1. In page 9, between lines 28 and 29, to insert the following:

   ““academics” means tenured officers of the institute;”.

   —Jonathan O'Brien.

2. In page 10, between lines 9 and 10, to insert the following:

   ““Department” means academic unit within a school of the institute;”.

   —Jonathan O'Brien.

3. In page 11, to delete lines 8 to 15.

   —Jonathan O'Brien.

4. In page 11, between lines 21 and 22, to insert the following:

   ““Programme” means a recognised course of study;”.

   —Jonathan O'Brien.

5. In page 11, between lines 25 and 26, to insert the following:

   ““Researchers” means tenured officers of the institute;”.

   —Jonathan O'Brien.

6. In page 11, between lines 25 and 26, to insert the following:

   ““School” means organised grouping of academic units within the institute;”.

   —Jonathan O'Brien.

7. In page 12, to delete lines 3 to 7 and substitute the following:

   ““student”, in relation to an institute, or technological university, means a person registered as a student by the institute or technological university or a full-time officer of the Students’ Union who was first elected to his or her office while he or she was a registered student by the institute or technological university;”.

   —Jonathan O'Brien.
8. In page 12, line 5, to delete “or appointed”.

—An tAire Oideachais agus Scileanna.

9. In page 12, between lines 12 and 13, to insert the following:

““Trade Union” means a registered representative body with a negotiation licence.”.

—Jonathan O’Brien.

10. In page 12, line 14, after “section” to insert “7, 10,”.


11. In page 13, to delete lines 30 to 35.

—Paul Murphy, Ruth Coppinger, Joe Higgins, Jonathan O’Brien.

12. In page 13, to delete lines 32 and 33 and substitute the following:

“7. (1) The Minister shall, by order, appoint a day (in this Chapter referred to as the “dissolution day”) for the purposes of subsection (2) which shall be made following application from the governing bodies and presidents of each of the constituent colleges and said application shall include a statement that the terms of the merger have been agreed with the staff trade unions.”.

—Jonathan O’Brien.

13. In page 13, line 33, after “subsection (2)” to insert the following:

“, which order shall be made following application from the governing bodies and presidents of each of the constituent colleges and said application shall include a statement that the terms of the merger have been agreed with the staff trade unions”.

—Maureen O’Sullivan, Charlie McConalogue.


—Jonathan O’Brien.

15. In page 14, to delete lines 18 to 26.

—Paul Murphy, Ruth Coppinger, Joe Higgins, Jonathan O’Brien.

16. In page 14, line 20, after “subsection (2)” to insert the following:

“, which order shall be made following application from the governing bodies and presidents of each of the constituent colleges and said application shall include a statement that the terms of the merger have been agreed with the staff trade unions”.


17. In page 14, to delete lines 27 to 34.

—Jonathan O’Brien.
18. In page 15, to delete lines 11 and 12 and substitute the following:

“13. (1) A college (in this Chapter referred to as “applicant colleges”) may jointly apply to the Minister for an order under section 18.”.

—Jonathan O’Brien.

19. In page 16, to delete lines 28 to 30 and substitute the following:

“(2) A notice under subsection (1) shall state that the applicant college and staff of the college and trade union representatives of these staff may make representations to the Minister in relation to the proposed decision not later than 30 days after service of the notice.”.

—Jonathan O’Brien.

20. In page 16, line 30, after “notice.” to insert “Other stakeholders including staff trade unions may make representations to the Minister.”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

21. In page 17, to delete line 19 and substitute the following:

“(a) the applicant college specified in the order shall stand dissolved, and”.

—Jonathan O’Brien.

22. In page 19, to delete lines 11 to 14 and substitute the following:

“(b) provide programmes of education and training that reflect the needs of citizens, business, enterprise, the professions, communities, and other stakeholders in the region in which the campuses of the technological university are located and facilitate learning by flexible means and with particular reference to the regions served by the constituent colleges.”.

—Jonathan O’Brien.

23. In page 19, line 12, after “professions” to insert “, social, community and cultural organisations and activities”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

24. In page 19, line 12, after “region” to insert “, with particular reference to the regions served by the constituent colleges,”.

—Maureen O’Sullivan, Charlie McConalogue.

25. In page 19, to delete lines 15 to 18 and substitute the following:

“(c) provide for the broad education, intellectual and personal development of students, for the purposes of enabling them, as graduates, to excel in their chosen careers and to contribute responsibly to social, civic and economic life in innovative and adaptable ways following consultation with the relevant regional stakeholder representatives, including from business, social, community, cultural and enterprise.”.

—Jonathan O’Brien.
26. In page 19, line 18, after “ways” to insert the following:
   “following consultation with the relevant regional stakeholder representatives
   including from business, social, community, cultural and enterprise”.
   —Maureen O’Sullivan, Charlie McConalogue.

27. In page 19, line 30, to delete “entrepreneurship, enterprise development and” and substitute
   “enterprise, social, community and cultural organisations and activities,”.
   —Paul Murphy, Ruth Coppinger, Joe Higgins.

28. In page 19, to delete lines 34 to 40.
   —Paul Murphy, Ruth Coppinger, Joe Higgins.

29. In page 20, line 7, after “enterprise,” to insert “social, community and cultural organisations,”.
   —Paul Murphy, Ruth Coppinger, Joe Higgins.

30. In page 20, to delete lines 11 to 16.
   —Paul Murphy, Ruth Coppinger, Joe Higgins.

31. In page 20, line 24, to delete “and”.
   —An tAire Oideachais agus Scileanna.

32. In page 20, line 25, to delete “further education” and substitute “further education and
   training”.
   —An tAire Oideachais agus Scileanna.

33. In page 20, line 26, after “located,” to insert the following:
   “and
   (V) organisations representing social, cultural, community or related
   interests in the region in which the campuses of the technological
   university are located,”.
   —An tAire Oideachais agus Scileanna.

34. In page 20, line 28, to delete “where practicable”.
   —Jonathan O'Brien.

35. In page 20, to delete line 35.
   —Paul Murphy, Ruth Coppinger, Joe Higgins.

36. In page 21, to delete lines 21 and 22 and substitute the following:
   “(i) be established following consultation with trade unions representing
   employees of the technological university, where the matters in dispute relate
   to staff, or with the students union where the matters in dispute relate to
   students, “.
   —Jonathan O'Brien.
37. In page 21, line 21, to delete “a trade union” and substitute “each trade union”.

—An tAire Oideachais agus Scileanna.

38. In page 21, line 21, to delete “or staff association”.

—Jonathan O’Brien.

39. In page 21, to delete lines 25 and 26 and substitute the following:

“(iii) be published in such manner as the technological university considers appropriate jointly agreed by the parties concerned.”.

—Jonathan O’Brien.

40. In page 22, to delete lines 24 to 38, and in page 23, to delete lines 1 to 33 and substitute the following:

“Membership of governing body of technological university

25. (1) A governing body, having not fewer than 11 and not more than 23 members, shall consist of—

(a) the president,

(b) a chairperson (in this section and Schedule 1 referred to as the “chairperson”) who shall be an external member, appointed by the governing body,

(c) six members of the academic staff of the technological university, elected by the academic staff of the technological university, with at least two from each constituent college,

(d) two members of the non-academic staff of the technological university, elected by the non-academic staff of the technological university,

(e) two undergraduate students of the technological university, nominated by the student union in accordance with its own procedures,

(f) one post-graduate student of the technological university, nominated by the student union in accordance with its own procedures, and

(g) ten external members, at least one of whom has expertise in standards and practice in higher education outside the State, nominated by a committee of the governing body comprising the chairperson and 2 other external members of the governing body formed for that purpose including—

(i) two external members nominated, in accordance with its or their own procedures, by the education and training board or boards in whose education and training board area the campuses of the technological university are located,

(ii) two external members of local authorities nominated, in accordance with its or their own procedures, by the local authorities in whose area the campuses of the technological university are located,

(iii) two external members of Seanad Éireann nominated in accordance with its or
their own procedures, and

(iv) two external members from trade unions nominated in accordance with its or their own procedures whose members work in the technological university.

(2) (a) The term of office of a member of the governing body, other than the president, shall not exceed 4 years and such a member may not serve more than 2 consecutive terms of office.

(b) A member of the governing body who is a student at the technological university shall hold office for such period, not exceeding one year, as the governing body may determine but may be re-appointed for a further period not exceeding one year.

(3) Before appointing members under subsection (1)(g) the governing body shall agree with An tÚdarás the competencies required of such members relating to areas such as business, enterprise, finance, law, corporate governance, human resources, community organisation or other areas relevant to the functions of the technological university.

(4) (a) The governing body shall, for the purposes of this section, make regulations of a technological university relating to conduct of elections, seeking of nominations for appointment and appointment of members to the governing body.

(b) In making regulations of a technological university under paragraph (a) the technological university shall have regard to the objective that at least 40 per cent of members of the governing body shall be women and at least 40 per cent shall be men.

(5) In this section, “external member” in relation to a technological university means a person who is not—

(a) the president,

(b) a member of the academic council,

(c) a member of staff of the technological university, or

(d) a student of the technological university.”.

—Jonathan O'Brien.

41. In page 22, to delete lines 30 to 32 and substitute the following:

“(c) at least two from each constituent college but not less than six members of the academic staff of the technological university, elected by the academic staff of the technological university.”.

—Maureen O’Sullivan, Charlie McConalogue.

42. In page 22, line 30, to delete “at least one but not more than 3” and substitute “no less than 3”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

43. In page 23, between lines 9 and 10, to insert the following:

“(j) 2 representatives from the recognised staff trade unions, 2 representatives from
the community/social/cultural sector, and 2 representatives from local authorities.”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

44. In page 23, between lines 33 and 34, to insert the following:

“(6) The governing body will be subject to the approval of the Joint Oireachtas Committee on Education and Social Protection.”.

—Jonathan O’Brien.

45. In page 24, to delete lines 18 to 21 and substitute the following:

“(2) The staff of a technological university shall be employed on such terms and conditions in accordance with a collective agreement negotiated with the recognised Trade Unions subject to the approval of an tÚdarás with the consent of the Minister.”.


46. In page 24, line 21, after “Reform.” to insert the following:

“All terms and conditions shall be subject to normal industrial relations mechanisms with the recognised staff trade union.”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

47. In page 24, between lines 29 and 30, to insert the following:

“(5) A technological university may, in accordance with procedures established by the technological university following consultation with each trade union or staff association recognised by the technological university, suspend or dismiss a member of its staff.”.

—An tAire Oideachais agus Scileanna.

48. In page 25, to delete lines 12 to 14 and substitute the following:

“(3) (a) The majority of members of the academic council shall be members of the academic staff of the technological university who are directly employed with contracts in teaching, lecturing and conducting research, and”.

—Jonathan O’Brien.

49. In page 25, line 14, after “university” to insert “who are employed on lecturing or research contracts”.

—Maureen O’Sullivan, Charlie McConalogue.

50. In page 25, to delete lines 17 to 23.

—Jonathan O’Brien.

51. In page 25, to delete lines 17 and 18.

—Paul Murphy, Ruth Coppinger, Joe Higgins.
52. In page 25, to delete lines 19 to 23.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

53. In page 25, to delete lines 24 and 25 and substitute the following:

“(iii) not less than 4 or 10 per cent (whichever is greater) of student representatives of the technological university, nominated by the Students Union, in accordance with its own procedures.”.

—Jonathan O'Brien.

54. In page 26, between lines 11 and 12, to insert the following:

“(a) ensuring that the technological university has a quality assurance system that complies with European standards and guidelines.”.

—Jonathan O'Brien.

55. In page 26, to delete lines 14 to 16.

—Jonathan O'Brien.

56. In page 27, between lines 20 and 21, to insert the following:

“(d) how the technological university will consult with all relevant regional stakeholders to ensure that regional provision is maintained at all levels.”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

57. In page 28, between lines 26 and 27, to insert the following:

“Charters

32. (1) A technological university may have a charter, including a Student Charter agreed with the student union, not in conflict with this Act, setting out all or any of the following:

(a) its objects and functions in respect of its academic and administrative affairs;
(b) the arrangements it has for the promotion and use of the Irish language and the promotion of Irish culture;
(c) the composition of the governing authority and its functions;
(d) the rights of its employees and students and their responsibility towards the university and the responsibility of the technological university towards them;
(e) the arrangements for review of, or appeals against, decisions of the governing authority or the academic council which affect employees or students;
(f) its policy in respect of the promotion of equality of opportunity among students and employees;
(g) its policy in respect of adult and continuing education and the arrangements in place for the provision of that education, including part-time and evening courses; and
(h) any other matters the governing authority may consider relevant.

(2) In preparing a charter, the governing authority shall consult, in such manner as it thinks appropriate, with the academic staff and other employees of the technological university, any recognised trade union or staff association, any recognised student union or other student representative body, or with any other person or group, both within and outside of the technological university, it considers should be consulted.”.

—Jonathan O'Brien.

58. In page 31, to delete lines 3 to 13.

—Jonathan O'Brien.

59. In page 31, to delete lines 4 to 7.

—Jonathan O'Brien.

60. In page 32, to delete lines 3 to 39, to delete pages 33 and 34, and in page 35, to delete lines 1 to 22 and substitute the following:

“Eligibility criteria

38. (1) The following criteria (in this Chapter referred to as “eligibility criteria”) shall be complied with by an institute so that an order in relation to it may be made under section 46:

(a) of the students of the institute registered on a programme that leads to an award to at least honours bachelor degree level—

(i) at least 4 per cent are research students registered on a programme which leads to an award to at least masters degree level, and

(ii) at least 30 per cent fall within one or more than one of the following classes of students:

(I) students who are registered on a programme that is provided on a flexible basis, such as by means of part-time, online or distance learning;

(II) students who are registered on a programme that has been designed, and is being delivered, with the involvement (which shall be construed in accordance with subsection (2)(b)), of business, enterprise, the professions and other related stakeholders in the region in which the campuses of the institute are located;

(III) students who are not less than 23 years of age;

(b) the institute has a plan that demonstrates, to the satisfaction of the advisory panel, that it would have capacity, as a technological university to increase within 10 years of the date of the making of an order under section 46, from at least 4 per cent to at least 7 per cent, the proportion of its research students referred to in paragraph (a)(i);

(c) of the full-time academic staff of the institute engaged in the provision of a programme that leads to an award to at least honours bachelor degree level—
(i) at least 90 per cent hold a masters degree or doctoral degree,

(ii) at least 45 per cent hold—

(I) a doctoral degree, or

(II) subject to subparagraph (iii), a terminal degree, as well as sufficient practical experience gained in the practice of a profession to which the programme relates, such that the degree and experience together can reasonably be viewed by the advisory panel as equivalent to a doctoral degree,

and

(iii) not more than 10 per cent hold only the qualifications referred to in subparagraph (ii)(II);

(d) the institute has a plan that demonstrates, to the satisfaction of the advisory panel, that it would have capacity, as a technological university, to increase, within 10 years of the date of the making of an order under section 46, from at least 45 per cent to at least 65 per cent, the proportion of its full-time academic staff referred to in paragraph (c)(ii);

(e) of the full-time academic staff of the institute engaged in both of the following, at least 80 per cent hold a doctoral degree—

(i) the provision of a programme that leads to an award at doctoral degree level, and

(ii) the conduct of research;

(f) each of the full-time academic staff of the institute engaged in the supervision of students registered on a programme that leads to an award to doctoral degree level—

(i) holds—

(I) a doctoral degree, or

(II) a terminal degree, as well as sufficient practical experience gained in the practice of a profession to which the programme relates, such that the degree and experience together can reasonably be viewed by the advisory panel as equivalent to a doctoral degree,

and

(ii) has a record of continued conduct of research in an area relevant to the programme;

(g) in respect of not less than 3 fields of education—

(i) the institute provides programmes that lead to awards to doctoral degree level, and

(ii) the academic staff and students of the institute conduct research;
in relation to a programme referred to in paragraph (g), an institute demonstrates, to the satisfaction of the advisory panel—

(i) that it carries out innovation activity and conducts research to a high standard, and

(ii) that the innovation and research has positive social and economic effects on business, enterprise, the professions and other related stakeholders in the region in which the campuses of the institute are located;

(i) all programmes provided by the institute that lead to an award to doctoral degree level comply with any policy relating to doctoral education as may be agreed from time to time between An tÚdarás and the Qualifications and Quality Assurance Authority of Ireland following consultation with bodies representing the interests of an institute, a technological university or a university specified in paragraphs (a) to (d) of section 4(1) of the Universities Act 1997;

(j) the institute has a plan that demonstrates to the satisfaction of the advisory panel that it would have capacity, as a technological university to increase within 5 years of the date of the making of an order under section 46, from at least 3 to at least 5, the fields of education referred to in paragraph (g);

(k) the institute demonstrates to the satisfaction of the advisory panel that the institute has, at the time it applies under section 39 for an order under section 46, the capacity to effectively perform the functions of a technological university and in particular demonstrates—

(i) that it has integrated, coherent and effective governance structures in place concerning academic, administrative and management matters,

(ii) that it has strong links with business, enterprise, the professions and other stakeholders in the region in which the campuses of the institute are located,

(iii) that it has, under section 28 of the Act of 2012, established procedures in writing for quality assurance in relation to which—

(I) no notice has been furnished by the Qualifications and Quality Assurance Authority of Ireland under section 36(1) of the Act of 2012, or

(II) approval has not been withdrawn under section 36 of that Act,

(iv) that it develops and has procedures in place for development of programmes that respond to the needs of business, enterprise, the professions, learners, community development organisations and other stakeholders in the region in which the campuses of the institutes are located, in a time, place and pace in which to suit their needs,

(v) that it—

(I) provides opportunities for staff and students of the institute to teach, learn or conduct research at institutions that provide higher education outside the State, or to obtain relevant work experience outside the
State,

(II) provides opportunities for staff and students of institutions that provide higher education outside the State to teach, learn or conduct research at the institute, and

(III) collaborates with institutions that provide higher education outside the State, including on joint research projects and for the purpose of provision of programmes.

(2) (a) In this section—

“award” means an award that is recognised within the Framework;

“credit” has the same meaning as it has in section 56 of the Act of 2012;

“field of education” means a field of education described as a narrow field of education in the International Standard Classification of Education being the classification for the time being adopted by the United Nations Educational, Scientific and Cultural Organisation;

“level” means recognised at the level concerned within the Framework;

“programme” means programme of education and training;

“research student” means a student who is registered on a programme of education and training where not less than 60 per cent of the available credits are assigned in respect of a thesis or theses prepared by the student based on research conducted by him or her.

(b) A reference, in paragraph (c), (e) or (f) of subsection (1)—

(i) to a masters or doctoral degree held by a member of staff of an institute is a reference to a degree awarded to masters or doctoral level within the Framework and if not awarded within the Framework is, to the satisfaction of the advisory panel, equivalent to such a degree, or

(ii) to a terminal degree held by a member of staff of an institute is a reference to an award to at least honours bachelor degree level within the Framework which, in the view of the advisory panel, was at the time the award was made the highest academic award available in the discipline concerned, and if not so awarded within the Framework is, to the satisfaction of the advisory panel, equivalent to such a degree.”.

—Jonathan O’Brien.

61. In page 32, line 5, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

62. In page 32, line 7, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.
63. In page 32, to delete lines 15 to 19.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

64. In page 32, to delete lines 21 to 25.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

65. In page 32, line 21, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

66. In page 32, line 26, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

67. In page 32, line 39, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

68. In page 33, line 5, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

69. In page 33, line 10, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

70. In page 33, line 25, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

71. In page 33, line 26, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

72. In page 33, line 32, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

73. In page 33, line 33, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

74. In page 33, line 39, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

75. In page 34, line 10, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

76. In page 34, line 20, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.

77. In page 34, line 23, to delete “merged”.

—Maureen O’Sullivan, Charlie McConalogue.
78. In page 34, line 29, to delete “merged”.
—Maureen O’Sullivan, Charlie McConalogue.

79. In page 35, line 8, to delete “merged”.
—Maureen O’Sullivan, Charlie McConalogue.

80. In page 36, line 14, after “Ireland,” to insert “staff and their trade unions”.
—Paul Murphy, Ruth Coppinger, Joe Higgins.

81. In page 37, to delete lines 1 to 3 and substitute the following:
“(3) A notice under subsection (1) shall state that the institute as well as the staff and their recognised trade union, may make representations to the Minister in relation to the proposed decision not later than 30 days after service of the notice.”.
—Jonathan O’Brien.

82. In page 37, line 3, after “notice.” to insert “Other stakeholders, including staff trade unions, may make representations to the Minister.”.
—Paul Murphy, Ruth Coppinger, Joe Higgins.

83. In page 41, line 10, after “notice.” to insert “Other stakeholders, including staff trade unions, may make representations to the Minister.”.
—Paul Murphy, Ruth Coppinger, Joe Higgins.

84. In page 44, to delete lines 30 to 32 and substitute “recognised trade union” means a trade union.”.
—Paul Murphy, Ruth Coppinger, Joe Higgins.

85. In page 47, between lines 23 and 24, to insert the following:
“(c) shall be covered by the transfer of undertakings regulations without exception.”.

86. In page 47, lines 24 and 25, to delete “Except in accordance with a collective agreement negotiated with a recognised trade union or staff association concerned,“.
—Paul Murphy, Ruth Coppinger, Joe Higgins.

87. In page 47, line 25, to delete “or staff association”.
—Jonathan O’Brien.

88. In page 47, lines 25 to 28, to delete all words from and including “shall” on line 25 down to and including “day” on line 28 and substitute the following:
“shall, on such commencement, not receive less remuneration or be subject to less beneficial conditions of service than the remuneration approved by the Minister to which that person was entitled and the conditions of service approved by the Minister to which the person was subject before such commencement”.
—Maureen O’Sullivan, Charlie McConalogue.
89. In page 47, lines 26 and 27, to delete “remuneration than the conditions of remuneration” and substitute the following:

“service and remuneration, including pension and superannuation schemes, than the conditions of remuneration and service”.

—Jonathan O'Brien.

90. In page 47, line 28, after “day.” to insert the following:

“All conditions of service to which he or she was subject immediately before the designated day shall also be fully protected.”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

91. In page 47, to delete lines 29 and 30 and substitute the following:

“(3) (a) The Minister may, in relation to the performance by a technological university of its functions, give a direction in writing to that technological university requiring it to comply with—

(i) a policy decision made by the Government or the Minister in so far as it relates to the remuneration or numbers of public servants employed in that technological university, or

(ii) a collective agreement entered into by the Government or the Minister.

(b) A technological university shall comply with a direction under this section.

(c) For the purposes of this section “remuneration” means consideration, whether in cash or in kind, which a worker receives from his or her employer in respect of his or her employment and includes fees, allowances, superannuation and payments connected with appointment or termination of employment.”.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

92. In page 48, between lines 5 and 6, to insert the following:

“(5) (a) The Minister may, in relation to the performance by a merged institute of its functions, give a direction in writing to that merged institute requiring it to comply with—

(i) a policy decision made by the Government or the Minister in so far as it relates to the remuneration or numbers of public servants employed in that merged institute, or

(ii) a collective agreement entered into by the Government or the Minister.

(b) For the purposes of this section “remuneration” means consideration, whether in cash or in kind, which a worker receives from his or her employer in respect of his or her employment and includes fees, allowances, superannuation and payments connected with appointment or termination of employment.”.

93. In page 48, line 8, to delete “the relevant” and substitute “a relevant”.

—An tAire Oideachais agus Scileanna.

94. In page 48, to delete lines 11 and 12.

—Paul Murphy, Ruth Coppinger, Joe Higgins, Jonathan O'Brien.

95. In page 48, line 11, to delete “the relevant” and substitute “a relevant”.

—An tAire Oideachais agus Scileanna.

96. In page 48, to delete lines 13 to 16 and substitute the following:

“(3) In this section “relevant superannuation scheme” means, as the case may be—

(a) the Education Sector Superannuation Scheme 2015 (S.I. No. 290 of 2015), or

(b) 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), in so far as that scheme has not been revoked by the scheme referred to in paragraph (a).”.

—An tAire Oideachais agus Scileanna.

97. In page 48, between lines 16 and 17, to insert the following:

“Directions of Minister in relation to remuneration, numbers or agreements

65. (1) The Minister may, in relation to the performance by a technological university of its functions, give a direction in writing to that technological university requiring it to comply with—

(a) a policy decision made by the Government or the Minister in so far as it relates to the remuneration or numbers of public servants employed in that technological university, or

(b) a collective agreement entered into by the Government or the Minister.

(2) A technological university shall comply with a direction under this section.

(3) For the purposes of this section “remuneration” means consideration, whether in cash or in kind, which a worker receives from his or her employer in respect of his or her employment and includes fees, allowances, superannuation and payments connected with appointment or termination of employment.”.

—Jonathan O'Brien.

98. In page 50, line 36, to delete “or staff association”.

—Jonathan O'Brien.
In page 57, to delete lines 39 to 41, and in page 58, to delete lines 1 to 25 and substitute the following:

“Transfer of staff to technological university

82. (1) Every person who, immediately before the appointed day—

   (a) was a member of the staff of a dissolved body shall, on the appointed day, become and be a member of the staff of the technological university, and

   (b) was a fixed-term employee of a dissolved body shall, on the appointed day, become and be a fixed-term employee of the technological university for the duration of his or her contract of employment.

(2) (a) Except in accordance with a collective agreement negotiated with a recognised trade union concerned, a person referred to in subsection (1) shall not, on the appointed day, be brought to less beneficial conditions of remuneration or service than the conditions of remuneration or service to which he or she was subject immediately before the appointed day.

   (b) The Minister may, in relation to the performance by a technological university of its functions, give a direction in writing to that technological university requiring it to comply with—

      (i) a policy decision made by the Government or the Minister in so far as it relates to the remuneration or numbers of public servants employed in that institute, or

      (ii) a collective agreement entered into by the Government or the Minister.

(3) For the purposes of this section “remuneration” means consideration, whether in cash or in kind, which a worker receives from his or her employer in respect of his or her employment and includes fees, allowances, superannuation and payments connected with appointment or termination of employment.

(4) Such persons shall be covered by the transfer of undertakings regulations without exception.

(5) In relation to a person referred to in subsection (1), previous service with the dissolved body shall be reckonable for the purposes of, but subject to any exceptions or exclusions in, the following:

   (a) the Redundancy Payments Acts 1967 to 2014;
   (b) the Protection of Employees (Part-Time Work) Act 2001;
   (c) the Protection of Employees (Fixed-Term Work) Act 2003;
   (d) the Organisation of Working Time Act 1997;
   (e) the Terms of Employment (Information) Acts 1994 to 2012;
   (f) the Minimum Notice and Terms of Employment Acts 1973 to 2005;
   (g) the Unfair Dismissals Acts 1977 to 2015;
(h) the Maternity Protection Acts 1994 and 2004;
(i) the Parental Leave Acts 1998 and 2006;
(j) the Adoptive Leave Acts 1995 and 2005;
(k) the Carer’s Leave Act 2001.

(6) All transfers shall be made in accordance with the European Communities (Protection of Employees’ Rights on Transfer of Undertakings) Regulations 2003 (“the TUPE Regulations”).

—Jonathan O’Brien.

100. In page 58, between lines 4 and 5, to insert the following:

“(c) shall be covered by the transfer of undertakings regulations without exception.”.

—Maureen O’Sullivan, Charlie McConalogue.

101. In page 58, line 6, to delete “or staff association”.

—Jonathan O’Brien.

102. In page 58, lines 6 to 9, to delete all words from and including “shall” on line 6 down to and including “day” on line 9 and insert the following:

“shall, on such commencement, not receive less remuneration or be subject to less beneficial conditions of service than the remuneration approved by the Minister to which that person was entitled and the conditions of service approved by the Minister to which the person was subject before such commencement”.

—Maureen O’Sullivan, Charlie McConalogue.

103. In page 58, between lines 25 and 26, to insert the following:

“(5) (a) The Minister may, in relation to the performance by a merged institute of its functions, give a direction in writing to that merged institute requiring it to comply with—

(i) a policy decision made by the Government or the Minister in so far as it relates to the remuneration or numbers of public servants employed in that merged institute, or

(ii) a collective agreement entered into by the Government or the Minister.

(b) For the purposes of this section “remuneration” means consideration, whether in cash or in kind, which a worker receives from his or her employer in respect of his or her employment and includes fees, allowances, superannuation and payments connected with appointment or termination of employment.”.

—Maureen O’Sullivan, Charlie McConalogue.

104. In page 58, line 28, to delete “the relevant” and substitute “a relevant”.

—An tAire Oideachais agus Scileanna.
105. In page 58, line 37, to delete “of the relevant superannuation scheme” and substitute “of the Education Sector Superannuation Scheme 2015 (S.I. No. 290 of 2015)”. 

—An tAire Oideachais agus Scileanna.

106. In page 59, to delete lines 1 and 2.

—Paul Murphy, Ruth Coppinger, Joe Higgins, Jonathan O’Brien.

107. In page 59, line 1, to delete “the relevant” and substitute “a relevant”.

—An tAire Oideachais agus Scileanna.

108. In page 59, to delete lines 6 to 9 and substitute the following:

“ relevant superannuation scheme” means, as the case may be—

(a) the Education Sector Superannuation Scheme 2015 (S.I. No. 290 of 2015), or
(b) 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), in so far as that scheme has not been revoked by the Scheme referred to in paragraph (a).”.

—An tAire Oideachais agus Scileanna.

109. In page 60, line 25, to delete “or staff association”.

—Jonathan O’Brien.

110. In page 67, to delete lines 2 to 4.

—Jonathan O’Brien.

111. In page 68, to delete lines 7 to 26 and substitute the following:

“A technological university may suspend or dismiss any employee but only in accordance with procedures, and subject to any conditions made following consultation through normal industrial relations structures operating in the technological university with recognised trade unions, which procedures or conditions may provide for the delegation of powers relating to suspension or dismissal to the chief officer and shall provide for the tenure of officers.”.

—Jonathan O’Brien.

112. In page 72, line 5, to delete “dishonesty, or” and substitute “dishonesty,”.

—An tAire Oideachais agus Scileanna.

113. In page 72, to delete lines 6 to 9 and substitute the following:

“(f) has a declaration under section 819 of the Companies Act 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or

(g) is subject or is deemed to be subject to a disqualification
order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.”.

—An tAire Oideachais agus Scileanna.

114. In page 76, to delete lines 32 to 38, and in page 77, to delete lines 1 to 14.

—Jonathan O'Brien.

115. In page 80, line 37, to delete “of the Act of 2012”.

—An tAire Oideachais agus Scileanna.


—An tAire Oideachais agus Scileanna.

117. In page 82, to delete lines 9 to 28 and substitute the following:

“114. A college may suspend or dismiss any employee but only in accordance with procedures, and subject to any conditions made following consultation through normal industrial relations structures operating in the college with recognised trade unions, which procedures or conditions may provide for the delegation of powers relating to suspension or dismissal to the chief officer and shall provide for the tenure of officers.”.

—Jonathan O'Brien.

118. In page 86, line 4, to delete “dishonesty, or” and substitute “dishonesty,”.

—An tAire Oideachais agus Scileanna.

119. In page 86, to delete lines 5 to 8 and substitute the following:

“(f) has a declaration under section 819 of the Companies Act 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or

(g) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.”.

—An tAire Oideachais agus Scileanna.

120. In page 93, line 34, to delete “dishonesty, or” and substitute “dishonesty,”.

—An tAire Oideachais agus Scileanna.

121. In page 93, to delete lines 35 to 37 and substitute the following:

“(f) has a declaration under section 819 of the Companies Act 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or

(g) is subject or is deemed to be subject to a disqualification order, within the
meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.”.

—An tAire Oideachais agus Scileanna.

122. In page 100, to delete lines 13 to 17.

—Paul Murphy, Ruth Coppinger, Joe Higgins.

123. In page 100, to delete lines 13 to 17 and substitute the following:

“(8) In the performance of his or her duties under this subsection, the president shall not be prevented from questioning or expressing an opinion on—

(a) the merits of any policy of the Government or a Minister of the Government, or

(b) the merits of the objectives of such a policy.”.

—Jonathan O'Brien.