) The Minister may, having considered any statements submitted under *paragraph (b) of subsection (3)*, suspend the chief executive of the education and training board from such date as may be specified by the Minister.

(5) The Minister shall notify the chief executive and the board concerned of his or her decision as soon as practicable after the decision is made.

(6) The Minister shall, within 21 days of any decision to suspend a chief executive under *subsection (4)*, appoint a board of 3 persons having knowledge of, or experience in, education, human resources or management (in this section referred to as an “advisory board”).

(7) The Minister shall nominate one of the 3 persons appointed to the advisory board to be the chairperson of that board.

(8) An advisory board shall, within 21 days of being appointed, having considered the notice of intention to suspend, any statement submitted to the Minister under *paragraph (b) of subsection (3)* and the decision of the Minister, submit a report to the Minister containing its recommendations as to—

(a) whether the chief executive should remain suspended and, if so, for what period,

(b) whether the chief executive should be removed from office, or

(c) any other matter arising out of its considerations as the board thinks appropriate in the circumstances.

(9) Upon consideration of a report submitted under *subsection (8)*, the Minister shall, within 14 days of the receipt of the report—

[ SECTION 18 ]

- (a) lift the suspension of the chief executive, subject to such terms and conditions (if any) as the Minister considers appropriate,
- (b) confirm the suspension of the chief executive setting out the period for which the suspension is to apply and setting out such terms and conditions (if any) as shall apply to the chief executive on the expiration of the period of suspension, or
- (c) remove the chief executive from office.

(10) The Minister shall notify the education and training board and the chief executive concerned of his or her decision under *subsection (9)* and the date from which such decision is to take effect.

(11) An advisory board appointed under this section shall be independent in the performance of its functions.

(12) The Minister may by regulations prescribe any matter of procedure for the purpose of this section.”

—An tAire Oideachais agus Scileanna.

- 16.** In page 18, subsection (1), lines 9 to 15, to delete paragraphs (a) and (b) and substitute the following:

“(a) in accordance with procedures determined by the Minister following consultation with the Minister for Public Expenditure and Reform, and

(b) with the consent of the Minister.”

—An tAire Oideachais agus Scileanna.

- 17.** In page 18, subsection (1), line 16, after “persons” to insert “comprising an equal number of men and women”.

—Charlie McConalogue.

- 18.** In page 18, subsection (2), line 20, to delete “and the Minister for Public Expenditure and Reform”.

—Jonathan O'Brien.

- 19.** In page 18, between lines 27 and 28, to insert the following subsection:

“(5) It will be ensured that there will be adequate staffing in the Education and Training Board that have fluency in Irish and that they will be competent to carry out the duties of their positions in Irish or in English.”

—Clare Daly, Jonathan O'Brien, Charlie McConalogue.

SECTION 20

- 20.** In page 19, subsection (7), line 28, to delete “Irish Vocational Education Association” and substitute “Education and Training Board”.

—Charlie McConalogue.

SECTION 24

- 21.** In page 22, subsection (8), line 19, to delete “in” and substitute “of”.

—An tAire Oideachais agus Scileanna.

[ SECTION 25 ]

SECTION 25

22. In page 23, subsection (4)(f), line 16, to delete “and” and substitute the following:

“(g) bodies representative of business, industry and employers, and”.

—An tAire Oideachais agus Scileanna.

SECTION 27

23. In page 24, to delete line 25 and substitute the following:

“27.—(1) Where a person—

(a) makes an offer of a gift of money, land or other property to an education and training board, or

(b) requests the board to act as a trustee of any trust or charity,

the chief executive of that board shall, within one month of the offer or request being made, prepare and submit a proposal to the board setting out his or her observations on the offer or request, as the case may be, and his or her recommendation as to whether the board should accept the gift or agree to act as a trustee, as the case may be.

(2) Subject to *subsection (2)\**, an education and training”.

—An tAire Oideachais agus Scileanna.

[\*Note: This is a reference to the existing section 27(2) of the Bill.]

24. In page 24, subsection (1), line 26, to delete “or” and substitute “and”.

—An tAire Oideachais agus Scileanna.

25. In page 24, subsection (1)(a)(i), line 30, to delete “be” and substitute “act as”.

—An tAire Oideachais agus Scileanna.

26. In page 24, subsection (1)(b), line 36, to delete “be” where it firstly occurs and substitute “act as”.

—An tAire Oideachais agus Scileanna.

27. In page 24, subsection (2), line 37, to delete “be” and substitute “act as”.

—An tAire Oideachais agus Scileanna.

SECTION 28

28. In page 25, subsection (1), line 9, to delete “Each” and substitute “Subject to *section 9(5)*, each”.

—An tAire Oideachais agus Scileanna.

29. In page 25, subsection (1), lines 9 and 10, to delete “18 members” and substitute “20 members”.

—Clare Daly, Jonathan O'Brien.

30. In page 25, subsection (1), line 10, after “comprise” to insert the following:

“of whom a minimum of 8 shall be women and a minimum of 8 shall be men with the remainder to be composed of either men or women”.

—Jonathan O'Brien.

31. In page 25, subsection (1)(a), line 11, after “members” to insert the following:

“of whom a minimum of 4 shall be men and a minimum of 4 shall be women with the remainder to be composed of either gender”.

—Jonathan O'Brien.

32. In page 25, subsection (1)(a), lines 18 and 19, after “ *subsection (2)*” to insert the following:

“and the local authority will, where practicable, ensure that at least 3 of the 10 elected members will have the capacity to discharge functions in relation to the Board in the Irish language”.

—Jonathan O'Brien.

33. In page 25, subsection (1)(a), lines 18 and 19, after “*subsection (2)*” to insert the following:

“and the local authority concerned shall ensure that at least 3 of the 10 elected members will have the capacity to discharge functions in relation to the Board in the Irish language”.

—Charlie McConalogue.

34. In page 25, subsection (1)(a), lines 18 and 19, after “*subsection (2)*” to insert the following:

“in a case where there are two or more counties represented on an Education and Training Board, the Minister may, by order or regulation, increase the number of elected representatives elected to the Education and Training Board in order to ensure appropriate representation from each county”.

—Charlie McConalogue.

35. In page 25, subsection (1)(b), line 20, after “members” where it firstly occurs to insert “1 of whom is a man and 1 of whom is a woman”.

—Jonathan O'Brien.

36. In page 25, subsection (1), between lines 22 and 23, to insert the following:

“(c) there shall be at least one staff representative from each county within an Education and Training Board and where there are more than two counties in an Education and Training Board, the number of staff representatives shall be increased proportionately;”.

—Charlie McConalogue.

37. In page 25, subsection (1), between lines 30 and 31, to insert the following:

“(d) there shall be at least one parent representative from each county within an Education and Training Board and where there are more than two counties in an Education and Training Board, the number of parents representatives shall be increased proportionately;”.

—Charlie McConalogue.

38. In page 25, subsection (1), line 31, to delete paragraph (d) and substitute the following:

[ SECTION 28 ]

“(d) 6 members appointed in accordance with *subsection (8)*, and where practicable, 3 of whom will be men and 3 of whom will be women appointed in accordance with *subsection (8)*.”

—Jonathan O'Brien.

**39.** In page 25, subsection (1), between lines 31 and 32, to insert the following:

“(e) 2 members to be appointed from the adult student body.”

—Clare Daly.

**40.** In page 25, subsection (1), between lines 31 and 32, to insert the following:

“(e) 1 learner who is a learner in a children detention school, prison, education or training facility or other facility maintained by any other public service body where the board provides education or training elected in accordance with regulations made under *subsection (4)*.”

—Charlie McConalogue.

**41.** In page 25, subsection (2), line 35, after “Minister” to insert the following:

“while ensuring that the education and training needs of these smaller local authorities are fairly represented”.

—Charlie McConalogue.

**42.** In page 25, subsection (2), line 37, after “10” to insert the following:

“where practicable, 4 of whom will be men and 4 of whom will be women and 2 made up of either gender”.

—Jonathan O'Brien.

**43.** In page 25, between lines 37 and 38, to insert the following subsection:

“(3) The Minister shall have regard to the size of each outgoing Vocational Educational Committee in regard to staff, student numbers and budget as well as to the population of their respective counties in deciding an appropriate proportion of local authority members to be nominated to the Education and Training Board from each county.”.

—Charlie McConalogue.

**44.** In page 25, subsection (3), line 38, after “Minister” to insert the following:

“while ensuring that the education and training needs of each and every vocational educational committee area that existed prior to the establishment day shall not be disadvantaged under the education and training boards”.

—Charlie McConalogue.

**45.** In page 26, subsection (7)(a), line 17, after “woman” to insert the following:

“each of whom shall be from and have knowledge of education and training in the functional area of the relevant education and training board”.

—Charlie McConalogue.

**46.** In page 26, subsection (7)(b), line 25, after “woman” to insert the following:

[ SECTION 28 ]

“each of whom shall be from and have knowledge of education and training in the functional area of the relevant education and training board”.

—Charlie McConalogue.

47. In page 26, subsection (7)(c), line 32, after “woman” to insert the following:

“each of whom shall be from and have knowledge of education and training in the functional area of the relevant education and training board”.

—Charlie McConalogue.

48. In page 26, subsection (8)(a), line 36, after “training” to insert the following:

“including mandatory representation from representatives of recognised voluntary secondary schools, the business sector, Údarás na Gaeltachta, a recognised teaching union, student unions and adult learners,”.

—Jonathan O'Brien.

49. In page 26, subsection (8)(a), line 36, after “training” to insert the following:

“including representatives of recognised voluntary secondary schools”.

—Charlie McConalogue.

50. In page 26, subsection (8)(a), line 36, after “training” to insert the following:

“and a knowledge of business, employment and economic development of the functional area”.

—Charlie McConalogue.

51. In page 26, subsection (8)(a), line 37, after “board” to insert the following:

“and the Minister shall nominate 1 man and 1 woman who are representative of students and who are registered as students in a centre for education or recognised school or are learners in an education or training facility or other facility maintained by any other public service body where the board provides education or training and have reached 18 years of age for appointment to the board”.

—Aodhán Ó Riordáin.

52. In page 26, subsection (8), lines 38 to 42, to delete paragraph (b) and substitute the following:

“(b) The members referred to in *paragraphs (a), (b) and (c) of subsection (1)* shall appoint 6 members to the education and training board from among the persons nominated under *paragraph (a)*, 3 of whom shall be men and 3 of whom shall be women and at least one of whom shall be a nominee of recognised voluntary secondary schools, the business sector, Údarás na Gaeltachta, a recognised teaching union, student unions and adult learners based in the functional area.”.

—Jonathan O'Brien.

53. In page 26, subsection (8)(b), line 42, after “women” to insert the following:

“2 of whom shall be representative of the business community of the functional area”.

[ SECTION 28 ]

—Charlie McConalogue.

- 54.** In page 26, subsection (8)(b), line 42, after “women” to insert the following:

“at least one of whom shall be a nominee of a recognised voluntary school based in the functional area”.

—Charlie McConalogue.

- 55.** In page 26, subsection (8)(b), line 42, after “women” to insert the following:

“and 1 of whom shall be one of the representatives of students nominated by the Minister under *paragraph (a)*”.

—Aodhán Ó Ríordáin.

- 56.** In page 26, subsection (8), between lines 42 and 43, to insert the following:

“(c) The Minister shall include Foras na Gaeilge and Údarás na Gaeltachta on the specified list of bodies which have a special interest in, or knowledge of, education and training and at least one member shall be appointed by Foras na Gaeilge. Údarás na Gaeltachta will, however, appoint that member if there is a Gaeltacht situated in the area of the Board.”.

—Clare Daly, Jonathan O'Brien, Charlie McConalogue.

- 57.** In page 26, lines 43 and 44, to delete subsection (9) and substitute the following:

“(9) In this section—

“population” means the population ascertained by the Central Statistics Office in the most recent census report published by that office setting out the final result of a census of population of the State (whether or not that is the most recent such census of population);

“national association of parents” has the same meaning as it has in the Act of 1998.”.

—An tAire Oideachais agus Scileanna.

SECTION 37

- 58.** In page 33, between lines 40 and 41, to insert the following subsection:

“(6) The Minister will issue mandatory guidelines which ensure a minimum of 40 per cent women and 40 per cent men on every board.”.

—Jonathan O'Brien.

SECTION 41

- 59.** In page 36, lines 37 to 43, to delete subsections (6) and (7) and substitute the following:

“(6) An order under *subsection (3)* shall specify a date, being not more than 12 months from the date of the order, for the purposes of *section 29* as modified by *subsection (7)*.”.

[ SECTION 41 ]

(7) Where an order is made under *subsection (3)*, *section 29* shall apply to the election and appointment of new members to the education and training board concerned subject to the following modifications—

(a) in *subsection (1)*—

(i) by deleting “in every election year,” and

(ii) by substituting “the date specified by the Minister by order under *section 41(6)*” for “the local elections concerned”,

(b) in *subsection (2)*—

(i) by substituting “The Minister” for “Every education and training board”,

(ii) by deleting “in every election year,” and

(iii) by substituting “the date specified by the Minister by order under *section 41(6)*” for “the local elections concerned”,

and

(c) in *subsection (3)* by substituting “the date specified by the Minister by order under *section 41(6)*” for “the date of the local elections concerned”.”.

—An tAire Oideachais agus Scileanna.

SECTION 42

**60.** In page 38, *subsection (12)(b)*, line 30, after “reside” to insert “, as far as is practicable,”.

—Jonathan O'Brien.

**61.** In page 38, *subsection (12)*, between lines 39 and 40, to insert the following:

“(d) that all Education and Training Board school boards of management shall include at least two members of the Education and Training Board and that at least one of those be present at any meeting of the board of management.”.

—Charlie McConalogue.

**62.** In page 39, between lines 15 and 16, to insert the following subsections:

“(19) Notwithstanding the repeal of the Vocational Education (Amendment) Act 2001 by *section 4(1)*, a subcommittee established under *subsection (1)* or pursuant to a direction under *subsection (3)* of *section 31* of that Act, which immediately before the establishment day performs any of the functions referred to in *paragraph (a)* or *(b)* of *subsection (11)* shall continue in being on and after the establishment day as if—

(a) in the case of a subcommittee established under *subsection (1)* of *section 31* of that Act, it were a committee established by the relevant education and training board under *subsection (1)*, or

[ SECTION 42 ]

(b) in the case of a subcommittee established pursuant to a direction under subsection (3) of section 31 of that Act, it were a committee established by the relevant education and training board under *subsection (7)*,

and the provisions of this Act shall apply to the subcommittee accordingly.

(20) In this section “relevant education and training board” has the same meaning as it has in *section 51*.”

—An tAire Oideachais agus Scileanna.

SECTION 46

**63.** In page 43, subsection (1)(b), lines 31 and 32, to delete all words from and including “subject” in line 31 down to and including “Finance.” in line 32 and substitute the following:

“subject to any directions given by the Minister for Finance.”

—An tAire Oideachais agus Scileanna.

SECTION 47

**64.** In page 44, lines 1 to 9, to delete subsection (3) and substitute the following:

“(3) An education and training board may, having considered a proposal under *subsection (1)*, with the consent of the Minister, and having regard to any directions of the Minister for Public Expenditure and Reform or the Minister for Finance, accept the proposal and borrow by the means specified in the proposal for the purposes of carrying out the functions of the board.”

—An tAire Oideachais agus Scileanna.

SECTION 49

**65.** In page 45, subsection (1), line 11, to delete “paid” and substitute “expended”.

—An tAire Oideachais agus Scileanna.

SECTION 51

**66.** In page 45, before section 51, but in Part 6, to insert the following new section:

“Acquisition,  
holding or disposal  
of land.

51.—(1) An education and training board shall provide such information to the Minister in respect of any acquisition, holding or disposal of land, or an interest in land, by the board as the Minister may specify from time to time.

(2) The Minister may give a direction to an education and training board to acquire, hold or dispose of land, or an interest in land, where he or she considers it necessary having regard to the interests of the local community within the functional area of the board and the public interest in ensuring value for money.

(3) The Minister shall, by notice in writing, inform an education and training board where he or she proposes to give a direction under *subsection (2)* and state the terms of the proposed direction.

[ SECTION 51 ]

(4) An education and training board may make representations in writing to the Minister in relation to the proposed direction not later than 14 days from the date of service of a notice under *subsection (3)*.

(5) The Minister shall consider any representations made under *subsection (4)* prior to giving a direction under *subsection (2)*.

(6) An education and training board shall comply with a direction given to that board under this section.

(7) All moneys received by an education and training board on the sale or other disposal of land or any interest in land may be recovered by the Minister and where not recovered by the Minister shall be applied towards such purposes as the Minister determines.

(8) The Minister may make regulations in relation to the acquisition, holding or disposal of land or an interest in land by education and training boards.

(9) Without prejudice to the generality of *subsection (8)*, regulations made under that subsection may—

- (a) require an education and training board to manage, maintain or develop land or an interest in land, including the project management of such development,
- (b) require an education and training board to obtain an independent valuation of any land or interest in land in respect of a proposed acquisition or disposal of such land,
- (c) require an education and training board to set a reserve price in respect of a proposed disposal of land having regard to any independent valuation obtained,
- (d) specify the method by which land or an interest in land held by an education and training board shall be advertised, offered for sale or otherwise disposed of,
- (e) require an education and training board to ensure that costs, including professional fees, incurred in relation to the acquisition, holding or disposal of land or an interest in land are minimised,
- (f) specify the maximum term of a lease or licence which may be entered into by an education and training board which shall not require the consent of the Minister,
- (g) specify a maximum value for any transaction in relation to the acquisition or disposal of land, or an interest in land, which may be entered into by an education and training board above which the consent of the Minister shall be required, and
- (h) require an education and training board to keep such records as may be specified in respect of any acquisition, holding or disposal of land or an interest in land.”.

—An tAire Oideachais agus Scileanna.

[ SECTION 55 ]

SECTION 55

67. In page 46, subsection (1)(a), line 52, after “board” to insert the following:

“and that as far as is practicable, serving teachers will be transferred within the boundaries of their current VEC administrative areas and will only be deployed within 45km of their current VEC place of work or confines of the original VEC area”.

—Jonathan O'Brien.

68. In page 47, subsection (1)(b), lines 3 and 4, to delete “hold an unestablished position as” and substitute “become and be”.

—An tAire Oideachais agus Scileanna.

69. In page 47, subsection (2), line 10, after “with” to insert the following:

“redeployment schemes negotiated under the Towards 2012 and Public Service Agreements, and in accordance with Section 6 of the Education (Amendment) Act 2012, and”.

—Jonathan O'Brien.

70. In page 47, subsection (3)(b), lines 25 and 26, to delete “hold an unestablished position as” and substitute “become and be”.

—An tAire Oideachais agus Scileanna.

71. In page 48, subsection (7), lines 22 to 24, to delete all words from and including “employees;” in line 22 down to and including “Act 2004.” in line 24 and substitute “employees.”.

—An tAire Oideachais agus Scileanna.

SECTION 56

72. In page 48, before section 56, to insert the following new section:

“Superannuation.

56.—(1) A person referred to in *section 55(1)* who, immediately before the establishment day, was a member of a relevant superannuation scheme shall, on the establishment day, continue to be a member of such scheme in accordance with its terms and conditions.

(2) A pensionable public servant who—

(a) is not a member of the Single Public Service Pension Scheme, and

(b) is appointed under *section 18* to be a member of staff of an education and training board,

shall, on his or her appointment to the education and training board concerned, become and be a member of a relevant superannuation scheme in accordance with its terms and conditions.

(3) Nothing in this section prevents a relevant superannuation scheme being varied in accordance with its terms and conditions.

(4) In this section—

[ SECTION 56 ]

“pensionable public servant” shall be construed in accordance with Part 2 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012;

“relevant superannuation scheme” means—

- (a) in the case of a person employed as a teacher, the Vocational Teachers’ Superannuation Schemes within the meaning of Article 3(5) of the Vocational Education Superannuation Schemes (Transfer of Departmental Administration and Ministerial Functions) Order 1998 (S.I. No. 362 of 1998), and
- (b) in the case of all other members of staff, the Education Sector Superannuation Scheme, within the meaning of Article 3(4) of the Education Sector Superannuation Scheme (Transfer of Departmental Administration and Ministerial Functions) Order 2001 (S.I. No. 14 of 2001).”.

—An tAire Oideachais agus Scileanna.

SECTION 62

73. In page 50, before section 62, to insert the following new section:

“Amendment of section 13 of Act of 1998.

62.—Section 13 of the Act of 1998 is amended by inserting the following subsection after subsection (12):

“(12A) A person who obstructs or interferes with an inspector in the course of exercising a power conferred on the inspector by this section or impedes the exercise by the inspector of such a power commits an offence and is liable—

(a) on summary conviction to a Class A fine, or

(b) on conviction on indictment, to a fine not exceeding €100,000.”.

—An tAire Oideachais agus Scileanna.

74. In page 50, before section 62, to insert the following new section:

“Transition for membership.

63.—(1) Notwithstanding the repeal by *section 4(1)* of section 2 of the Act of 1944, that section shall apply as if it had not been repealed in respect of a person who is a member of an education and training board pursuant to *section 9(5)* for the period beginning on the establishment day and ending on the date of the next post election meeting of that board.

(2) *Sections 32* and *35* shall not apply to a person referred to in *subsection (1)* for the period specified in that subsection.

(3) Where a person becomes a member of an education and training board pursuant to *section 9(5)* and the person dies, resigns, ceases to be qualified for office or ceases to hold office during a period beginning on the establishment day and ending on the date of the next post election meeting, the casual vacancy arising shall be filled—

- (a) in the case of a vacancy occasioned by a member who was elected by a local authority, by a person elected by the local authority concerned,

[ SECTION 62 ]

(b) in the case of a vacancy occasioned by a member who was appointed by a local authority, by a person appointed by the local authority concerned, or

(c) in the case of any other vacancy, in accordance with directions given by the Minister.

(4) A person who becomes a member of an education and training board under subsection (3) shall, subject to this Act, hold office for the period ending on the date of the next post election meeting of that board.”

—An tAire Oideachais agus Scileanna.

NEW SECTIONS

75. In page 50, before Schedule 1, to insert the following new section:

“Consequential amendments to other Acts.

66.—The Acts specified in columns (2) and (3) of Schedule 6\* are amended to the extent specified column (4) of that Schedule.”

—An tAire Oideachais agus Scileanna.

[\*Note: This is a reference to the Schedule proposed to be inserted by amendment No. 80.]

76. In page 50, before Schedule 1, to insert the following new section:

“PART 9

AMENDMENT OF NATIONAL DEVELOPMENT FINANCE AGENCY ACT 2002

Amendment of National Development Finance Agency Act 2002.

67.—(1) The National Development Finance Agency Act 2002 is amended—

(a) in subsection (1) of section 3 (amended by section 3 of the Act of 2007)—

(i) in paragraph (e) by deleting “and”, where it lastly occurs,

(ii) in paragraph (f) by substituting “public private partnership arrangement,” for “public private partnership arrangement.”, and

(iii) by inserting the following paragraph after paragraph (f):

“(g) to enter into any arrangement or contract to procure as agent for the Minister for Education and Skills any public investment project in relation to a school, educational facility or other building or structure, including the financing, management, design and construction of such building or structure, as that Minister may from time to time designate.”,

(b) in section 3A (inserted by section 4 of the Act of 2007), by substituting the following subsection for subsection (1):

“(1) The Agency shall draw up, and may from time to time revise, a code of conduct that is based on best practices so as to ensure good corporate governance in the performance of the functions of the Agency under paragraphs (e), (f) and (g) of subsection (1) of section (3).”,

[ *NEW SECTIONS* ]

(c) in subsection (1) (amended by section 5 of the Act of 2007) of section 4 by substituting “paragraph (e), (f) or (g)” for “paragraph (e) or (f)”, and

(d) in section 26 (amended by section 10 of the Act of 2007)—

(i) in subsection (1) by substituting “costs and expenses” for “expenses”,

(ii) in subsection (2) by substituting “costs and expenses” for “expenses”,

(iii) in paragraph (a) of subsection (3) by substituting “costs and expenses” for “expenses” and by substituting “paragraphs (a), (c), (e), (f) and (g)” for “paragraphs (a), (c), (e) and (f)”, and

(iv) by substituting the following subsection for subsection (4):

“(4) In this section ‘costs and expenses’ includes—

(a) remuneration and allowances for expenses payable under section 12(5) to Board members,

(b) any fee payable or any payment due to a consultant, adviser, contractor, subcontractor, supplier, or other service provider engaged by the Agency under this Act, and

(c) any other costs, charges or expenses incurred by the Agency in the performance of its functions under this Act.”.

(2) In this section “Act of 2007” means the National Development Finance Agency (Amendment) Act 2007.”.

—An tAire Oideachais agus Scileanna.

SCHEDULE 1

77. In page 51, to delete lines 4 to 31 and substitute the following:

“

Item (1)	Year and Number (2)	Short Title (3)	Extent of Repeal (4)
1	No. 29 of 1930	Vocational Education Act 1930	The Whole Act
2	No. 42 of 1935	Local Authorities (Mutual Assurance) Act 1935	Section 2
3	No. 50 of 1936	Vocational Education (Amendment) Act 1936	The Whole Act
4	No. 9 of 1944	Vocational Education (Amendment) Act 1944	The Whole Act
5	No. 24 of 1946	Local Government Act 1946	The reference to “vocational education committee” in subsection (7) of section 68

[ SCHEDULE 1 ]

6	No. 1 of 1947	Vocational Education (Amendment) Act 1947	The Whole Act
7	No. 33 of 1950	Vocational Education (Amendment) Act 1950	The Whole Act
8	No. 37 of 1953	Vocational Education (Amendment) Act 1953	The Whole Act
9	No. 28 of 1962	Vocational Education (Amendment) Act 1962	The Whole Act
10	No. 15 of 1970	Vocational Education (Amendment) Act 1970	The Whole Act
11	No. 31 of 1993	Local Government (Dublin) Act 1993	Section 19
12	No. 20 of 1999	Regional Technical Colleges (Amendment) Act 1999	Section 12
13	No. 23 of 2001	Vocational Education (Amendment) Act 2001	The Whole Act, other than section 36
14	No. 37 of 2001	Local Government Act 2001	Section 29(2)

”  
—An tAire Oideachais agus Scileanna.

SCHEDULE 3

**78.** In page 57, lines 6 and 7, to delete all words from and including “shall,” in line 6 down to and including “Reform” in line 7 and substitute the following:

“shall, subject to *section 51\** and any regulations made under that section, with the consent of the Minister”.

—An tAire Oideachais agus Scileanna.

[\*Note: This is a reference to the section proposed to be inserted by amendment No. 66.]

**79.** In page 58, line 48, to delete “*paragraph 9(1),*” and substitute “*paragraph 5 (1),*”.

—An tAire Oideachais agus Scileanna.

NEW SCHEDULE

**80.** In page 64, after line 22, to insert the following new Schedule:

“Section 66\*.

SCHEDULE 6

CONSEQUENTIAL AMENDMENTS TO OTHER ACTS

[ *NEW SCHEDULE* ]

Item (1)	Number and Year (2)	Short Title (3)	Amendment (4)
1	No. 18 of 1954	Defence Act 1954	Section 104:  In subsection (1)(a) to substitute “an education and training board” for “a vocational education committee”.
2	No. 24 of 1963	Superannuation and Pensions Act 1963	Section 1:  In the definition of “local authority” to substitute the following paragraph for paragraph (b):  “(b) an education and training board,”.
3	No. 5 of 1967	Industrial Training Act 1967	Section 32:  In subsection (1)—  (a) to substitute “an education and training board” for “a vocational education committee”, and  (b) to substitute “the education and training board” for “the vocational education committee”.  In subsection (2) to substitute “an education and training board” for “a vocational education committee”.
4	No. 21 of 1967	Redundancy Payments Act 1967	Section 2:  In subsection (1), in the definition of “employee” (amended by section 3(b) of the Redundancy Payments Act 2003) to substitute “education and training board” for “vocational education committee” in both places where it occurs.

[ *NEW SCHEDULE* ]

5	No. 14 of 1969	Industrial Relations Act 1969	<p>Section 9:</p> <p>In subsection (1)(e) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (1)(f) to substitute “recognised” for “national, secondary, vocational or comprehensive school or in any similar”.</p>
6	No. 11 of 1976	Family Law (Maintenance of Spouses and Children) Act 1976	<p>Section 16:</p> <p>In subsection (1) to substitute “an education and training board” for “a vocational education committee established by the Vocational Education Act, 1930”.</p>
7	No. 8 of 1980	Local Government (Superannuation) Act 1980	<p>Section 1:</p> <p>In the definition of “local authority” to substitute the following paragraph for paragraph (b):</p> <p style="padding-left: 40px;">“(b) an education and training board,”.</p> <p>Section 10:</p> <p>In subsection (3) to substitute “an education and training board” for “a vocational education committee”.</p>

[ *NEW SCHEDULE* ]

8	No. 19 of 1990	Industrial Relations Act 1990	<p>Section 23:</p> <p>In subsection (1) to substitute the following paragraph for paragraph (e):</p> <p style="padding-left: 40px;">“(e) a member of staff of an education and training board, or”.</p> <p>In subsection (2)(c) to substitute “an education and training board” for “a vocational education committee”.</p>
9	No. 25 of 1990	Pensions Act 1990	<p>Section 2:</p> <p>In subsection (1), in the definition of “employee” (inserted by section 6 of the Pensions (Amendment) Act 2002)—</p> <p style="padding-left: 40px;">(a) to substitute “a member of staff of an education and training board” for “a vocational education committee”, and</p> <p style="padding-left: 40px;">(b) to substitute “or board” for “, board or committee”.</p> <p>Section 65:</p> <p>In subsection (2)(b) (amended by section 22 of the Social Welfare (Miscellaneous Provisions) Act 2004)—</p> <p style="padding-left: 40px;">(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p style="padding-left: 40px;">(b) to substitute “ or board” for “, board or committee”.</p>

[ *NEW SCHEDULE* ]

10	No. 25 of 1991	Payment of Wages Act 1991	<p>Section 1:</p> <p>In subsection (1) in the definition of “employee”—</p> <p>(a) to substitute “a member of staff of an education and training board” for “a vocational education committee”, and</p> <p>(b) to substitute “or board” for “, board or committee”.</p>
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[ *NEW SCHEDULE* ]

11	No. 15 of 1992	Dublin Institute of Technology Act 1992	<p>Section 2:</p> <p>In subsection (1)—</p> <p>(a) to delete the definition of “the Vocational Education Committee”, and</p> <p>(b) to insert the following definition:</p> <p>“ ‘Education and Training Board’ means City of Dublin Education and Training Board;”.</p> <p>Section 6:</p> <p>In subsection (5)(a) to substitute “Education and Training Board” for “Vocational Education Committee”.</p> <p>Second Schedule:</p> <p>In paragraph 3—</p> <p>(a) to substitute “Education and Training Board” for “Vocational Education Committee” in each place it occurs, and</p> <p>(b) to substitute “on the recommendation of the Board” for “on the recommendation of the Committee”.</p> <p>In paragraph 9(b) to substitute “Education and Training Board” for “Vocational Education Committee”.</p>
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12	No. 16 of 1992	Regional Technical Colleges Act 1992	<p>Section 2:</p> <p>In subsection (1)—</p> <p>(a) to insert the following definitions:</p> <p>“ ‘education and training board’ in relation to a college, means the education and training board in whose education and training board area the college is situated;</p> <p>‘education and training board area’ has the same meaning as it has in the <i>Education and Training Boards Act 2013</i>;”</p> <p>and</p> <p>(b) to delete the definition of “the vocational education committee”.</p> <p>Section 6:</p> <p>In subsection (6)(a) to substitute “education and training board” for “vocational education committee”.</p> <p>First Schedule:</p> <p>To delete column (2) of the Table.</p> <p>Second Schedule:</p> <p>In paragraph 3 to substitute “education and training board” for “vocational education committee” in each place it occurs.</p>
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[ *NEW SCHEDULE* ]

			In paragraph 9(b) to substitute “education and training board” for “vocational education committee”.
13	No. 8 of 1993	Comptroller and Auditor General (Amendment) Act 1993	<p>Section 7:</p> <p>In subsection (1) to substitute “education and training boards” for “vocational education committees”.</p> <p>In subsection (2)(b) to substitute “board” for “committee” in both places where it occurs.</p> <p>In subsection (3)—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(b) to substitute “board” for “committee” in each place where it occurs.</p>

			<p>In subsection (4)—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(b) in paragraph (b), to substitute “board” for “committee”.</p> <p>In subsection (5) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (6)—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(b) to substitute “board” for “committee” in both places where it occurs.</p>
14	No. 2 of 1994	Criminal Justice (Public Order) Act 1994	<p>Section 19A (inserted by section 24 of the Housing (Miscellaneous Provisions) Act 2002):</p> <p>In subsection (1), in the definition of “statutory body” to substitute the following paragraph for paragraph (f):</p> <p>“(f) an education and training board,”.</p>

[ *NEW SCHEDULE* ]

15	No. 5 of 1994	Terms of Employment (Information) Act 1994	<p>Section 1:</p> <p>In subsection (1), in the definition of “employee”—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(b) to substitute “or board” for “, board or committee”.</p>
16	No. 29 of 1994	Regional Technical Colleges (Amendment) Act 1994	<p>In the Act, to substitute “education and training board” for “vocational education committee” in each place where it occurs.</p> <p>Section 4:</p> <p>In subsection (4)(1)—</p> <p>to</p> <p>(a) in paragraph (b) to substitute “other boards” for “other committees”, and</p> <p>(b) in paragraph (g), to substitute “that board” for “that committee”.</p>
17	No. 31 of 1994	Dublin Institute of Technology (Amendment) Act 1994	<p>In the Act, to substitute “City of Dublin Education and Training board” for “Vocational Education Committee” in each place where it occurs.</p> <p>Section 4:</p> <p>In subsection (1)(g) to substitute “that board” for “that Committee”.</p>

[ *NEW SCHEDULE* ]

18	No. 34 of 1994	Maternity Protection Act 1994	<p>Section 2:</p> <p>In subsection (2)(b)—</p> <p>(a) to substitute “a member of staff of an education and training board” for “a vocational education committee” and</p> <p>(b) to substitute “or board” for “, board or committee”.</p>
19	No. 2 of 1995	Adoptive Leave Act 1995	<p>Section 2:</p> <p>In subsection (2)(b)—</p> <p>(a) to substitute “a member of staff of an education and training board” for “a vocational education committee” and,</p> <p>(b) to substitute “or board” for “, board or committee”.</p>
20	No. 16 of 1996	Protection of Young Persons (Employment) Act 1996	<p>Section 1:</p> <p>In subsection (1) in the definition of “employee”—</p> <p>(a) to substitute “a member of staff of an education and training board” for “a vocational education committee” and,</p> <p>(b) to substitute “or board” for “, board or committee”.</p>

[ *NEW SCHEDULE* ]

21	No. 11 of 1997	National Cultural Institutions Act 1997	<p>Second Schedule (amended by Article 2 of the National Cultural Institutions Act 1997 (Amendment to Second Schedule) Order 2002 (S.I. No. 640 of 2002)):</p> <p>To substitute “Cork Education and Training Board” for “city of Cork Vocational Education Committee”.</p>
22	No. 20 of 1997	Organisation of Working Time Act 1997	<p>Section 2:</p> <p>In subsection (1) in the definition of “employee”—</p> <p>(a) to substitute “a member of staff of an education and training board” for “vocational education committee” and,</p> <p>(b) to substitute “or board” for “, board or committee”.</p>
23	No. 31 of 1997	Prompt Payment of Accounts Act 1997	<p>Schedule:</p> <p>To substitute “Education and training boards” for “Vocational Education Committees”.</p>

[ *NEW SCHEDULE* ]

24	No. 39 of 1997	Taxes Consolidation Act 1997	<p>Section 4:</p> <p>In subsection (1), in the definition of “company” to substitute the following paragraph for paragraph (c):</p> <p style="padding-left: 40px;">“(c) an education and training board.”</p> <p>Section 214:</p> <p>In subsection (2), to substitute the following paragraph for paragraph (c):</p> <p style="padding-left: 40px;">“(c) an education and training board.”</p> <p>Section 787A (inserted by section 4(1)(d)(v) of the Pensions (Amendment) Act 2002):</p> <p>In subsection (1) in the definition of “employee”—</p> <p style="padding-left: 40px;">(a) to substitute “a member of staff of an education and training board” for “vocational education committee”, and</p> <p style="padding-left: 40px;">(b) to substitute “or board” for “, board or committee”.</p> <p>Schedule 13:</p> <p>To substitute the following paragraph for paragraph 17:</p> <p style="padding-left: 40px;">“17. An education and training board.”</p> <p>Schedule 15:</p> <p>To substitute the following paragraph for paragraph 8:</p> <p style="padding-left: 40px;">“8. An education and training board.”</p>
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[ *NEW SCHEDULE* ]

25	No. 21 of 1998	Employment Equality Act 1998	<p>Section 2:</p> <p>In subsection (3)(b)—</p> <p>(a) to substitute “member of staff of an education and training board” for “vocational education committee”, and</p> <p>(b) to substitute “or board” for “, board or committee”.</p> <p>Section 36:</p> <p>In subsection (1) to substitute “or a health board or a member of staff of an education and training board” for “, a health board or vocational education committee”.</p>
26	No. 30 of 1998	Parental Leave Act 1998	<p>Section 2:</p> <p>In subsection (1), in the definition of “employee”—</p> <p>(a) to substitute “a member of staff of an education and training board” for “vocational education committee”, and,</p> <p>(b) to substitute “or board” for “, board or committee”.</p>

[ *NEW SCHEDULE* ]

27	No. 51 of 1998	Education Act 1998	<p>Section 2:</p> <p>In subsection (1) to delete the definition of “vocational education committee”.</p> <p>Section 8:</p> <p>In subsection (4) to substitute “an education and training board, that board” for “a vocational education committee that committee”.</p> <p>Section 14:</p> <p>In subsection (2) to substitute “an education and training board” for “a vocational education committee”.</p> <p>Section 18:</p> <p>In subsection (1), to substitute “an education and training board” for “a vocational education committee”.</p> <p>Section 24 (amended by section 6 of the Education (Amendment) Act 2012):</p> <p>In subsection (5)(b)(ii) to substitute “education and training board” for “vocational education committee”.</p> <p>In subsection (7)—</p> <p style="padding-left: 40px;">(a) in paragraph (a) to substitute “education and training board” for “vocational education committee”, and</p>
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			<p>(b) in paragraph (b) to substitute “an education and training board, provide the Minister or education and training board” for “a vocational education committee, provide the Minister or vocational education committee”.</p> <p>Section 29:</p> <p>In subsection (9)—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(b) to substitute “the education and training board” for “the vocational education committee”.</p> <p>In subsection (10) to substitute “education and training boards” for “vocational education committees” in each place where it occurs.</p>
28	No. 6 of 1999	Irish Sports Council Act 1999	<p>Section 2:</p> <p>In subsection (1), in the definition of “public authority” to substitute the following paragraph for paragraph (c):</p> <p>“(c) an education and training board,”.</p>

[ *NEW SCHEDULE* ]

29	No. 5 of 2000	National Minimum Wage Act 2000	<p>Section 2:</p> <p>In subsection (2)—</p> <p>(a) to substitute “or of a health board, or a member of staff of an education and training board” for “, health board or vocational education committee”, and</p> <p>(b) to substitute “or board ” for “, board or committee”.</p>
30	No. 22 of 2000	Education (Welfare) Act 2000	<p>Section 2:</p> <p>In subsection (1) to delete the definition of “vocational education committee”.</p> <p>Section 12:</p> <p>In subsection (2) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (6) to substitute the following for paragraph (h):</p> <p>“(h) an education and training board;”.</p>
31	No. 30 of 2000	Planning and Development Act 2000	<p>Second Schedule:</p> <p>In paragraph 5(1) to substitute the following paragraph for paragraph (f):</p> <p>“(f) an education and training board;”.</p>

[ *NEW SCHEDULE* ]

32	No. 39 of 2000	National Treasury Management Agency (Amendment) Act 2000	<p>Section 18:</p> <p>In the definition of “designated body” to substitute the following paragraph for paragraph (b):</p> <p>“(b) an education and training board,”.</p>
33	No. 8 of 2001	Teaching Council Act 2001	<p>Section 42:</p> <p>In subsection (1)(a) to substitute “<i>Education and Training Boards Act 2013</i>” for “Vocational Education Acts, 1930 to 1999”.</p> <p>In subsection (5)(b)(ii) to delete “, or the Vocational Education Acts, 1930 to 1999, as the case may be,”.</p>
34	No. 18 of 2001	Sex Offenders Act 2001	<p>Section 25:</p> <p>In subsection (1) in the definition of “State work or a service” (amended by section 75 of and Schedule 6 to the Health Act 2004) to substitute the following paragraph for paragraph (d):</p> <p>“(d) is an officer or servant of a harbour authority or a member of staff of an education and training board,”.</p>

[ *NEW SCHEDULE* ]

35	No. 19 of 2001	Carer's Leave Act 2001	<p>Section 2:</p> <p>In subsection (1), in the definition of "employee"—</p> <p>(a) to substitute "or health board, or a member of staff of an education and training board" for ", health board or vocational education committee" and</p> <p>(b) to substitute "or board" for ", board or committee".</p>
36	No. 24 of 2001	Children Act 2001	<p>Section 159A (inserted by section 147 of the Criminal Justice Act 2006):</p> <p>In subsection (1) to delete the definition of "vocational education committee".</p> <p>In subsection (3) to substitute "An education and training board" for "A vocational education committee".</p> <p>In subsection (4) to substitute "education and training board" for "vocational education committee".</p>

[ *NEW SCHEDULE* ]

37	No. 37 of 2001	Local Government Act 2001	<p>Section 220:</p> <p>In subsection (1), in the definition of “linked body” to substitute “an education and training board” for “a vocational education committee”.</p> <p>Schedule 10:</p> <p>In paragraph 18—</p> <p>(a) in subparagraph (3) (c) to substitute “an education and training board” for “a vocational education committee within the meaning of the Vocational Education Act, 1930”, and</p> <p>(b) in subparagraph (4) (b) to substitute “an education and training board” for “a vocational education committee”.</p> <p>Schedule 12:</p> <p>In Part 2 to delete “Vocational Education Acts, 1930 to 2001” and substitute “<i>Education and Training Boards Act 2013</i>”.</p>
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38	No. 42 of 2001	Youth Work Act 2001	<p>Section 2:</p> <p>In subsection (1)—</p> <p>(a) in the definition of “approved national voluntary youth work organisation” to substitute “education and training board areas” for “vocational education areas”,</p> <p>(b) in the definition of “Youth Work Budget” to substitute “an education and training board” for “a vocational education committee”,</p> <p>(c) to delete the definitions of “vocational education area” and “vocational education committee”, and</p> <p>(d) to insert the following definition:</p> <p>“ ‘education and training board area’ has the same meaning as it has in the <i>Education and Training Boards Act 2013</i>”.</p> <p>Section 8:</p> <p>In subsection (1)—</p> <p>(a) in paragraph (d) to substitute “education and training board areas” for “vocational education areas”,</p>
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			<p>(b) in paragraph (g) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(c) in paragraph (h) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (7) to substitute “education and training board” for “vocational education committee” in each place where it occurs.</p> <p>In subsection (8)—</p> <p>(a) to substitute “education and training boards” for “vocational education committees”, and</p> <p>(b) to substitute “the boards” for “the committees”.</p> <p>Section 9:</p> <p>In subsection (1)—</p> <p>(a) to substitute “(1) In addition to the functions conferred on it by or under the <i>Education and Training Boards Act 2013</i>, each education and training board shall, as far as</p>
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		<p>practicable and within the financial resources available to it—” for “(1) In addition to the functions conferred on it by or under the Vocational Education Acts, 1930 to 1999, each vocational education committee shall, as far as practicable and within the financial resources available to it—”</p> <p>(b) to substitute “education and training board area” for “vocational education area” in each place where it occurs, and</p> <p>(c) in paragraph (a)(ii) to substitute “education and training board” for “vocational education committee”.</p> <p>In subsection (2) to substitute “an education and training board” for “a vocational education committee”.</p> <p>Section 10:</p> <p>(a) to substitute “the education and training board” for “ the vocational education committee” in each place where it occurs, and</p>
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			<p>(b) to substitute “an education and training board” for “a vocational education committee” in each place where it occurs.</p> <p>Section 11:</p> <p>In subsection (1)—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”,</p> <p>(b) to substitute “education and training board area” for “vocational education area” in each place where it occurs, and</p> <p>(c) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.</p> <p>In subsection (2) to substitute “education and training board” for “vocational education committee”.</p> <p>In subsection (3) to substitute “education and training board” for “vocational education committee” in each place where it occurs.</p>
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		<p>In subsection (4) to substitute “An education and training board” for “A vocational education committee”.</p> <p>In subsection (5) to substitute “An education and training board” for “A vocational education committee”.</p> <p>In subsection (6) to substitute “An education and training board” for “A vocational education committee”.</p> <p>Section 12:</p> <p>(a) in subsection (1) to substitute “the chief executive of the board” for “the Chief Executive Officer of the committee”,</p> <p>(b) to substitute “an education and training board” for “a vocational education committee” in each place where it occurs, and</p> <p>(c) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.</p> <p>Section 13:</p> <p>In subsection (1)—</p>
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			<p>(a) to substitute “An education and training board” for “A vocational education committee” and</p> <p>(b) to substitute “education and training board area” for “vocational education area”.</p> <p>In subsection (4)—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”,</p> <p>(b) to substitute “education and training board area” for “vocational education area” in each place where it occurs, and</p> <p>(c) to substitute “the education and training board” for “the vocational education committee”.</p> <p>In subsection (6) to substitute “the education and training board” for “the vocational education committee”.</p> <p>In subsection (7) to substitute “an education and training board” for “a vocational education committee”.</p>
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In subsection (8)—

(a) to substitute “An education and training board” for “A vocational education committee”, and

(b) to substitute “education and training board area” for “vocational education area”.

Section 14:

In subsection (1)—

(a) to substitute “an education and training board” for “a vocational education committee”, and

(b) to substitute “education and training board area” for “vocational education area” in each place that it occurs.

In subsection (2)—

(a) to substitute “an education and training board” for “a vocational education committee”, and

(b) to substitute “the education and training board” for “the vocational education committee”.

In subsection (3) to substitute “An education and training board” for “A vocational education committee”.

Section 15:

(a) to substitute “an education and training board” for “a vocational education committee”,

(b) to substitute “education and training board areas” for “vocational education areas”, and

(c) to substitute “an education and training board area” for “a vocational education area”.

Section 17:

In subsection (2)(k) to substitute “education and training boards” for “vocational education committees”.

Section 19:

In subsection (1)—

(a) to substitute “An education and training board” for “A vocational education committee”,

(b) to substitute “education and training board area” for “vocational education area”, and

			<p>(c) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.</p> <p>In subsection (2) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (3) to substitute “education and training board” for “vocational education committee”.</p> <p>In subsection (4) to substitute “education and training board” for “vocational education committee” in each place where it occurs.</p> <p>In subsection (5) to substitute “education and training board” for “vocational education committee” in each place where it occurs.</p> <p>In subsection (6)—</p> <p>(a) to substitute “An education and training board” for “A vocational education committee”, and</p> <p>(b) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.</p>
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		<p>In subsection (7) to substitute “the education and training board” for “the vocational education committee”.</p> <p>In subsection (8) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.</p> <p>In subsection (11) to substitute “the education and training board” for “the vocational education committee”.</p> <p>Section 20:</p> <p>In subsection (1) to substitute “<i>section 42(2) of the Education and Training Boards Act 2013</i>, the members of a youth work committee shall number not less than 16 and not more than 20, and an education and training board” for “section 21(4) of the Vocational Education Act, 1930, the members of a youth work committee shall number not less than 16 and not more than 20, and a vocational education committee”.</p> <p>In subsection (2)—</p> <p>(a) to substitute “An education and training board” for “A vocational education committee”,</p> <p>(b) in paragraph (a) to substitute “the education and training board” for “the vocational education committee”,</p>
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			<p>(c) to substitute “education and training board area” for “vocational education area” in each place where it occurs, and</p> <p>(d) in paragraph (b)(vi) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (3) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (5)—</p> <p>(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(b) to substitute “the education and training board” for “the vocational education committee”.</p> <p>Section 21:</p> <p>(a) to substitute “education and training board area” for “vocational education area” in each place where it occurs, and</p>
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			<p>(b) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.</p> <p>Section 22:</p> <p>In subsection (1) to substitute “education and training board” for “vocational education committee”.</p> <p>In subsection (3) to substitute “education and training board area” for “vocational education area”.</p> <p>In subsection (5)(a) to substitute “An education and training board” for “A vocational education committee”.</p> <p>In subsection (7) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (8) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (9)—</p> <p>(a) to substitute “An education and training board” for “A vocational education committee”, and</p> <p>(b) to substitute “education and training board area” for “vocational education area”.</p>
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		<p>In subsection (10) to substitute “education and training board” for “vocational education committee”.</p> <p>Section 23:</p> <p>In subsection (4) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.</p> <p>Section 26:</p> <p>To substitute “education and training board areas” for “vocational education areas”.</p> <p>Section 29:</p> <p>In subsection (1)—</p> <ul style="list-style-type: none"><li>(a) to substitute “An education and training board” for “A vocational education committee”, and</li><li>(b) to substitute “the education and training board area of that board” for “the committee’s vocational education area”.</li></ul> <p>In subsection (2) to substitute “An education and training board” for “A vocational education committee”.</p> <p>Section 30:</p> <p>In subsection (1)—</p>
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(a) to substitute “an education and training board” for “a vocational education committee”, and

(b) to substitute “the education and training board” for “the vocational education committee” in each place where it occurs.

In subsection (2) to substitute “the education and training board” for “the vocational education committee”.

Section 31:

In subsection (1) to substitute “An education and training board” for “A vocational education committee”.

In subsection (3)—

(a) to substitute “an education and training board” for “a vocational education committee”, and

(b) to substitute “the education and training board” for “the vocational education committee”.

In subsection (4) to substitute “the education and training board” for “the vocational education committee”.

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In subsection (5) to substitute “an education and training board” for “a vocational education committee”.

Section 32:

(a) to substitute “an education and training board” for “a vocational education committee” in each place in which it occurs,

(b) to substitute “the education and training board” for “the vocational education committee” in each place in which it occurs, and

(c) in subsection (3)(d) to substitute “education and training board area” for “vocational education area”.

Section 33:

In subsection (1) to substitute “An education and training board” for “A vocational education committee”.

In subsection (2) to substitute “An education and training board” for “A vocational education committee”.

In subsection (3)—

		<p>(a) to substitute “an education and training board” for “a vocational education committee”, and</p> <p>(b) to substitute “the education and training board” for “the vocational education committee”.</p> <p>Section 34:</p> <p>In subsection (1) to substitute the following paragraph for paragraph (a):</p> <p>“(a) an education and training board,”.</p> <p>Section 35:</p> <p>In subsection (1) to substitute “an education and training board” for “a vocational education committee”.</p> <p>In subsection (2) to substitute “the education and training board” for “the vocational education committee”.</p> <p>In subsection (3) to substitute “The education and training board” for “The vocational education committee”.</p> <p>In subsection (5) to substitute “the education and training board” for “the vocational education committee”.</p> <p>Section 37:</p> <p>In paragraph (c) to substitute “the education and training board” for “the vocational education committee”.</p>
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[ NEW SCHEDULE ]

39	No. 45 of 2001	Protection of Employees (Part-Time Work) Act 2001	<p>Section 3:</p> <p>In subsection (1) in the definition of “employee”—</p> <p>(a) to substitute “or health board, or a member of staff of an education and training board” for “, health board or vocational education committee”, and</p> <p>(b) to substitute “or board” for “, board or committee”.</p>
40	No. 54 of 2001	Family Support Agency Act 2001	<p>Section 1:</p> <p>In subsection (1), in the definition of “public authority to substitute the following paragraph for paragraph (e):</p> <p>“(e) an education and training board,”.</p>
41	No. 1 of 2002	State Authorities (Public Private Partnership Arrangements) Act 2002	<p>Schedule:</p> <p>To substitute “An education and training board” for “A vocational education committee within the meaning of section 7 of the Vocational Education Act, 1930”.</p>
42	No. 29 of 2002	National Development Finance Agency Act 2002	<p>Section 16:</p> <p>In subsection (1)(d) to substitute “an education and training board” for “a vocational education committee”.</p> <p>Schedule:</p> <p>To substitute “An education and training board” for “A vocational education committee within the meaning of section 7 of the Vocational Education Act, 1930”.</p>

[ NEW SCHEDULE ]

43	No. 29 of 2003	Protection of Employees (Fixed-Term Work) Act 2003	<p>Section 2:</p> <p>In subsection (1) in the definition of “employee”—</p> <p>(a) to substitute “or health board or a member of staff of an education and training board,” for “, a health board or vocational education committee”, and</p> <p>(b) to substitute “or board” for “, health board or vocational education committee”.</p>
44	No. 32 of 2003	Official Languages Act 2003	<p>First Schedule:</p> <p>In paragraph 1(2) of the Irish text to substitute “bord oideachais agus oiliúna” for “coiste gairmoideachais”.</p> <p>In paragraph 1(2) of the English text to substitute “an education and training board” for “a vocational education committee”.</p>
45	No. 46 of 2003	Personal Injuries Assessment Board Act 2003	<p>Section 4:</p> <p>In subsection (1) in the definition of “employee”—</p> <p>(a) to substitute “or health board, or a member of staff of an education and training board” for “, health board or vocational education committee”, and</p> <p>(b) to substitute “or board” for “, board or committee”.</p>

[ *NEW SCHEDULE* ]

46	No. 7 of 2004	Public Service Superannuation (Miscellaneous Provisions) Act 2004	Section 1:  In subsection (1), in the definition of “public service body” to substitute the following paragraph for paragraph (f):  “(f) an education and training board,”.
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47	No. 33 of 2004	Public Service Management (Recruitment and Appointments) Act 2004	<p>Section 2:</p> <p>In subsection (1)—</p> <p>(a) in the definition of “appointment” to substitute “an education and training board” for “a vocational education committee”,</p> <p>(b) in the definition of “public service body” to substitute the following paragraph for paragraph (e):</p> <p>“(e) an education and training board, and”,</p> <p>and</p> <p>(c) to delete the definition of “vocational education committee”.</p> <p>Section 5:</p> <p>In paragraph (d) to substitute “education and training boards” for “vocational education committees”.</p> <p>Section 6:</p> <p>In subsection (1)(a)(ii) to substitute the following clause for clause (III):</p> <p>“(III) the Minister for Education and Skills, where that body is an education and training board.”.</p>
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Section 24:

In subsection (2) to substitute the following paragraph for paragraph (c):

“(c) one or more education and training boards, the Minister for Education and Skills, or”.

Section 34:

In subsection (1)(d) to substitute the following subparagraph for subparagraph (iv):

“(iv) in respect of education and training boards, at the request of the Minister for Education and Skills or the office holder concerned,”.

Section 40:

In subsection (2)(i) to substitute the following subparagraph for subparagraph (iii):

“(iii) the chief executive of an education and training board — the Secretary General of the Department of Education and Skills.”.

[ *NEW SCHEDULE* ]

			<p>Section 44:</p> <p>In subsection (1) to substitute the following paragraph for paragraph (d):</p> <p style="padding-left: 40px;">“(d) the chief executive of an education and training board,”.</p> <p>Section 58:</p> <p>In subsection (4) to substitute “education and training boards” for “vocational education committees” in each place where it occurs.</p>
48	No. 10 of 2005	Safety, Health and Welfare at Work Act 2005	<p>Section 2:</p> <p>In subsection (3) to substitute the following paragraph for paragraph (b):</p> <p style="padding-left: 40px;">“(b) an officer or servant of a harbour authority or the Health Service Executive or a member of staff of an education and training board is deemed to be an employee employed by the harbour authority, the Health Service Executive or education and training board, as the case may be, and”.</p>

[ *NEW SCHEDULE* ]

49	No. 21 of 2005	Grangegorman Development Agency Act 2005	<p>Section 2:</p> <p>In subsection (1), in the definition of “statutory body” to substitute the following paragraph for paragraph (d):</p> <p style="padding-left: 40px;">“(d) City of Dublin Education and Training Board,”.</p>
50	No. 26 of 2005	Social Welfare Consolidation Act 2005	<p>Section 353:</p> <p>In subsection (1) to substitute “an education and training board” for “a vocational education committee established by the Vocational Education Act 1930”.</p> <p>Schedule 3:</p> <p>In Part 1, in paragraph (b) (ii) of the definition of “maintenance grant” to substitute “education and training boards” for “Vocational Education Committees”.</p> <p>Schedule 5:</p> <p>In paragraph 1 to substitute the following subparagraph for subparagraph (2A) (inserted by section 6 of the Social Welfare and Pensions Act 2012):</p> <p style="padding-left: 40px;">“(2A) an education and training board,”.</p>

[ *NEW SCHEDULE* ]

51	No. 9 of 2007	Education (Miscellaneous Provisions) Act 2007	<p>Section 7:</p> <p>In subsection (1)—</p> <p style="padding-left: 40px;">(a) to delete the definition of “Committee”, and</p> <p style="padding-left: 40px;">(b) to insert the following definition:</p> <p style="padding-left: 80px;">“ ‘Board’ means Cork Education and Training Board;”.</p> <p>In subsection (2) to substitute “Board” for “Committee” in each place where it occurs.</p> <p>In subsection (4) to substitute “Board” for “Committee” in each place where it occurs.</p> <p>In subsection (5)(a) to substitute “Board” for “Committee”.</p>
52	No. 5 of 2009	Financial Emergency Measures in the Public Interest Act 2009	<p>Section 1:</p> <p>In the definition of “public service body” to substitute the following paragraph for paragraph (g):</p> <p style="padding-left: 40px;">“(g) an education and training board.”.</p>
53	No. 6 of 2009	Charities Act 2009	<p>Section 2:</p> <p>In subsection (1), in the definition of “education body” to substitute the following paragraph for paragraph (a):</p> <p style="padding-left: 40px;">“(a) an education and training board.”.</p>

[ *NEW SCHEDULE* ]

54	No. 22 of 2009	Housing (Miscellaneous Provisions) Act 2009	Section 36: In paragraph ( <i>d</i> ) of the definition of “specified body” to substitute “an education and training board” for “a vocational education committee within the meaning of section 7 of the Vocational Education Act 1930”.
55	No. 41 of 2009	Financial Emergency Measures in the Public Interest (No. 2) Act 2009	Section 1: In the definition of “public service body” to substitute the following paragraph for paragraph ( <i>f</i> ):  “(f) an education and training board,”.
56	No. 24 of 2010	Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010	Section 59: In subsection (1) to substitute “an education and training board” for “a vocational education committee established by the Vocational Education Act 1930”.  Section 182: In subsection (1) to substitute “an education and training board” for “a vocational education committee established by the Vocational Education Act 1930”.
57	No. 38 of 2010	Financial Emergency Measures in the Public Interest Act 2010	Section 1: In the definition of “public service body” to substitute the following paragraph for paragraph ( <i>h</i> ):  “(h) an education and training board,”.

[ *NEW SCHEDULE* ]

58	No. 4 of 2011	Student Support Act 2011	<p>Section 2:</p> <p>(a) In the definition of “awarding authority” to substitute the following paragraph for paragraph (a):</p> <p>“(a) an education and training board,”</p> <p>and</p> <p>(b) to delete the definition of “vocational education committee”.</p> <p>Section 9:</p> <p>In subsection (3) to substitute the following paragraph for paragraph (a):</p> <p>“(a) an education and training board;”.</p> <p>Section 15:</p> <p>In subsection (2) to substitute “an education and training board” for “a vocational education committee”.</p>
59	No. 10 of 2011	Ministers and Secretaries (Amendment) Act 2011	<p>Section 3:</p> <p>In subsection (1) to substitute the following paragraph for paragraph (g):</p> <p>“(g) an education and training board;”.</p>

[ *NEW SCHEDULE* ]

60	No. 13 of 2012	Protection of Employees (Temporary Agency Work) Act 2012	<p>Section 2:</p> <p>In subsection (3)(b)—</p> <p>(a) to substitute “or the Health Service Executive or a member of staff of an education and training board”, for “, the Health Service Executive or a vocational education committee”, and</p> <p>(b) to substitute “that board” for “that committee”.</p>
61	No. 28 of 2012	Qualifications and Quality Assurance (Education and Training) Act 2012	<p>Section 2:</p> <p>In subsection (1) to delete the definition of “vocational education committee”.</p> <p>Section 44:</p> <p>In subsection (9)(f) to substitute “an education and training board” for “a vocational education committee”.</p> <p>Section 65:</p> <p>In subsection (5)(i) to substitute “an education and training board” for “a vocational education committee”.</p>
62	No. 35 of 2012	Residential Institutions Statutory Fund Act 2012	<p>Section 42:</p> <p>In subsection (2)(b) by substituting the following subparagraph for subparagraph (iii):</p> <p>“(iii) an education and training board”.</p>

[ *NEW SCHEDULE* ]

63	No. 37 of 2012	Public Service Pensions (Single Scheme and Other Provisions) Act 2012	Section 5: In subsection (1), in the definition of “public service body” by substituting the following paragraph for paragraph (f):  “(f) an education and training board,”.
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—An tAire Oideachais agus Scileanna.

[\*Note: This is a reference to the section proposed to be inserted by amendment No. 75.]

[Note: A Printer error has resulted in incorrect line references in page 64 of the Bill. The line references in this amendment refer to the actual number of lines of text in page 64 of the Bill.]

TITLE

**81.** In page 7, line 17, after “1977” to insert “, THE NATIONAL DEVELOPMENT FINANCE AGENCY ACT 2002”.

—An tAire Oideachais agus Scileanna.