



# **DÁIL ÉIREANN**

---

## **BILLE AN ÚDARÁIS UM ARD-OIDEACHAS, 2022 HIGHER EDUCATION AUTHORITY BILL 2022**

### **LEASUITHE COISTE COMMITTEE AMENDMENTS**

---



# DÁIL ÉIREANN

---

## BILLE AN ÚDARÁIS UM ARD-OIDEACHAS, 2022 —ROGHCHOISTE

### HIGHER EDUCATION AUTHORITY BILL 2022 —SELECT COMMITTEE

---

#### *Leasuithe Amendments*

---

#### SECTION 1

1. In page 11, line 28, to delete “the Higher Education Authority Act” and substitute “Údarás um Ard-Oideachas Act”.

—Rose Conway-Walsh.

#### SECTION 2

2. In page 12, between lines 21 and 22, to insert the following:

“ “Core funding” means the Recurrent Grant Allocation Model (RGAM) used by the HEA to fund the public institutions of higher education and any model that may replace the RGAM as the HEA funding model;”.

—Rose Conway-Walsh.

3. In page 12, between lines 30 and 31, to insert the following:

“ “education for sustainable development” has the meaning assigned to it by UNESCO whereby Education for Sustainable Development (ESD) means empowering learners of all ages with the knowledge, skills, values and attitudes to address the interconnected global challenges we are facing, including climate change, environmental degradation, loss of biodiversity, poverty and inequality;”.

—Marc Ó Cathasaigh.

4. In page 13, between lines 17 and 18, to insert the following:

“ “relevant body” means a designated institution of higher education referred to in any of *subparagraphs (i) to (v) of section 53(1)(a)*;”.

—Rose Conway-Walsh.

5. In page 13, to delete lines 28 and 29 and substitute the following:

“ “students’ union” means an independent and self-governing body, recognised by a higher education provider or by the Minister, that is established for the purpose of promoting the general interests of students of a designated higher education institution, and of representing students, both individually and collectively, in respect of their well-being and academic, disciplinary and other matters arising within that

[SECTION 2]

institution;”.

—Aodhán Ó Ríordáin.

6. In page 13, between lines 31 and 32, to insert the following:

“ “trade union” means a trade union which is the holder of a negotiation licence under Part II of the Trade Union Act 1941.”.

—Rose Conway-Walsh.

SECTION 8

7. In page 15, line 27, to delete “(including the promotion and use of the Irish language)”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

8. In page 15, line 29, after “agility” to insert the following:

“and, without prejudice to the generality of the foregoing, such support shall include the promotion and use by those institutions of the Irish language”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

9. In page 15, between lines 29 and 30, to insert the following:

“(c) to support designated institutions of higher education in contributing to sustainable development, climate and biodiversity action, through research, innovation, leadership and governance,”.

—Marc Ó Cathasaigh.

10. In page 15, line 31, after “performance” to insert “, improve transparency with regard to private funding streams,”.

—Marc Ó Cathasaigh.

11. In page 15, line 31, to delete “value-for-money from” and substitute “value for money in”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

12. In page 15, line 31, to delete “value-for-money from” and substitute “fully accountability for”.

—Rose Conway-Walsh.

13. In page 15, between lines 32 and 33, to insert the following:

“(d) to protect and enhance the public nature of the higher education system;”.

—Rose Conway-Walsh.

14. In page 15, line 33, after “education” to insert the following:

“, including for those who wish to pursue study and research opportunities in the medium of Irish as the national language”.

—Rose Conway-Walsh.

15. In page 15, between lines 33 and 34, to insert the following:

“(e) to ensure good quality working conditions for academic and non-academic staff

[SECTION 8]

in designated institutions of higher education;”.

—Rose Conway-Walsh.

16. In page 15, line 34, after “system” to insert “, including the Irish medium sector,”.

—Rose Conway-Walsh.

17. In page 15, after line 38, to insert the following:

“(h) to promote the attainment of the national aims of restoring the Irish language and preserving and developing the national culture, including by promoting teaching, learning and research across the wide diversity of disciplines at higher level through the medium of Irish.”.

—Rose Conway-Walsh.

SECTION 9

18. In page 16, between lines 3 and 4, to insert the following:

**“Academic freedom**

9. Nothing in this Act shall be construed as modifying or restricting the principle of academic freedom as provided for in section 14 of the Universities Act 1997.”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

19. In page 16, between lines 9 and 10, to insert the following:

“(c) support and recognise the application of the principle of academic freedom,”.

—Aodhán Ó Ríordáin.

20. In page 16, to delete lines 10 and 11 and substitute the following:

“(c) secure and evidence value for money in the expenditure by An tÚdarás of moneys provided to it under *section 19*,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

21. In page 16, line 10, to delete “value-for-money in” and substitute “full accountability for”.

—Rose Conway-Walsh.

22. In page 16, line 16, to delete “support” and substitute the following:

“plan for the progressive increase of opportunities to study and conduct research through the medium of Irish with a view to meeting the educational and skills needs of Gaeltacht communities, Irish speakers nationwide, institutions of the European Union, and of public bodies subject to the 20 per cent recruitment target set out in section 18C(3)(b) of the Official Languages Act 2003, and make recommendations to the Minister on the provision of Irish medium education within the overall higher education system, support”.

—Rose Conway-Walsh.

[SECTION 9]

23. In page 16, line 18, after “interests” to insert “, Irish language and Gaeltacht interests”.
- Rose Conway-Walsh.
24. In page 16, line 19, after “nationally” to insert the following:
- “and, without prejudice to the generality of the foregoing, including the educational and skills needs of persons in Gaeltacht areas (within the meaning of Part 2 of the Gaeltacht Act 2012) and outside of such areas with regard to the promotion and use of the Irish language”.
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.
25. In page 16, line 25, after “education” to insert “and training”.
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.
26. In page 16, line 27, to delete “across all disciplines” and substitute “in all disciplines”.
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.
27. In page 16, lines 27 and 28, to delete “in partnership” and substitute “in co-operation”.
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.
28. In page 16, line 39, to delete “value for money” and substitute “full accountability”.
- Rose Conway-Walsh.
29. In page 16, line 40, after “accountability” to insert “, transparency”.
- Marc Ó Cathasaigh.
30. In page 16, line 40, after “frameworks” to insert the following:
- “and to support the autonomy and decision-making capacity of designated institutions of higher education”.
- Aodhán Ó Ríordáin, Rose Conway-Walsh.
31. In page 16, after line 40, to insert the following:
- “(m) assess the performance of funded bodies with regard to securing value for money in the expenditure of funding provided to them by An tÚdarás under this Act.”
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.
32. In page 17, between lines 3 and 4, to insert the following:
- “(n) to freely express its views on matters concerning the higher education sector.”
- Aodhán Ó Ríordáin, Rose Conway-Walsh.
33. In page 17, line 5, after “*section 14*,” to insert “including in relation to the funding required for higher education.”
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

[SECTION 9]

34. In page 17, between lines 5 and 6, to insert the following:

“(o) co-operate with An tSeirbhís with regard to the establishment and operation of an Office called the National Apprenticeship Office whose functions shall be to manage, oversee and develop a system of apprenticeships.”

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

35. In page 17, between lines 5 and 6, to insert the following:

“(o) advise the Minister in relation to the adequacy of the level of public funding that is made available for higher education and to advise on future funding requirements.”

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

36. In page 17, line 6, after “education” to insert “(including with regard to the provision of student places and the enrolment of students)”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

37. In page 17, between lines 9 and 10, to insert the following:

“(p) without prejudice to *paragraph (o)*, promote co-operation and collaboration with regard to higher education (including the provision of support and funding for projects and initiatives) with authorities having responsibility for higher education in places outside the State, including the promotion of such co-operation by designated institutions of higher education with institutions of higher education in places outside the State.”

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

38. In page 17, between lines 9 and 10, to insert the following:

“(p) promote increased levels of north south cross border student enrolment in higher education.”

—Rose Conway-Walsh.

39. In page 17, line 15, after “information” to insert the following:

“, including specific information on the funding for, and numbers engaged in, study and research through the medium of Irish.”

—Rose Conway-Walsh.

SECTION 13

40. In page 18, between lines 16 and 17, to insert the following:

**“Direction and guidelines to be published**

13. The Minister shall cause to be laid before each House of the Oireachtas and to be published on the Minister’s website—

(a) any direction issued under *section 11*, and

[SECTION 13]

(b) any guidelines issued under *section 12*.”.

—Aodhán Ó Ríordáin.

SECTION 16

41. In page 20, to delete lines 4 to 6 and substitute the following:

“(ii) matters connected to education, including Irish medium education, teaching and learning, research, organisational and financial governance, management, public administration, risk management or language planning.”.

—Rose Conway-Walsh.

42. In page 20, line 4, after “research,” to insert “the promotion and use of the Irish language.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

43. In page 20, to delete lines 7 to 9 and substitute the following:

“(b) Not less than three of the persons appointed under *paragraph (a)* shall be students or full-time officers of a national student union, nominated by the Board.

(c) Not less than one of the persons appointed under *paragraph (a)* shall be nominated by the Irish Congress of Trade Unions, to represent the interests of staff.”.

—Aodhán Ó Ríordáin.

44. In page 20, between lines 9 and 10, to insert the following:

“(c) Not less than one of the persons appointed under *paragraph (a)* shall be representative for the interests of the Gaeltacht, Irish speaking community, and Irish medium education sector, nominated by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media on the agreed advice of Foras na Gaeilge, Údarás na Gaeltachta, and An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta.”.

—Rose Conway-Walsh.

45. In page 20, between lines 9 and 10, to insert the following:

“(c) Not less than 20 per cent of the persons appointed under *paragraph (a)* shall be able to communicate proficiently in the Irish language.”.

—Rose Conway-Walsh.

46. In page 20, between lines 9 and 10, to insert the following:

“(c) A person shall not be appointed as Chairperson unless he or she is able to communicate proficiently in the Irish language.”.

—Rose Conway-Walsh.

47. In page 20, between lines 9 and 10, to insert the following:

“(c) Not less than one of the persons appointed under *paragraph (a)* shall be a trade



[SECTION 16]

union representative of academic staff in the sector, nominated by the relevant trade union(s).”.

—Rose Conway-Walsh.

**48.** In page 20, between lines 9 and 10, to insert the following:

“(c) Not less than one of the persons appointed under *paragraph (a)* shall be a trade union representative of non-academic staff in the sector, nominated by the relevant trade union(s).”.

—Rose Conway-Walsh.

**49.** In page 20, between lines 12 and 13, to insert the following:

“(4) The Minister when making appointments to the Board shall have regard to the objective that at least 20 per cent of members shall have a level B2 or higher of competency in spoken Irish on the Common European Framework of Reference for Languages (CEFR).”.

—Rose Conway-Walsh.

SECTION 17

**50.** In page 21, between lines 37 and 38, to insert the following:

“(iv) An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta,”.

—Rose Conway-Walsh.

SECTION 18

**51.** In page 22, line 8, to delete “National Apprenticeship Office” and substitute “Oifig na bPrintíseachtaí”.

—Rose Conway-Walsh.

SECTION 20

**52.** In page 22, line 28, after “education” to insert “, including Irish medium higher education,”.

—Rose Conway-Walsh.

**53.** In page 23, line 8, after “Minister,” to insert the following:

“and with the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media with respect to the corporate plan as it pertains to Irish medium higher education,”.

—Rose Conway-Walsh.

SECTION 21

**54.** In page 24, between lines 5 and 6, to insert the following:

“(h) include specific performance targets, and the progress of same, for actively promoting the use of the Irish language as a medium for higher education, and details on the allocation of resources towards Irish medium higher education provision and research.”.

—Rose Conway-Walsh.

[SECTION 24]

SECTION 24

55. In page 25, lines 21 and 22, to delete “ and the Minister for Public Expenditure and Reform”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 27

56. In page 27, to delete lines 18 to 21.

—Rose Conway-Walsh.

SECTION 28

57. In page 28, to delete lines 18 to 21.

—Rose Conway-Walsh.

SECTION 33

58. In page 31, line 36, after “strategy,” to insert the following:

“including policies relating to social, economic, cultural and environmental development and sustainability and the promotion and use of the Irish language,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

59. In page 31, after line 36, to insert the following:

“(b) the climate and biodiversity emergency as well as national climate policies, legislation and objectives, including the Paris Agreement under the United Nations Framework Convention on Climate Change and the Climate Action and Low Carbon Development (Amendment) Act 2021,”.

—Marc Ó Cathasaigh.

60. In page 32, between lines 2 and 3, to insert the following:

“(c) the funding status of individual designated institutions of higher education,”.

—Aodhán Ó Ríordáin.

61. In page 32, between lines 2 and 3, to insert the following:

“(c) the status of an individual institution as either a relevant body or as a designated institutions of higher education that is not a relevant body,”.

—Rose Conway-Walsh.

62. In page 32, between lines 2 and 3, to insert the following:

“(c) the aim of increasing the provision of Irish medium further education and training in the Irish language, and the role of the tertiary education sector in furthering both use and understanding of the Irish language,”.

—Rose Conway-Walsh.

63. In page 32, to delete lines 5 and 6 and substitute the following:

“(5) The Minister shall, for the purposes of preparing or amending a strategy, consult with—

[SECTION 33]

- (a) the Minister for Education and such other Ministers of the Government as the Minister considers appropriate,
- (b) An tÚdarás,
- (c) An tSeirbhís,
- (d) the Qualifications and Quality Assurance Authority of Ireland,
- (e) Science Foundation Ireland,
- (f) the National Apprenticeship Office established pursuant to *section 18*,
- (g) the designated institutions of higher education or their representative bodies,
- (h) institutions providing further education and training or their representative bodies,
- (i) representatives of students or students' unions,
- (j) trades unions or staff associations of members of staff of designated institutions of higher education which are recognised by those institutions,
- (k) trades unions or staff associations of members of staff of institutions providing further education and training which are recognised by those institutions,
- (l) public research funders, and
- (m) such other bodies or persons as the Minister considers appropriate.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**64.** In page 32, to delete lines 5 and 6 and substitute the following:

- “(5) The Minister shall, for the purpose of preparing a strategy, consult with—
- (a) representatives of students attending designated institutions of higher education,
  - (b) designated institutions of higher education or their representative bodies, and
  - (c) such other bodies or persons as the Minister considers appropriate.”.

—Aodhán Ó Ríordáin.

**65.** In page 32, to delete lines 5 and 6 and substitute the following:

- “(5) The Minister shall, for the purpose of preparing a strategy, consult with—
- (a) representatives of students attending designated institutions of higher education,
  - (b) designated institutions of higher education or their representative bodies,
  - (c) trade unions, and
  - (d) such other bodies or persons as the Minister considers appropriate.”.

—Rose Conway-Walsh.

[SECTION 33]

66. In page 32, lines 5 and 6, to delete “consult with such bodies or persons as the Minister considers appropriate” and to substitute the following:

“consult with such persons or bodies, including recognised trade unions and staff associations in the higher education sector, as the Minister considers appropriate”.

—Aodhán Ó Ríordáin.

SECTION 34

67. In page 32, to delete line 18 and substitute the following:

“(a) the Minister, the Minister for Education and such other Ministers of the Government as An tÚdarás considers appropriate,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

68. In page 32, between lines 21 and 22, to insert the following:

“(e) recognised trade unions and staff associations in the designated institutions of higher education,”.

—Aodhán Ó Ríordáin.

69. In page 32, line 22, to delete “and”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

70. In page 32, between lines 22 and 23, to insert the following:

“(f) trades unions or staff associations of members of staff of designated institutions of higher education which are recognised by those institutions, and”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

71. In page 32, between lines 22 and 23, to insert the following:

“(f) trade unions,”.

—Rose Conway-Walsh.

72. In page 32, between lines 22 and 23, to insert the following:

“(f) An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta, and”.

—Rose Conway-Walsh.

73. In page 32, line 27, after “discipline” to insert “and their language of instruction,”.

—Rose Conway-Walsh.

74. In page 32, line 32, after “students,” to insert “including the number of students participating at the senior level in post-primary education,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

75. In page 33, line 8, after “economic” to insert “, climate action”.

—Marc Ó Cathasaigh.

[SECTION 34]

76. In page 33, line 8, to delete “and cultural” and substitute “, cultural and Irish language”.
- Rose Conway-Walsh.
77. In page 33, line 8, to delete “requirements, and” and substitute “requirements, including requirements relating to the promotion and use of the Irish language, and”.
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.
78. In page 33, line 8, to delete “and” where it secondly occurs and substitute the following:
- “(x) Irish medium provision and research, and”.
- Rose Conway-Walsh.
79. In page 33, line 27, after “economic” to insert “, climate action”.
- Marc Ó Cathasaigh.
80. In page 33, line 27, to delete “and cultural” and substitute “, cultural and Irish language”.
- Rose Conway-Walsh.
81. In page 33, line 27, to delete “requirements, and” and substitute “requirements, including requirements relating to the promotion and use of the Irish language, and”.
- An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.
82. In page 33, between lines 27 and 28, to insert the following:
- “(n) the aim of progressively increasing Irish medium provision and research, and”.
- Rose Conway-Walsh.
83. In page 33, between lines 28 and 29, to insert the following:
- “(5) (a) An tÚdarás shall, no later than one year from the enactment of this Act, and following consultation with staff and students of institutions, Foras na Gaeilge, Údarás na Gaeltachta, An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta, Gaeloideachas, Tuismitheoirí na Gaeltachta, Conradh na Gaeilge, and the Irish speaking community nationwide, provide a report to the Minister on the provision of higher education through the medium of Irish and the role of higher education in promoting the use of the Irish language.
- (b) The report referred to in *paragraph (a)* shall—
- (i) analyse the existing context of Irish medium higher education across disciplines and propose concrete recommendations for increasing the provision of higher education through Irish in all disciplines,
- (ii) outline a strategy for ensuring no student undertaking secondary education through the medium of Irish shall be forced to switch to English-medium education upon entry to higher education, regardless of chosen discipline, from 31 December 2030,
- (iii) propose measures to attract prospective students to undertake their higher education through the medium of Irish, regardless of chosen discipline,

[SECTION 34]

- (iv) propose recommendations for supporting the provision of high quality and up to date textbooks and resources in the Irish language to ensure students of Irish medium higher education are not placed at a disadvantage,
- (v) examine ways in which the higher education system could better support the Gaeltacht in economic, social and cultural terms,
- (vi) examine the feasibility, merit and potential impact of pursuing the following options, individually or in combination, for developing Irish medium higher education opportunities, making use of existing infrastructure and institutions where possible:
  - (I) establishing a dedicated multi-disciplinary Irish medium university or institution of higher education, possibly involving a campus location or locations in the Gaeltacht;
  - (II) establishing a dedicated Irish medium education college for primary and post-primary teachers, in line with recommendation 3 of the Comprehensive Linguistic Study of 2007, possibly involving a campus location or locations in the Gaeltacht;
  - (III) developing an inter-institutional network for Irish medium third level education through cooperation between existing institutions, with a view to increasing provision of, access to and participation in Irish medium higher level education;
  - (IV) following the supported distance and open learning model used by Open University to create an accessible and dynamic Irish medium higher education experience;
  - (V) establishing a criteria for “bilingual university or institution” status, and supporting existing institutions to achieve this status by providing high quality and multi-disciplinary opportunities for education through the medium of Irish;
  - (VI) ensuring all higher level institutions provide educational opportunities through the medium of Irish so that all disciplines are catered to; and
  - (VII) developing the provision of Irish medium education at existing institutions of higher education to deliver upon the goal set out in *subparagraph (ii)*, and the goal set out under section 18C(3)(b) of the Official Languages Act 2003.
- (c) The Minister shall, no later than one year after receiving the report referred to in *paragraph (a)*, publish a dedicated policy for developing the use of Irish in higher education.
- (d) The report referred to in *paragraph (a)* shall be laid before both Houses of the Oireachtas, and the Joint Oireachtas Committee responsible for the Irish language, on the same day as it is provided to the Minister.”.

—Rose Conway-Walsh.

[SECTION 35]

SECTION 35

**84.** In page 33, to delete lines 30 to 34 and substitute the following:

“**35.** (1) An tÚdarás shall prepare a performance framework for the higher education and research system (in this section referred to as a “performance framework”) at intervals of not less than once every 5 years and may publish the performance framework in such manner as it considers appropriate.

(2) An tÚdarás shall, for the purpose of preparing a performance framework, consult with—

(a) representatives of students attending designated institutions of higher education,

(b) designated institutions of higher education or their representative bodies, and

(c) such other bodies or persons as the Minister considers appropriate.”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

**85.** In page 33, lines 30 and 31, to delete “An tÚdarás, following consultation with the Minister, shall, prepare in such manner as it considers appropriate” and substitute “An tÚdarás shall, with the approval of the Minister, prepare and establish”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**86.** In page 33, line 33, to delete “of not less than” and substitute “of not less than”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**87.** In page 33, between lines 34 and 35, to insert the following:

“(2) An tÚdarás shall, for the purposes of preparing or amending a performance framework, consult with—

(a) representatives of students of designated institutions of higher education,

(b) designated institutions of higher education or their representative bodies, and

(c) such other body or person as An tÚdarás considers appropriate.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**88.** In page 34, line 11, after “*section 33*,” to insert the following:

“taking account of the diversity of functions, objects and priorities of different higher education providers.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**89.** In page 34, between lines 11 and 12, to insert the following:

“(b) the funding status of individual designated institutions of higher education.”.

—Aodhán Ó Ríordáin.

**90.** In page 34, between lines 12 and 13, to insert the following:

“(c) the status of an individual institution as either a relevant body or as a designated

[SECTION 35]

institutions of higher education that is not a relevant body.”.

—Rose Conway-Walsh.

91. In page 34, line 15, after “review” to insert “and with the approval of the Minister”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 36

92. In page 34, line 26, to delete “consultation” and substitute “partnership”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

93. In page 34, line 28, to delete “consultation” and substitute “partnership”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

SECTION 37

94. In page 35, between lines 31 and 32, to insert the following:

“(2) An tÚdarás may in accordance with this Chapter, provide “core funding” from moneys provided to An tÚdarás under section 19 to all or any of the following bodies (in this Act referred to as “bodies seeking funding”) in such manner, and subject to such conditions, as may be determined by An tÚdarás:

(a) relevant bodies.”.

—Rose Conway-Walsh.

95. In page 35, between lines 36 to 37, to insert the following:

“(b) in developing a funding framework under *paragraph (a)*, An tÚdarás consult with the designated institutions of higher education or their representative bodies.”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

96. In page 35, between lines 36 and 37, to insert the following:

“(3) An tÚdarás shall, for the purposes of preparing and establishing a funding framework, consult with bodies seeking funding or their representative bodies.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

97. In page 36, line 2, after “bodies” to insert “in line with national policy, legislation and objectives with regard to climate action”.

—Marc Ó Cathasaigh.

98. In page 36, line 14, after “outcomes,” to insert the following:

“in line with national climate policies, legislation and objectives, the Paris Agreement under the United Nations Framework Convention on Climate Change and the Climate Action and Low Carbon Development (Amendment) Act 2021,”.

—Marc Ó Cathasaigh.

99. In page 36, between lines 21 and 22, to insert the following:

“(5) Nothing in this section shall be construed as permitting an interference with the



[SECTION 37]

autonomous capacity of each designated institution of higher education to determine—

- (a) which courses and programmes it develops and maintains, or
- (b) the number of students that will be accommodated on any course or programme or within each designated institution of higher education.”.

—Aodhán Ó Ríordáin.

SECTION 38

**100.**In page 37, line 1, after “Officer,” to insert the following:

“including disaggregated data regarding private and public funding sources, and funding streams from entities outside of the designated higher education institutions that operate substantially for the benefit or under the auspices of the institutions, both inside and outside the State,”.

—Marc Ó Cathasaigh.

**101.**In page 37, between lines 1 and 2, to insert the following:

“(b) to comply with national policy, legislation and objectives with regard to climate action,”.

—Marc Ó Cathasaigh.

**102.**In page 37, between lines 1 and 2, to insert the following:

“(b) to operate a transparent, ethical framework for selection or acceptance of private funding streams, including through entities outside of the designated higher education institutions that operate substantially for the benefit or under the auspices of the institutions, both inside and outside the State,”.

—Marc Ó Cathasaigh.

**103.**In page 37, line 3, after “governance,” to insert the following:

“including the ongoing review and reporting of any risk of financial exposure in relation to private funding streams,”.

—Marc Ó Cathasaigh.

**104.**In page 37, line 5, after “*section 126*” to insert “or to adequately explain non-compliance in accordance with *section 126(7)\**”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

[\*This is a reference to the subsection proposed to be inserted by amendment No. 207.]

**105.**In page 37, line 7, after “requirements,” to insert “and”.

—Aodhán Ó Ríordáin.

**106.**In page 37, line 8, to delete “thereunder, and” and substitute “thereunder.”.

—Aodhán Ó Ríordáin.

[SECTION 38]

107. In page 37, to delete lines 9 and 10.

—Aodhán Ó Ríordáin.

SECTION 39

108. In page 37, between lines 17 and 18, to insert the following:

“(b) in the case of a body seeking funding, to establish whether the body complies with national policy, legislation and objectives with regard to climate action.”

—Marc Ó Cathasaigh.

SECTION 40

109. In page 37, line 34, to delete “shall review” and substitute “shall assess”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

110. In page 38, line 1, to delete “a review” and substitute “an assessment”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 41

111. In page 38, line 9, to delete “a review” and substitute “an assessment”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 42

112. In page 38, line 20, to delete “a review” and substitute “an assessment”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 43

113. In page 40, line 28, to delete “may” and substitute “shall”.

—Rose Conway-Walsh.

114. In page 41, between lines 2 and 3, to insert the following:

“(d) a summary of any proposed means of addressing issues of concerns referred to in *subsection (3)(a)* put forward by students and representatives of students, including as part of the processes referred to in *subsection (1)* developed by it.”

—Rose Conway-Walsh.

115. In page 41, between lines 2 and 3, to insert the following:

“(d) a summary of engagement with the students’ union of the designated institute of higher education, including as part of the processes referred to in *subsection (1)* developed by it.”

—Rose Conway-Walsh.

SECTION 45

116. In page 41, line 16, to delete “partnership” and substitute “co-operation”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

[SECTION 45]

117. In page 41, between lines 32 and 33, to insert the following:

“(g) provide information to ensure the provision of courses and services through Irish to students.”.

—Rose Conway-Walsh.

SECTION 46

118. In page 42, to delete line 15 and substitute the following:

“(a) the Minister for Education and such other Ministers of the Government as it considers appropriate,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

119. In page 42, between lines 18 and 19, to insert the following:

“(e) recognised trade unions and staff associations in designated institutions of higher education,”.

—Aodhán Ó Ríordáin.

120. In page 42, between lines 19 and 20, to insert the following:

“(f) trade unions,”.

—Rose Conway-Walsh.

121. In page 43, line 22, to delete “in each year and”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 47

122. In page 44, between lines 15 and 16, to insert the following:

“(g) meets the needs of persons who are competent to speak the Irish language,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

123. In page 44, to delete lines 20 and 21 and substitute the following:

“(j) supports all learners to acquire the knowledge and skills needed—

(i) to address the interconnected global challenges of climate change, environmental degradation, loss of biodiversity, poverty and inequality including gender inequality, and

(ii) to promote sustainable development and sustainable lifestyles, human rights, a culture of peace and non-violence, global citizenship and an appreciation of cultural diversity and of culture’s contribution to sustainable development,

and”.

—Aodhán Ó Ríordáin.

124. In page 44, line 21, after “development,” to insert the following:

“in line with Sustainable Development Goal 4.7 “through education for sustainable development and sustainable lifestyles, human rights, gender equality,

[SECTION 47]

promotion of a culture of peace and non-violence, global citizenship, and appreciation of cultural diversity and of culture’s contribution to sustainable development”;

—Marc Ó Cathasaigh.

125. In page 44, between lines 23 and 24, to insert the following:

“(l) meets the needs of native Irish speakers and other speakers of the language.”.

—Rose Conway-Walsh.

SECTION 48

126. In page 45, line 6, after “data,” to insert the following:

“including, but not limited to, disaggregated data in relation to public and private funding, funding from foreign sources (including the country to which the source is attributable, date of funding and description of any conditions or restrictions applied), and funding streams from entities outside of the designated higher education institutions that operate substantially for the benefit or under the auspices of the institutions, both inside and outside the State.”.

—Marc Ó Cathasaigh.

127. In page 45, between lines 10 and 11, to insert the following:

“(d) data on investments and assets held by the designated higher education institutions, both inside and outside the State.”.

—Marc Ó Cathasaigh.

128. In page 45, between lines 11 and 12, to insert the following:

“(e) disclosure of any risk of stranded asset exposure and related data, in relation to fossil fuel assets, including but not limited to, coal, oil and gas, which represent substantial financial liabilities under legally-binding national and international frameworks for decarbonising economies.”.

—Marc Ó Cathasaigh.

SECTION 55

129. In page 50, to delete lines 35 to 41 and substitute the following:

“(f) that the higher education provider—

(i) has, under section 28 of the Act of 2012, established procedures in writing for quality assurance in relation to which the Qualifications and Quality Assurance Authority of Ireland—

(I) has approved those procedures under the Act of 2012,

(II) has not proposed by notice under section 36(1) of that Act to withdraw that approval, and

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

or

[SECTION 55]

(ii) if the higher education provider is a linked provider within the meaning of the Act of 2012, has, under section 28 of that Act, established procedures in writing for quality assurance in relation to which a relevant designated awarding body within the meaning of that Act—

(I) has approved those procedures under the Act of 2012,

(II) has not proposed by notice under section 39(1) of that Act to withdraw that approval, and

(III) has not withdrawn that approval under section 39 of that Act;”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 61

**130.**In page 56, line 1, to delete “and cultural” and substitute “, cultural and Irish language”.

—Rose Conway-Walsh.

**131.**In page 56, between lines 5 and 6, to insert the following:

“(g) how the institution intends to progressively increase the provision of education across disciplines through the medium of Irish and promote increased use of the Irish language, and”.

—Rose Conway-Walsh.

SECTION 62

**132.**In page 57, to delete lines 1 to 3 and substitute the following:

“(a) the policy of the institution for increasing access, participation, and course completion, by students in priority groups and persons,”.

—Rose Conway-Walsh.

**133.**In page 57, between lines 5 and 6, to insert the following:

“(c) the policy of the institution relating to equality, including addressing socio-economic inequality, in all activities of the institution, and”.

—Rose Conway-Walsh.

SECTION 64

**134.**In page 58, line 4, to delete “is concerned” and substitute “has serious, significant or material concerns”.

—Aodhán Ó Ríordáin.

**135.**In page 58, line 4, to delete “concerned about” and substitute “of opinion that there are significant concerns regarding”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

[SECTION 64]

136. In page 58, line 7, after “*section 126*” to insert “or the adequacy of any explanation for non-compliance provided pursuant to *section 126(7)*”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

[\*This is a reference to the subsection proposed to be inserted by amendment No. 207.]

137. In page 58, line 26, after “may” to insert “, with the approval of the Board,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

138. In page 58, line 27, to delete “as he or she considers” and substitute “as the Board considers”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 65

139. In page 59, line 3, after “may” to insert “, with the approval of the Board,”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

140. In page 59, line 17, to delete “*paragraph (b)* of”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

141. In page 59, lines 25 to 29, to delete all words from and including “not” in line 25 down to and including line 29 and substitute the following:

“operate to stay the coming into operation of the measure pending the determination or discontinuance of the appeal.”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

SECTION 66

142. In page 60, between lines 7 and 8, to insert the following:

“(4) A decision by the Chief Executive Officer to provide assistance under *subsection (1)* may be appealed by the designated institution of higher education concerned in accordance with *section 70* within the prescribed period after the service of a notice on that institution under *subsection (2)*.

(5) The bringing of an appeal by a designated institution of higher education against a decision to provide assistance under *subsection (3)* shall operate to stay the provision of such assistance pending the determination or discontinuance of the appeal.”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

SECTION 67

143. In page 61, line 13, to delete “The remedial” and substitute “Subject to *subsection (4)*, the remedial”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

144. In page 61, between lines 31 and 32, to insert the following:

“(4) The approval of the Board shall be required before a remedial or other measure referred to in *paragraph (a), (b) or (d)* of *subsection (3)* may be imposed on a

[SECTION 67]

designated institution of higher education.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**145.**In page 61, between lines 31 and 32, to insert the following:

- “(4) A remedial or other measure proposed by the Chief Executive Officer under *subsection (3)* may be appealed by the designated institution of higher education concerned in accordance with *section 70* within the prescribed period after the service of a notice on that institution under *subsection (2)*.
- (5) The bringing of an appeal by a designated institution of higher education against a remedial or other measure proposed by the Chief Executive Officer under *subsection (3)* shall operate to stay the coming into operation of the measure pending the determination or discontinuance of the appeal.”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

SECTION 69

**146.**In page 62, between lines 27 and 28, to insert the following:

- “(3) The appointment of a reviewer under *subsection (4)* may be appealed by the designated institution of higher education concerned in accordance with *section 70* within the prescribed period after the service of a notice on that institution under *subsection (2)*.
- (4) The bringing of an appeal by a designated institution of higher education against the appointment of a reviewer under *subsection (1)* shall operate to stay the appointment or result in a cessation of the work of the reviewer pending the determination or discontinuance of the appeal.”.

—Aodhán Ó Ríordáin.

SECTION 70

**147.**In page 63, line 15, to delete “or 65(4)” and substitute “, 65, 66, 67 or 69”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

**148.**In page 63, to delete lines 20 to 22 and substitute the following:

- “(a) one person having a special interest in or expertise in, or knowledge of, matters relating to higher education or the functions of An tÚdarás (other than a member of the Board, a member of the staff of An tÚdarás, a public servant or a person employed or engaged by in institution of higher education),
- (b) one person with demonstrable expertise in, or knowledge of, matters relating to higher education at an international level (other than a member of the Board, a member of the staff of An tÚdarás, a public servant or a person employed or engaged by an institution of higher education), and”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

**149.**In page 63, line 22, after “tÚdarás” to insert “or officers of the Minister”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

[SECTION 74]

SECTION 74

150. In page 66, to delete lines 12 to 32.

—Rose Conway-Walsh.

151. In page 66, line 23, to delete “two” and substitute “three”.

—Aodhán Ó Ríordáin.

152. In page 67, between lines 13 and 14, to insert the following:

“(b) at least 20 per cent of members shall have a level B2 or higher of competency in spoken Irish on the Common European Framework of Reference for Languages (CEFR),”.

—Rose Conway-Walsh.

153. In page 67, between lines 13 and 14, to insert the following:

“(b) not less than 20 per cent of the members of the governing authority shall be able to communicate proficiently in the Irish language, and that no person shall be appointed Chairperson unless he or she is able to communicate proficiently in the Irish language, and”.

—Rose Conway-Walsh.

154. In page 67, line 15, after “society” to insert “, including persons who are competent in the Irish language”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 75

155. In page 67, line 40, after “membership” to insert the following:

“, and that members able to communicate proficiently in the Irish language, of which the Chairperson shall be one, shall comprise not less than 20 per cent of its overall membership”.

—Rose Conway-Walsh.

*Section opposed.*

—Rose Conway-Walsh.

SECTION 77

156. In page 69, to delete lines 22 to 26 and substitute the following:

“(iii) in order to report upon compliance with the policies (whether set out in codes, guidelines or other documents, or any combination thereof) of the Government or a Minister of the Government to the extent that those policies may affect or relate to the functions of the university, or in order to enable the provision of an adequate explanation for any non-compliance in accordance with *section 126(7)\** of the *Higher Education*



[SECTION 77]

*Authority Act 2022,”.*

—Rose Conway-Walsh.

*[\*This is a reference to the subsection proposed to be inserted by amendment No. 207.]*

**157.**In page 69, line 22, to delete “enable compliance with the policies” and substitute “implement, and report on compliance with, the policies”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**158.**In page 69, line 22, to delete “enable” and substitute “report upon”.

—Aodhán Ó Ríordáin.

**159.**In page 69, line 26, after “university” to insert the following:

“or in order to enable the provision of an adequate explanation for any non-compliance in accordance with *section 126(7)\** of the *Higher Education Authority Act 2022,*”.

—Aodhán Ó Ríordáin.

*[\*This is a reference to the subsection proposed to be inserted by amendment No. 207.]*

SECTION 80

**160.**In page 72, between lines 11 and 12, to insert the following:

**“Amendment of section 33(2) of Act of 1997**

**80.** Section 33(2) of the Act of 1997 is amended by the substitution of “the making of a statute or a regulation under section 18(2) or 25(1)” for “the making of a statute or a regulation under section 17(2) or 24(1)”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**161.**In page 72, line 15, to delete “governing authority” and substitute “chief officer”.

—Aodhán Ó Ríordáin.

**162.**In page 72, lines 15 and 16, to delete “for the purposes of preparing a strategic development plan under this section, consult with” and substitute the following:

“before approving a strategic development plan under this section, be satisfied that the chief officer has for the purposes of preparing the plan consulted with”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 84

**163.**In page 76, line 7, to delete “by”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**164.**In page 76, line 8, to delete “the” and substitute “by the”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

[SECTION 84]

165. In page 76, to delete line 20.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

166. In page 76, to delete line 21 and substitute the following:

“(b) by the deletion of paragraph 5, and”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

167. In page 76, between lines 21 and 22, to insert the following:

“(c) in paragraph 7, by the substitution of “such period as the governing authority determines but the period shall not exceed 10 years from the date of the appointment of the chief officer” for “a period of 10 years”.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 86

168. In page 77, to delete lines 7 to 11 and substitute the following:

“(iii) in order to report upon compliance with the policies (whether set out in codes, guidelines or other documents, or any combination thereof) of the Government or a Minister of the Government to the extent that those policies may affect or relate to the functions of the university, or in order to enable the provision of an adequate explanation for any non-compliance in accordance with *section 126(7)\** of the *Higher Education Authority Act 2022*,”.

—Rose Conway-Walsh.

*[\*This is a reference to the subsection proposed to be inserted by amendment No. 207.]*

169. In page 77, line 7, to delete “enable compliance with the policies” and substitute “implement, and report on compliance with, the policies”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

170. In page 77, line 7, to delete “enable” and substitute “report upon”.

—Aodhán Ó Ríordáin.

171. In page 77, line 11, after “university” to insert the following:

“or in order to enable the provision of an adequate explanation for any non-compliance in accordance with *section 126(7)\** of the *Higher Education Authority Act 2022*”.

—Aodhán Ó Ríordáin.

*[\*This is a reference to the subsection proposed to be inserted by amendment No. 207.]*

SECTION 87

172. In page 77, to delete lines 33 to 38, and in page 78, to delete lines 1 to 15.

—Rose Conway-Walsh.

[SECTION 87]

173. In page 77, line 33, after “body” to insert “of a technological university”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

174. In page 78, to delete lines 4 and 5 and substitute the following:

“(d) 5 internal members (other than the president), being—

- (i) 3 members of the academic staff of the technological university, elected by the academic staff of the technological university,
  - (ii) one member of the non-academic staff of the technological university, elected by the non-academic staff of the technological university, and
  - (iii) one member of the academic or non-academic staff of the technological university, elected by the academic and non-academic staff of the technological university,
- and”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

175. In page 78, line 6, to delete “2” and substitute “3”.

—Aodhán Ó Ríordáin.

176. In page 78, line 7, to delete “or selected”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

177. In page 78, after line 40, to insert the following:

“(b) at least 20 per cent of members shall have a level B2 or higher of competency in spoken Irish on the Common European Framework of Reference for Languages (CEFR),”.

—Rose Conway-Walsh.

178. In page 79, line 5, after “society” to insert “, including persons who are competent in the Irish language”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

179. In page 79, line 9, after “thereof” to insert “or a member of the academic council of the technological university”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

180. In page 79, lines 11 and 12, to delete “a member of the academic council of the technological university,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 88

*Section opposed.*

—Rose Conway-Walsh.

[SECTION 89]

SECTION 89

**181.**In page 80, line 32, after “university” to insert “or the trades unions or staff associations of those members of staff”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 90

**182.**In page 81, line 12, after “university” to insert “or the trades unions or staff associations of those members of staff”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 97

**183.**In page 83, to delete lines 25 and 26 and substitute the following:

- “(d) 5 internal members (other than the Director), being—
- (i) 3 members of the academic staff of the college, elected by the academic staff of the college,
  - (ii) one member of the non-academic staff of the college, elected by the non-academic staff of the college, and
  - (iii) one other internal member of the college,
- and”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**184.**In page 83, line 27, to delete “2” and substitute “3”.

—Aodhán Ó Ríordáin.

**185.**In page 84, between lines 22 and 23, to insert the following:

- “(b) at least 20 per cent of members shall have a level B2 or higher of competency in spoken Irish on the Common European Framework of Reference for Languages (CEFR),”.

—Rose Conway-Walsh.

**186.**In page 84, line 26, after “society” to insert “, including persons who are competent in the Irish language”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**187.**In page 84, line 30, after “thereof” to insert “or a member of the academic council of the college”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**188.**In page 84, lines 32 and 33, to delete “a member of the academic council of the college,”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

[SECTION 99]

SECTION 99

**189.**In page 86, lines 2 and 3, to delete all words from and including “(1) Section” in line 2 down to and including line 3 and substitute the following:

“Section 7 of the Act of 1992 is amended—

(a) by the insertion of the following subsections after subsection (1):”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**190.**In page 86, line 15, to delete “enable compliance with the policies” and substitute “implement, and report on compliance with, the policies”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**191.**In page 86, to delete line 39 and substitute “tÚdarás.”, and”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**192.**In page 86, after line 39, to insert the following:

“(b) in subsection (6), by the substitution of “a committee of the governing body established under paragraph 6 of the Second Schedule” for “a committee”.”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 100

**193.**In page 87, line 11, after “college” to insert “or the trades unions or staff associations of those members of staff”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 101

**194.**In page 87, line 31, after “college” to insert “or the trades unions or staff associations of those members of staff”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 107

**195.**In page 95, line 32, to delete “enable compliance with the policies” and substitute “implement, and report on compliance with, the policies”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 116

**196.**In page 102, lines 8 and 9, to delete “and cultural” and substitute “, cultural and Irish language”.

—Rose Conway-Walsh.

**197.**In page 102, lines 13 and 14, to delete “the Qualifications and Quality Assurance Authority of Ireland” and substitute the following:

“a relevant designated awarding body within the meaning of the Qualifications and Quality Assurance (Education and Training) Act

[SECTION 116]

2012”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**198.**In page 102, line 15, to delete “section 34” and substitute “section 37”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**199.**In page 102, line 17, to delete “section 35” and substitute “section 38”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 123

**200.**In page 107, line 23, to delete “(m) and (r)” and substitute “(n) and (u)”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 124

**201.**In page 108, line 3, after “building” to insert “or other”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**202.**In page 108, line 5, after “building” to insert “or other”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

SECTION 126

**203.**In page 108, between lines 20 and 21, to insert the following:

“(2) Without prejudice to the generality of *subsection (1)*, An tÚdarás shall prepare or adopt and issue to designated institutions of higher education a policy concerning the sustainable investment of the funds of those institutions, including a prohibition on investing those funds, directly or indirectly, in a fossil fuel undertaking within the meaning of the Fossil Fuel Divestment Act 2018.”.

—Aodhán Ó Ríordáin.

**204.**In page 108, to delete lines 29 and 30.

—Aodhán Ó Ríordáin.

**205.**In page 108, line 33, to delete “may publish” and substitute “shall publish”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**206.**In page 108, line 33, to delete “may” and substitute “shall”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

**207.**In page 109, between lines 3 and 4, to insert the following:

“(7) Where a designated institution of higher education departs from guidelines, codes or policies prepared under *subsection (1)*, the designated institution of higher education shall be afforded an opportunity to provide an explanation as to—

- (a) which parts of the guidelines, codes or policies it departs from,
- (b) the extent of any such departures,

[SECTION 126]

- (c) the reasons for such departure or non-application of the said guidelines, codes or policies.”.

—Aodhán Ó Ríordáin, Rose Conway-Walsh.

SECTION 127

208. In page 109, between lines 3 and 4, to insert the following:

**“Ministerial directions**

127. (1) Subject to the requirements of this section, the Minister may give a direction in writing to An tÚdarás to prepare guidelines, codes or policies under section 126(1).
- (2) The Minister shall, in the interests of procedural fairness, give a notice in writing to An tÚdarás to which is attached a draft of the direction concerned stating that—
- (a) the Minister is minded to give that direction to An tÚdarás, and
- (b) An tÚdarás may, if it wishes to do so, within the period specified in the notice (being a period of not less than four weeks from the giving of the notice) make submissions in writing to the Minister on the direction.
- (3) Where the Minister receives submissions referred to in *subsection (2)* before the expiration of the period referred to in that subsection, he or she may, after having regard to those submissions—
- (a) give the direction concerned to An tÚdarás with such revisions to the direction as the Minister considers are warranted in view of those submissions,
- (b) give the direction concerned to An tÚdarás without any revisions to the direction if the Minister considers that no such revisions are warranted in view of those submissions and stating the reasons therefor, or
- (c) decline to give the direction concerned to An tÚdarás if the Minister considers that—
- (i) in view of those submissions, the direction is not warranted, or
- (ii) for any other reason, the direction is no longer warranted.
- (4) Where the Minister receives no submissions referred to in *subsection (2)* before the expiration of the period referred to in that subsection, he or she may—
- (a) give the direction concerned to An tÚdarás, or
- (b) decline to give the direction concerned to An tÚdarás if the Minister considers that, for any reason, the direction is no longer warranted.
- (5) The Minister shall cause a direction under this section to be published on a website of the Government at the same time as it is given to An tÚdarás or as soon as is practicable thereafter being a time which is not later than the next business day following the date on which it is given to An tÚdarás.
- (6) Where a direction has been duly issued under this section An tÚdarás shall comply

[SECTION 127]

with the direction.”.

—Aodhán Ó Ríordáin.

SCHEDULE 1

**209.**In page 110, to delete lines 12 and 13 and substitute the following:

“

No. 24 of 1997	Universities Act 1997	Sections 4(2), (3) and (4), 19, 20, 21 and 50
----------------	-----------------------	--

”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

**210.**In page 110, to delete lines 14 and 15 and substitute the following:

“

No. 3 of 2018	Technological Universities Act 2018	Sections 26, 27(2) and (3), 58, 80(b), 82, 83, 84 and 91
---------------	--	---

”.

—An tAire Breisoideachais agus Ardoideachais, Taighde, Nuálaíochta agus Eolaíochta.

PREAMBLE

**211.**In page 11, between lines 23 and 24, to insert the following:

“WHEREAS it is proposed to enhance the role of the Higher Education Authority;

AND WHEREAS the furtherance of the interests of students, designated institutions of higher education, and their staff require the advancement of reforms in key areas;

AND WHEREAS designated institutions of higher education have a role in society which is distinct from that of other organisations in the wider public service;

AND WHEREAS the principles of academic freedom and autonomy are the bedrock of a functioning designated institution of higher education;

AND WHEREAS designated institutions of higher education through their expertise and their independence are of intrinsic value to society and to the country;

AND WHEREAS designated institutions of higher education recognise the need for a sound statutory basis for the oversight and accountability of the higher education sector in the State;

AND WHEREAS no provision of this Act shall seek to unduly infringe on the autonomy of designated institutions of higher education;



[PREAMBLE]

AND WHEREAS protecting the capacity of individual designated institutions of higher education to maintain their distinct mission is of fundamental importance.”.

—Aodhán Ó Riordáin, Rose Conway-Walsh.

TITLE

**212.**In page 11, line 8, after “education;” to insert “to provide for the strengthening of Irish medium higher and tertiary education;”.

—Rose Conway-Walsh.

**213.**In page 11, lines 13 to 15, to delete line 13 down to and including “Dublin;” in line 15.

—Rose Conway-Walsh.