

**IRISH UNIVERSITIES ACT, 1908**

**ACHT CHOLÁISTE PHRÍOMH-SCOILE NA GAILLIMHE, 1929**  
**ACHT NA nOLLSCOILEANNA, 1997**

**OLLSCOIL NA hÉIREANN, GAILLIMH**

**REACT CCXCVI**



# **Irish Universities Act, 1908**

## **Acht Choláiste Phríomh-Scoile na Gaillimhe, 1929 Universities Act, 1997**

### **National University of Ireland, Galway**

#### **STATUTE CCXCVI**

Ví, Údarás na hOllscoile of National University of Ireland, Galway, under and by virtue of the powers in that behalf conferred on us by the above Acts, DO by this present instrument under the Seal of National University of Ireland, Galway, make the Statute contained in the Schedule hereto for the general government of the said University.

Given under the Common Seal of  
National University of Ireland,  
Galway, this second day of March,  
Two Thousand and Seven.

Present when the Common Seal  
of National University of Ireland,  
Galway, was affixed hereto:



Iognáid Ó Muircheartaigh, *Uachtarán*  
Séamus Mac Mathúna, *Rúnaí*

#### **Schedule - STATUTE CCXCVI**

All previous Statutes of National University of Ireland, Galway, shall be read and construed with the alterations, additions and modifications hereinafter set forth.



## CHAPTER I

1. Pursuant to the University College Galway Acts 1929 and 2006, Údarás na hOllscoile shall ensure that one of the principal aims for the operation and development of the University set out in each strategic development plan prepared in accordance with Section 34 of the Universities Act 1997 is the provision of education at the University through the medium of the Irish language.
2. Údarás na hOllscoile and the President shall each perform their respective functions and exercise their respective powers in respect of the University to ensure that the aim referred to in Section 1 of this Chapter is implemented.

## CHAPTER II

### APPOINTMENTS IN THE UNIVERSITY

1. The following provision in Statute CCLXXIII, Chapter I, Section 2 is hereby revoked:

“Údarás na hOllscoile or the President, as the case may be, when making an appointment to any office or situation in the University, shall appoint to such office or situation a person who is competent to discharge the duties thereof through the medium of the Irish language, provided a person so competent and also suitable in all other respects is to be found among the persons who are candidates or otherwise available for such appointment.”

2. Statute CCLXXIII, Chapter II is hereby amended as follows:
  - (a) by the deletion of the words “and in accordance with the provisions of Section 2 of Chapter I, and the procedures pursuant thereto set out in Chapter IV, of this Statute” and “agus de réir forálacha Alt 2 de Chaibidil I, agus na nósanna imeachta dá mbun sin atá leagtha amach i gCaibidil IV, den Reacht seo” in Sections 3, 4, 6-10, 12, 13 and 15 thereof.
  - (b) by the deletion of the words “(a)” and “and (b) the provisions of Section 2 of Chapter I, and the procedures pursuant thereto set out in Chapter IV, of this Statute” and of the words “(a)” and “agus (b) forálacha Alt 2 de Chaibidil I, agus na nósanna imeachta dá mbun sin atá leagtha amach i gCaibidil IV, den Reacht seo” in Sections 11 and 14 thereof.
  - (c) by the deletion of the words “and in accordance with Section 2 of Chapter I of this Statute” and “agus de réir Alt 2 de Chaibidil I den Reacht seo” in Section 16 thereof.
  - (d) by the deletion of the words “(a) with regard to suitability in all other



respects, disregarding entirely the Irish language qualification, and (b) with regard to the order of preference” and “(a) maidir le hoiriúnacht ar gach slí eile, an cháilíocht Ghaeilge á fágáil as an áireamh go hiomlán, agus (b) maidir leis an ord tosaíochta” in Sections 8 and 11 thereof.

- (e) by the deletion of the words “and the report of the Bord Gaeilge appointed pursuant to the provisions of Section 2 of Chapter I of this Statute” and “agus an tuarascáil ón mBord Gaeilge a bheas ceaptha de bhun forálacha Alt 2 de Chaibidil I den Reacht seo” and of the words “and the report of the Bord Gaeilge”, “é sin” and “agus an tuarascáil ón mBord Gaeilge” in Sections 8 and 11 thereof.

3. Statute CCLXXIII, Chapter III, Section 3 is hereby amended by the deletion of the words “in all other respects” and of the words “ar gach slí eile” therein.
4. Statute CCLXXIII, Chapter IV is hereby deleted.
5. Appointments in the University shall henceforth be made in accordance with, and with due regard to, the provisions of Chapter I of this Statute and with due regard to the strategic aims of the University, including its strategic aim to become an exemplary bilingual campus.
6. In accordance with Section 5 of this Chapter, and as more particularly provided for by Sections 8, 9 and 10 infra, Údarás na hOllscoile shall decide from time to time, having regard to the general and specific objectives and requirements of its strategic aim to become an exemplary bilingual campus and having regard to the obligations on Údarás na hOllscoile and the President under Section 2 of Chapter I of this Statute, that competency to discharge the duties of the particular post through the medium of Irish shall be an essential qualification for appointment, or otherwise.

The decision on whether competency to discharge the duties of each particular post through the medium of Irish shall be an essential qualification for appointment to the said post shall be taken with due regard to the provisions of the University College Galway Acts 1929 and 2006, the requirements of the University’s Scheme in accordance with the provisions of the Official Languages Act 1003, and the provisions of the University’s Strategic Plan from time to time in relation to the role of Irish in the University, and having regard to the operational requirements, as they exist or as envisaged, of the said post.

7. The assessment of competency to discharge the duties of the particular post through the medium of Irish as aforesaid shall have regard to the operational requirements, as they exist or as envisaged, of the said post. Such assessment shall form an integral part of the assessment procedures for appointments to such posts. The outcome of such assessment shall be duly considered by the



Board of Assessors or Assessment Board and shall be included in its report on the candidates. In the case of a post for which competency to discharge the duties thereof through the medium of Irish is an essential qualification for appointment, the outcome of such assessment shall be duly considered by the Board of Assessors or Assessment Board before deciding on the candidates to be shortlisted for interview by it.

8. Competency to discharge the duties of the respective post through the medium of Irish shall be an essential qualification for appointment to such posts whose holders are members of the University Management Team as Údarás na hOllscoile shall decide from time to time, following consultation, where appropriate, with the Academic Council in relation to specific such posts, and with due regard to the obligations on Údarás na hOllscoile and the President under Section 2 of Chapter I of this Statute.

Notwithstanding the foregoing, competency to discharge the duties of the respective office through the medium of Irish shall be an essential qualification for appointment to the office of President and to the office of Secretary.

9. In the case of academic appointments, competency to discharge the duties of the respective post through the medium of Irish shall be an essential qualification for appointment to such posts as shall be decided by Údarás na hOllscoile from time to time, following consultation with the Academic Council, the relevant Faculty or Faculties, and Acadamh na hOllscolaíochta Gaeilge, and with due regard to the obligations on Údarás na hOllscoile and the President under Section 2 of Chapter I of this Statute.
10. In the case of appointments other than those set out in Sections 8 and 9 of this Chapter, competency to discharge the duties of the respective post through the medium of Irish shall be an essential qualification for appointment to such posts as shall be decided by Údarás na hOllscoile from time to time on the recommendation of the President, following consultation with the relevant member of the University Management Team, and with due regard to the obligations on Údarás na hOllscoile and the President under Section 2 of Chapter I of this Statute.
11. There is hereby established a Standing Committee on Language Competency, to be known as An Coiste Seasta um Cháilíocht Teanga. The members of An Coiste shall be appointed by Údarás na hOllscoile on the recommendation of the President, who shall consult widely before making his/her recommendation, and following consideration by the Academic Council. An Coiste shall include external membership with appropriate expertise. The members of An Coiste shall hold office for a period coterminous with the term of office of each new Údarás na hOllscoile. An Coiste shall operate in accordance with such regulations as may be made from time to time by Údarás na hOllscoile.



12. An Coiste Seasta um Cháilíocht Teanga shall have responsibility, subject to approval by Údarás na hOllscoile, for determining and documenting, for each post for which competency to discharge the duties thereof through the medium of Irish is an essential qualification for appointment, the specific standard of competency in Irish required to carry out the duties of the said post through the medium of Irish and for devising procedures for the assessment of the said competency.

Both those procedures and the methods of assessment proposed by An Coiste shall, in respect of the posts referred to in Sections 9 and 10 supra generally, be put before Údarás na hOllscoile and the Academic Council for approval; in respect of the posts referred to in Section 8 supra, the procedures and the methods of assessment proposed in respect of each individual post shall be put before Údarás na hOllscoile and, where appropriate, the Academic Council, for approval.

13. In the performance of its duties, An Coiste may seek expert advice. An Coiste shall arrange for a test to be conducted to determine the competency of any candidate for a post for which competency to discharge the duties thereof through the medium of Irish is an essential qualification for appointment to discharge the functions of the post through Irish. An Coiste shall appoint a Bord Gaeilge to conduct such a test, except in the case of a post referred to in Section 8 supra, in which case An Coiste shall nominate a Bord Gaeilge for appointment by Údarás na hOllscoile, following consideration of the views, where appropriate, of the Academic Council in relation to specific such posts. In the case of academic posts, the Bord Gaeilge shall be put by An Coiste before the relevant Faculty for approval.

An Coiste shall be represented on every Bord Gaeilge by An Cathaoirleach of An Coiste or by one other member of An Coiste nominated by An Cathaoirleach. Each Bord Gaeilge shall have six members, two of whom shall be from outside the University and one of whom shall be an tOllamh le Nua-Ghaeilge or his/her nominee. Provision shall be made for representation of both sexes on a Bord Gaeilge in accordance with the policy of the University. Five members of a Bord, one of whom shall be an tOllamh le Nua-Ghaeilge or his/her nominee, shall form a quorum.

14. (a) The Bord Gaeilge shall, in regard to each candidate who presents for the examination in Irish, find as a fact whether or not (s)he is competent to discharge the duties of the particular post through the medium of the Irish language and shall embody such finding in its report. In the event of a difference of opinion between the members of the Bord in relation to such finding, a simple majority of the members present and voting shall decide the point, and in the event of the voting being equal the Cathaoirleach shall have a casting vote.



- (b) The appropriate Faculty or Faculties, the Academic Council, the President and Údarás na hOllscoile, as the case may be, shall conclusively accept said finding of the Bord and shall not question or review same, but shall be absolutely bound thereby.

15. An Coiste Seasta um Cháilíocht Teanga shall, on a continuing basis, assess the value and relevance of any certificates, diplomas or other recognised qualifications in Irish which may be held by candidates for any post for which competency to discharge the duties thereof through the medium of Irish is an essential qualification for appointment, and shall report on such assessments to Údarás na hOllscoile for consideration by it. An Coiste shall also assess, on a continuing basis, the value or relevance of any experience which candidates for such posts may cite in support of their claims to competency to discharge the duties of the said post through the medium of Irish, and shall report on such assessments to Údarás na hOllscoile for consideration by it.

Údarás na hOllscoile shall take account of the said reports from An Coiste when reviewing its procedures for assessing the competency of candidates for a post for which competency to discharge the duties thereof through the medium of Irish is an essential qualification for appointment to discharge the functions of the said post through Irish.

### CHAPTER III

1. Nothing herein contained shall affect any appointment made, right acquired or act done under any previous Statute of the University.

This Statute shall come into operation on the second day of March, Two Thousand and Seven, and may be cited as Statute CCXCVI, National University of Ireland, Galway, or Stat. CCXCVI, Nat. Univ. of I., Galway.

Present when the Common  
Seal of National University of  
Ireland, Galway, was affixed hereto:

L.S.

Iognáid Ó Muircheartaigh, *Uachtarán*  
Séamus Mac Mathúna, *Rúnaí*