



NUI Galway Governing Authority Schedule of Reserved Powers and Delegated Authority

The purpose of this document is to set out the decisions reserved for Governing Authority and the specific delegations to Committees and/or the Chief Officer. These Schedules approved by the Governing Authority on 24th June, 2021, and updated on 27th October 2021, under the provisions of Section 14 of the Third Schedule of the Universities Act 1997, are effective from 1st July, 2021 and remain in effect until such time as they are repealed or amended by the Governing Authority. They will be reviewed and approved by each incoming Governing Authority at the first expedient opportunity in that regard, not later than before the end of the first calendar year of its term.

These Schedules should be read in conjunction with the NUI Galway Governing Authority Standing Orders and University Statutes. At all times, the Governing Authority adheres to public policy as may from time to time be expressed by way of legislation, Statutory Instrument or other appropriate means.

Matters reserved for Governing Authority	Reference
Over-arching powers	
The functions of a university shall be performed by or on the directions of its governing authority.	<i>1997 Irish Universities Act Section 15 (2)</i>
A governing authority has, subject to this or any other Act [1997 Irish Universities Act] or its charter, if any, such powers as are necessary for the purposes of performing its functions.	<i>1997 Irish Universities Act Section 18 (3)</i>
Composition of Governing Authority	
To determine the membership of Governing Authority, subject to the provisions of relevant legislation.	<i>1997 Irish Universities Act Section 18 (1) c</i>
To approve regulations for the selection, election, nomination or appointment of members to the Governing Authority.	<i>1997 Irish Universities Act Section 18 (1) c</i>

To approve the appointment of a Chairperson of Governing Authority.	<i>1997 Irish Universities Act Section 17 (1-3)</i>
To set the terms and conditions for the appointment of the Chairperson.	<i>1997 Irish Universities Act Section 17 (5)</i>
Establish Committees	
To establish Committees of Governing Authority to assist it in the performance of its functions, assigning such functions as it thinks fit, and retaining oversight of the functions delegated to these committees.	<i>1997 Irish Universities Act Section 18 (4)</i>
Appointment of the Chief Officer and other senior leadership roles	
To appoint the President /Chief Officer and such other employees as it thinks necessary for the purposes of the University consistent with university statutes and with the policies and procedures established in that regard.	<i>1997 Irish Universities Act Section 18 (b) and relevant University Statutes</i>
To develop and approve procedures for the appointment of the President/ Chief Officer.	<i>1997 Irish Universities Act Section 24 (1)</i>
Strategic Planning	
To task the President/Chief Officer with the preparation of a Strategic Plan.	<i>1997 Irish Universities Act Section 34 (1)</i>
To approve the Strategic Plan and provide a copy of the Strategic Plan to the Minister and the Higher Education Authority.	<i>1997 Irish Universities Act Section 34 (2) (3)</i>
To monitor the implementation of the Strategic Plan.	<i>2019 Code of Governance Section 1.18</i>
Risk Management	
To ensure a robust system of risk management is in place in the University	<i>2019 Code of Governance Section 7.2</i>
Capital Expenditure	
To authorise, adhering to public policy in that regard, capital expenditure i.e. investments, capital projects and acquisitions of the University or its subsidiaries in excess of €3 million, including those spread over a number of years, which in aggregate are equal to or exceed the threshold.	<i>1997 Irish Universities Act Section 13 (e)</i>
Financial Matters	

To approve all significant financial procedures, and the annual budget on the recommendation of Finance & Resource Committee.	<i>1997 Irish Universities Act Section 37 (1)</i>
To approve borrowing and other commitments (other than employment contracts) in excess of €1m or to guarantee or underwrite a loan (or other commitments other than employment contracts), including those spread over a number of years, which in aggregate are equal to or exceed the threshold.	<i>1997 Irish Universities Act Section 38 (1) (2)</i>
To approve on the recommendation of Finance & Resource Committee the fees for registration and admission to programmes of study.	<i>1997 Irish Universities Act Section 40 (1)</i>
To approve the operation of bank accounts and the authority of bank authorised signatories	<i>Banking Requirement as referenced in Appendix E 2019 Code of Governance</i>
Disposal of Assets including Land	
To consider and approve significant disposals and retirement of assets, including land of the University or any of its subsidiaries for an independently-assessed value at or above €150,000.	<i>2019 Code of Governance Section 8.25</i>
To consider and approve the disposal of an asset, of any value, where competitive tendering has taken place and the highest bid was not accepted.	<i>2019 Code of Governance Section 8.26</i>
To consider and approve the disposal of an asset with an independently-assessed value of over €150,000 to a charitable organisation or equivalent, or which are not put to a competitive tendering process.	<i>2019 Code of Governance Section 8.25</i>
To consider and approve the disposal of assets, above an independently-assessed value of €5,000, to governing authority members, employees or their families or connected persons	<i>2019 Code of Governance Section 8.30</i>
Commercial Activity	
To consider and approve the granting of access to property or infrastructure for commercial arrangements with third parties with an anticipated, independently-assessed value at or above €150,000 per annum, where an auction or competitive tendering process is not used.	<i>2019 Code of Governance Section 8.28</i>

To approve the establishment of all subsidiaries, joint ventures, special-purpose entities and investments in associates.	<i>1997 Irish Universities Act Section 13 (2) (c) 2019 Code of Governance Section 8.21-8.23</i>
Governance	
The Governing Authority is responsible for ensuring a robust system of governance is in place.	<i>2019 Code of Governance Section 4.6</i>
To approve University Statutes and any regulations and/or policies relating to the good governance of the University including policies related to risk management, conflict of interest, academic consultancy, Protected Disclosures, Intellectual Property, etc.	<i>2019 Code of Governance Multiple sections, including Section 7, Section 1.1, Section 1.14</i>
To make such regulations as it thinks fit for the conduct of the affairs of the University.	<i>1997 Irish Universities Act Third Schedule (15) Fourth Schedule (1)</i>
To adopt and/or approve any Codes including the Code of Governance for Irish Universities, Codes of Conduct for members or employees or any relevant governance instruments such as standing orders, terms of reference or procedures regulating the business of the Governing Authority or its committees.	<i>1997 Irish Universities Act Third Schedule (14) 2019 Code of Governance Section 5.1</i>
To approve arrangements that ensure that management and employees are not involved in outside employment/ business that is in conflict with business of the University.	<i>2019 Code of Governance Section 5.5</i>
To report to the Higher Education Authority annually on the system of governance and internal controls in place via an Oversight Agreement and the Annual Governance Statement.	<i>2019 Code of Governance Section 8.2, Section 8.3</i>
To carry out or commission regular reviews of the effectiveness of Governing Authority.	<i>2019 Code of Governance Section 4.6</i>
To authorise signatories to the University Seal.	<i>1997 Irish Universities Act Third Schedule (2)</i>
To determine the procedures for electing members to the NUI Senate.	<i>1997 Irish Universities Act</i>

	<i>Section 45 (2) (a) (c)</i>
Staff	
To approve policy and procedures for the recruitment of staff.	<i>1997 Irish Universities Act Section 18 (2), 25 (1) (2)</i>
To establish procedures for the resolution of disputes which arise in the University, other than disputes to be dealt with through normal industrial relations structures operating in the University.	<i>1997 Irish Universities Act Section 26 (1)</i>
To approve promotion schemes for staff.	<i>Academic Promotion Procedure</i>
To approve procedures for suspension and dismissal of staff of the University.	<i>1997 Irish Universities Act Section 25 (6)</i>
An Ghaeilge	
To establish a Committee to oversee the strategic development of the Irish language in the University and to promote and cultivate the use of the Irish language on campus.	<i>1997 Irish Universities Act Section 12 (e)</i>
Equality, Diversity and Inclusion	
To approve the University's policies and Annual Plans on Equality, Diversity and Inclusion including plans for access to the University for students from socio-economically disadvantaged backgrounds.	<i>1997 Irish Universities Act Section 36 (1)</i>
Appointments and Awards	
To approve Emeritus Professorial appointments.	<i>Statute CCLXXIV 274 (2002)</i>
To approve the award of Honorary Doctorates of the University.	<i>On the recommendation of the Oversight Group for Honorary Degrees (OGHD)</i>

Schedule of Delegated Authority

Governing Authority Schedule of Delegated Authority		
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Authority which is delegated	To	Reference
Financial Matters		
To supervise the financial affairs of the University and to advise Údarás na hOllscoile on any matter relating to the financial management of the University.	Finance & Resource Committee	<i>Terms of Reference for FRC</i>
To agree an annual budget for the University, having regard to the Strategic Plan and operational requirements, and recommend its approval to Údarás na hOllscoile.	Finance & Resource Committee	<i>1997 Irish Universities Act Section 37 (1)</i>
To review, monitor and agree on a regular basis, reports on actual expenditure and revenue against approved budget, including an end-of-year report and advise Údarás na hOllscoile on these reports.	Finance & Resource Committee	<i>1997 Irish Universities Act Section 37 (1)</i>
To oversee the keeping of all proper and usual accounts and records of all income received or expenditure incurred by the University.	Finance & Resource Committee supported by the Bursar	<i>1997 Irish Universities Act Section 39 (1)</i>
For amounts between €500,000 and €1 million, to approve borrowing and other commitments (other than employment contracts) or guarantees or underwriting of a loan (or other commitments other than employment contracts), including those spread over a number of years, which in aggregate are equal to or exceed the threshold.	Finance & Resource Committee	<i>1997 Irish Universities Act Section 38 (1) (2)</i>
To monitor remuneration of staff and pay policy in the context of the University's Strategic Plan, and its finances and of national pay agreements and policies.	Finance & Resource Committee	<i>1997 Irish Universities Act Section 25 (1a) (4)</i>

To recommend to Údarás na hOllscoile on an annual basis the fee schedule for registration and admission to programmes of study.	Finance & Resource Committee	<i>1997 Irish Universities Act Section 40</i>
To consider and approve Policies of significance governing the University's finances such as Asset Disposal Policy, Investments and Treasury Policy. To report to Governing Authority on such approvals as and when they arise.	Finance & Resource Committee	<i>2019 Code of Governance Section 8.30-8.33</i>
To oversee the establishment of and monitor the financial performance of any companies under the control of the University.	Finance & Resource Committee	<i>2019 Code of Governance Section 8.21-8.23</i>
To approve a Framework for departure from levels of remuneration, fees, allowances and expenses approved by the Minister, and to approve on behalf of Governing Authority appointments made within the Framework for Departure from levels of remuneration, fees, allowances and expenses.	Finance & Resource Committee	<i>1997 Irish Universities Act Section 25 (5)</i>
Implement the annual budget, as approved by Governing Authority.	President/Chief Officer	<i>1997 Irish Universities Act Section 37 (3)</i>
Inform the Governing Authority and the Higher Education Authority when expenditure is likely to exceeds the available budget.	President/Chief Officer	<i>1997 Irish Universities Act Section 37 (5) (6)</i>
For amounts up to €500,000, to approve borrowing and other commitments (other than employment contracts) or guarantees	President/Chief Officer	<i>1997 Irish Universities Act Section 38 (1) (2)</i>

or underwriting of a loan (or other commitments other than employment contracts), including those spread over a number of years, which in aggregate are equal to or exceed the threshold.		
Capital Expenditure		
To authorise, adhering to public policy in that regard, capital expenditure i.e. investments, capital projects and acquisitions of the University or its subsidiaries in excess of €500,000 but less than €3 million, including those spread over a number of years, which in aggregate are equal to or exceed the threshold. All exercises of this authority should be reported promptly to Údarás na hOllscoile at its next meeting.	Finance & Resource Committee	<i>1997 Irish Universities Act Section 13 (e)</i>
To authorise, adhering to public policy in that regard, capital expenditure i.e. investments, capital projects and acquisitions of the University or its subsidiaries up to €500,000 including those spread over a number of years, which in aggregate are equal to or exceed the threshold. All exercises of this authority should be reported promptly to Finance & Resource Committee at its next meeting.	President/Chief Officer	<i>1997 Irish Universities Act Section 13 (e)</i>
Strategic Planning and Governance		
To monitor the overall implementation of the Strategic Plan and to ensure its effective and coherent implementation.	Standing & Strategic Planning Committee	<i>Terms of Reference for STR</i>
To act on behalf of Údarás na hOllscoile as necessary between Governing Authority	Standing & Strategic Planning Committee	<i>Terms of Reference for STR</i>

meetings and to advise the President, as appropriate, on any urgent issues arising between such meetings.		
To oversee a range of strategic governance issues, including the implementation of the Code of Governance for Irish Universities and the implications of any legislative changes for the Governing Authority and the internal and external reviews of the effectiveness of Údarás na hOllscoile.	Standing & Strategic Planning Committee	<i>Terms of Reference for STR</i>
To oversee University governance structures (including clinical research governance structures).	Standing & Strategic Planning Committee	<i>Terms of Reference for STR</i>
Internal Audit and Internal Control		
To approve a charter/Terms of Reference for the Internal Audit Unit which clearly defines its mission, authority, roles, responsibilities and reporting relationships.	Audit & Risk Committee	<i>2019 Code of Governance Section 7.11</i>
To monitor the performance of the Internal Audit Unit (IAU) within the University and to ensure the internal control environment is adequate.	Audit & Risk Committee	<i>2019 Code of Governance Section 7</i>
To adopt the annual internal Audit Plan.	Audit & Risk Committee	<i>2019 Code of Governance Appendix H</i>
To review any significant internal audit report findings and recommendations and to monitor the action taken by management to resolve issues identified.	Audit & Risk Committee	<i>2019 Code of Governance Appendix O</i>
To advise and make recommendations to the Governing Authority and the University	Audit & Risk Committee	<i>2019 Code of Governance Appendix O</i>

Management Team on any matters pertaining to the internal audit function and any significant shortfalls in the business control and/or risk management environment within the University.		
To approve the annual internal audit report.	Audit & Risk Committee	<i>2019 Code of Governance Appendix O</i>
To review and recommend the draft annual financial statements.	Audit & Risk Committee	<i>Terms of Reference of ARC</i>
To oversee and monitor external audit including recommend the appointment of the external auditor, agree the nature and scope of the audit and monitor the quality of the work and their independence from the University.	Audit & Risk Committee	<i>2019 Code of Governance Appendix O</i>
Equality, Diversity & Inclusion		
To ensure that the University promotes equality of opportunity and respect for diversity in all aspects of the University's business.	Equality, Diversity & Inclusion Committee	<i>Terms of Reference for EDIC</i>
To provide regular reports and assurance to Údara na hOllscoile that the University is compliant with relevant legislation and progressively addressing equality, diversity and inclusion matters, including ongoing monitoring to ensure mainstreaming of the recommendations of the NUI Galway Gender Equality Task Force and the recommendations from the HEA National Review of Gender Equality in Irish Higher Education Institutions and the Gender Equality Action Plan 2018 – 2020.	Equality, Diversity & Inclusion Committee	<i>Terms of Reference for EDIC</i>

To support the continued progression and embedding of the Athena SWAN programme in the University.	Equality, Diversity & Inclusion Committee	<i>Terms of Reference for EDIC</i>
To examine and recommend for approval to Údarás na hOllscoile appropriate equality, diversity and inclusion policies, procedures and practices, including requirements arising from legislative changes and to monitor the implementation of such policies, including equality impact assessments.	Equality, Diversity & Inclusion Committee	<i>Terms of Reference for EDIC</i>
Role of the President/Chief Officer		
For the purposes of section 19 of the Comptroller and Auditor General (Amendment) Act, 1993, the President/Chief Officer is the ‘‘Accounting Officer’’ for the University.	President/Chief Officer	<i>1997 Irish Universities Act Section 24 (2)</i>
To manage and direct the University in its academic, administrative, financial, personnel and other activities and for those purposes has such powers as are necessary or expedient.	President/Chief Officer	<i>1997 Irish Universities Act Fourth Schedule (1)</i>
To adhere to the policies determined by Governing Authority and to be answerable to the Governing Authority for the efficient and effective management of the University and for the due performance of his or her functions.	President/Chief Officer	<i>1997 Irish Universities Act Fourth Schedule (2)</i>
The Chief Officer may delegate any of his/her functions to an employee of the university who is answerable to the Chief Officer for the performance of those functions.	President/Chief Officer	<i>1997 Irish Universities Act Fourth Schedule (3) (1)(2)</i>

Notwithstanding any such delegation, the Chief Officer shall at all times remain answerable to the Governing Authority in respect of the functions so delegated.		
The Chief Officer is entitled to be a member of and preside over any and every committee appointed by the Governing Authority.	President/Chief Officer	<i>1997 Irish Universities Act Fourth Schedule (5)</i>
To prepare a Strategic Plan covering a period of at least 3 years which sets out the aims of the university and the strategy for achieving those aims.	President/Chief Officer	<i>1997 Irish Universities Act Section 34 (1)</i>
To prepare an annual report on the operations and the performance of the university during the period.	President/Chief Officer	<i>1997 Irish Universities Act Section 41</i>
To approve promotions of staff, consistent with the University policy in that regard.	President/Chief Officer and/or Relevant UMT member	<i>University Promotion Procedures</i>
To approve appointments to the University.	President/Chief Officer and/or relevant UMT member	<i>Recruitment and Selection Policy</i>
To approve Emeritus Lecturer and Senior Lecturer Appointments.	President/Chief Officer	<i>Approved by Údarás na hOllscoile, June 2019 ÚO/19/M24</i>
Academic Affairs		
To oversee the academic affairs of the University and to provide advice to Governing Authority on any matter related to the academic mission of the University.	Academic Council	<i>1997 Irish Universities Act Section 27 (1)</i>
Functions of the Academic Council: a. To design and develop programmes of study,	Academic Council	<i>1997 Irish Universities Act Section 27 (2)</i>

<ul style="list-style-type: none"> b. To establish structures to implement those programmes, c. To make recommendations on programmes for the development of research, d. To make recommendations relating to the selection, admission, retention and exclusion of students generally, e. To propose the form and contents of statutes to be made relating to the academic affairs of the university, including the conduct of examinations, the determination of examination results, the procedures for appeals by students relating to the results of such examinations and the evaluation of academic progress f. To make recommendations for the awarding of fellowships, scholarships, bursaries, prizes or other awards, g. To make general arrangements for tutorial or other academic counselling, h. To perform any other functions which may be delegated to it by the Governing Authority, i. to implement any statutes and regulations made by the Governing Authority relating to any of the matters referred to in this subsection 		
<p>To oversee procedures for Quality enhancement and approve annual Quality Assurance Reports on behalf of Governing Authority.</p>	<p>Academic Council Chief Officer/President</p>	<p><i>1997 Irish Universities Act Section 35 (1)</i></p>

To make recommendations to Údarás na hOllscoile on Emeritus Professorial appointments	Academic Council	<i>Statute CCLXXIV 274 (2002)</i>
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