

**University College Dublin**

**National University of Ireland, Dublin**

**Statute 6**

**Universities Act, 1997**



WE, the Governing Authority of University College Dublin, National University of Ireland, Dublin, a constituent University of the National University of Ireland, under and by virtue of the powers conferred on us by the above Act, having taken into consideration as respects the statutes for the aforesaid University, the representations by all persons who appeared to us to be interested in the making of statutes for the said University, do by this present instrument under our seal, make the statute hereunto annexed for University College Dublin, National University of Ireland, Dublin.

Given under the Common Seal  
of University College Dublin, National University of Ireland, Dublin,  
the fourteenth day of June 2005.



Present when the Common Seal of University College Dublin,  
National University of Ireland, Dublin  
was affixed :

Chairperson of the Governing  
Authority:

Kieran McGowan

President of the University:

Hugh Brady



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## CHAPTER 1 THE UNIVERSITY

1. In accordance with the provisions of the Universities Act, 1997 University College Dublin has been constituted a University and by Order of the Minister for Education and Science, on 19th November 1998 the University is named University College Dublin, National University of Ireland, Dublin.
2. The degrees, diplomas and other qualifications awarded by University College Dublin, National University of Ireland, Dublin shall be qualifications of the National University of Ireland and shall be so designated.
3. The objects of the University shall include<sup>i</sup>:
  - a) to advance knowledge through teaching, scholarly research and scientific investigation;
  - b) to promote learning in its student body and in society generally;
  - c) to promote the cultural and social life of society, while fostering and respecting the diversity of the University's traditions;
  - d) to foster a capacity for independent critical thinking amongst its students;
  - e) to promote the official languages of the State with special regard to the preservation, promotion and use of the Irish language and the preservation and promotion of the distinctive cultures of Ireland;
  - f) to support and contribute to the realisation of national economic and social development;
  - g) to educate, train and retrain higher level professional, technical and managerial personnel;
  - h) to promote the highest standards in, and quality of, teaching and research;
  - i) to disseminate the outcomes of its research in the general community;
  - j) to facilitate lifelong learning through the provision of adult and continuing education;
  - k) to promote gender balance and equality of opportunity among students and employees of the University.
4. The University shall, subject to the provisions of the Act and to the Charter, do all<sup>ii</sup> things necessary to further the objects and development of the University and without limiting the generality of the foregoing, the University:
  - a) shall provide courses of study, conduct examinations and award degrees and other qualifications;
  - b) shall promote and facilitate research;
  - c) may establish by incorporation in the State or elsewhere, or participate in the establishment of, such trading, research or other corporations as it thinks fit;
  - d) may collaborate with educational, business, professional, trade union, Irish language, cultural, artistic, community and other interests, both inside and outside the State;
  - e) shall maintain, manage and administer, and may dispose of and invest, the property, money, assets and rights of the University;



- f) may collaborate with graduates, convocations of graduates and with associations representing graduates of the University both inside and outside the State;
  - g) may purchase or otherwise acquire, hold and dispose of land or other property;
  - h) may accept gifts of money, land or other property on the trusts and conditions, if any, not in conflict with this Act, specified by the donor.
5. In the performance of its functions the University shall have the right and responsibility to preserve and promote the traditional principles of academic freedom and be entitled to regulate its affairs in accordance with its independent ethos and traditions and the traditional principles of academic freedom.
  6. The academic staff shall have the freedom, within the law, in their teaching, research and any other activities either in or outside the University to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without being disadvantaged, or subject to less favourable treatment by the University.
  7. Save and except in the case of Statutes 2 and 4 of University College Dublin, National University of Ireland, Dublin the statutes of the University passed since the Universities Act 1997 came into force on 16 June 1997 are hereby revoked. The provisions of paragraph 7 of Chapter 1 of Statute 1 which are in the following terms are hereby affirmed and continued in full force and effect.

“The statutes of University College Dublin are hereby revoked but such revocation shall not affect any appointment made, right acquired, liability incurred or act done under any previous statutes. Notwithstanding the generality of the foregoing, any provisions of the statutes of University College Dublin referred to (expressly or impliedly) in this statute shall not be affected by such revocation.”

## CHAPTER 2 MEMBERSHIP OF THE UNIVERSITY

1. The President of the University, the members of the Governing Authority, the members of the Academic Council, the staff, the students and the graduates of the University and such other persons as the Governing Authority may appoint to be members are the members of the University for the time being and constitute the Body Corporate of the University.
2. All students of University College Dublin on whom a degree of the National University of Ireland was conferred as a result of their studies at the College before the commencement of the Act shall be regarded as graduates of the University.
3. In accordance with the provisions of the Act and with the policy of the University, equality of opportunity shall be afforded to all members of the University.

## CHAPTER 3 THE PRESIDENT

1. The President is the Chief Officer of the University and a member of the Governing Authority.
2. The President shall be entitled to be a member of and preside at meetings of any and every committee appointed by the Governing Authority. The President shall be *ex officio* a member of the Academic Council.
3. The President shall be entitled to hold office for a period of ten years save in the event of the retirement, resignation or removal from office of the President before the completion



of the term of office. The President shall not hold any other office or position without the consent of the Governing Authority.

4. A President shall be appointed by the Governing Authority in accordance with procedures determined by the statutes of the University.
5. A President may be removed from office in accordance with procedures determined by statute.
6. The President shall, subject to the Act, 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.
7. The President shall be subject to such policies as may be determined from time to time by the Governing Authority and shall be answerable to the Governing Authority for the efficient and effective management of the University and for the due performance of the functions of the office of Chief Officer<sup>iii</sup>.
8. The Governing Authority may, subject to such conditions as it thinks fit, delegate to the President any of the functions of the Governing Authority or the University relating to the appointment of employees of the University and the determination of selection procedures<sup>iv</sup>.
9. The President shall have power to delegate any of the functions of Chief Officer to an employee of the University including any function delegated under the foregoing section unless those functions are so delegated to the President subject to the condition that they shall not be sub-delegated and the employee shall be answerable to the President for the performance of those functions.
10. Notwithstanding any such delegation the President shall at all times remain answerable to the Governing Authority in respect of the functions so delegated.
11. The President shall be the accounting officer for the University and shall prepare and submit to the Governing Authority an Annual Report on the state of the University.
12. The President shall reside in the official residence provided during the President's term of office.

#### **CHAPTER 4 APPOINTMENT OF A PRESIDENT**

1. In the event of the death or removal from office of the President, or on receipt of notice of the President's intention to resign from office, or at any time not less than one year before the expiry of the term of office of the President, the Governing Authority shall determine the arrangements for the appointment of the next President. These arrangements shall be designed to ensure the participation in the selection process of candidates of the highest quality, including candidates from outside the University, and shall include the appointment by the Governing Authority of a Search Committee and a Selection Committee.
2. The Search Committee, having sought the opinions of members of the University and appropriate persons external to the University, shall determine the qualities and qualifications required of candidates for the office of President and the criteria to be employed in assessing the suitability of candidates for the office. The Search Committee shall then arrange for the international advertisement of the forthcoming vacancy and invite applications from suitably qualified candidates for appointment by the Governing Authority to the office of President.



3. The Selection Committee shall consider all applications received for appointment to the office of President and, having regard to the criteria set down by the Search Committee, shall take appropriate measures to assess the suitability of candidates and to determine which, if any, of the candidates is suitable for appointment to the office of President.
4. In the event that the Selection Committee determines that one or more candidates is suitable, it shall recommend to the Governing Authority the candidate which it deems to be most suitable for appointment to the office of President.
5. The Governing Authority may appoint the candidate recommended by the Selection Committee to the office of President. If the Governing Authority determines that the recommended candidate is not suitable for appointment to the office of President, the Selection Committee shall be requested to recommend another suitable candidate.
6. The Selection Committee may, if one or more of the remaining candidates is considered suitable, recommend to the Governing Authority another candidate for appointment to the office of President.
7. The Governing Authority may appoint to the office of President an alternative candidate recommended by the Selection Committee. The Governing Authority shall not appoint to the office of President a candidate who has not been recommended by a Selection Committee set up in accordance with the provisions of this statute.
8. In the event that the Selection Committee decides that no candidate is suitable for appointment to the office of President, or the Governing Authority decides that no candidate recommended by the Selection Committee is suitable for appointment, or a candidate appointed by the Governing Authority declines to accept the appointment, the Governing Authority shall recommence the procedures set out above from any stage which, having regard to all the circumstances, the Governing Authority determines to be appropriate.
9. There shall be an Acting President in the event that the term of office of the incumbent President expires before a new President has been appointed by the Governing Authority, or before the person appointed to the office of President by the Governing Authority has assumed office or if, for any other reason, the office of President is temporarily vacant or the current President is unable for the time being to discharge the duties of the office of President. The Deputy President shall hold office as Acting President until such time as a President appointed in accordance with the procedures set out in this statute assumes office and when the President is unable or unavailable to hold office.
10. In the event that the Deputy President is unable or unwilling to assume the office of Acting President or to continue in office as Acting President, the Governing Authority shall appoint a suitable person to the office of Acting President.
11. For the duration of his or her term of office, the Acting President shall, subject to the Act and the statutes of the University, manage and direct the University in its academic, administrative, financial, personnel and other activities and for those purposes shall have such powers as are necessary or expedient. The Acting President shall be answerable to the Governing Authority for the efficient and effective management of the University.

## **CHAPTER 5 THE GOVERNING AUTHORITY**

1. The Governing Authority of the University shall be established in accordance with the Act and the functions of the University shall be performed by or on the direction of the Governing Authority. All acts and things done by the Governing Authority, or in the



name of or on behalf of the University with the express or implied authority of the Governing Authority, shall be deemed to have been done by the University<sup>v</sup>.

2. The Governing Authority shall direct the form, custody and use of the Common Seal of the University.
3. Regulations shall be made by the Governing Authority relating to the selection, election, nomination or appointment of members of the Governing Authority as it thinks fit and shall include procedures for the filling of casual vacancies.
4. No act or proceeding of the Governing Authority shall be invalidated by any vacancy amongst its members, or by any defect in the election of or appointment of any of its members which may subsequently be discovered.
5. The functions of the University are to further the objects (which are described in Chapter 1, Paragraph 3 of this Statute) and development of the University<sup>vi</sup>. The functions of the Governing Authority shall be in pursuance of the objects of the University, but include within the constraints of its budget<sup>vii</sup>:
  - a) to control and administer the land and other property of the University;
  - b) to appoint the President and such other employees as it thinks necessary for the purposes of the University;
  - c) subject to the Act, the Charter and to the statutes and regulations to determine the membership from time to time of the Governing Authority;
  - d) to perform such other functions as are imposed on it by or under the Act or by any other Acts, or by the Charter, statutes and regulations.
6. The Governing Authority has, subject to the Act or any other Act or its Charter such powers as are necessary for the performance of its functions.
7. The President shall be entitled to preside at meetings of the Governing Authority unless the Governing Authority, in accordance with the provisions of the Act, determines that a person other than the President should chair the Governing Authority.
8. Subject to the Act and to the Charter, the Governing Authority may, and where required to do so by the Act, shall make statutes for the general government of the University and may also make regulations. The exercise of such powers shall be subject to the consideration of any representation on the subject thereof after consultation with the Academic Council in making a statute relating to the academic affairs of the University including the curriculum of, and instruction and education provided by the University<sup>viii</sup> and with the trades unions and staff associations representing such staff of the University as may be affected by the provisions of a statute relating to terms and conditions of employment.
9. No resolution for making a new or amended statute shall have effect unless a notice of motion to make or amend the statute shall have been given to the members of the Governing Authority and a copy of the statute proposed shall have been sent to each member of the Governing Authority at least seven days before the meeting at which the motion is to be considered, provided that the Academic Council or other appropriate body has had an opportunity of pronouncing an opinion on it.
10. The Governing Authority as soon as it is practicable shall appoint a Finance, Remuneration and Asset Management Committee and an Audit and Risk Management Committee.
11. The Finance, Remuneration and Asset Management Committee shall consist of the President, the Registrar, the Bursar and not more than nine members of the Governing





Authority appointed in such manner as the Governing Authority may determine and not more than three further members who shall not be employees of the University or current members of the Governing Authority. With regard to these three further members, the provisions of the following paragraph shall apply.

12. Paragraph 5 of the Fourth Schedule to the Universities Act 1997, provides that “a chief officer shall be entitled to be a member of and preside over any and every committee appointed by the Governing Authority.” Subject to that provision the Finance, Remuneration and Asset Management Committee shall have an independent Chair who shall not be an employee of the University or a current member of the Governing Authority. The Chair shall be appointed by the Governing Authority with the approval of the President, and shall thereupon become a member of the Finance, Remuneration and Asset Management Committee. On the recommendation of the Finance, Remuneration and Asset Management Committee, and with the approval of the President, the Governing Authority may appoint two further external members, not employees of the University or current members of the Governing Authority to the Finance, Remuneration and Asset Management Committee.
13. It shall be the duty of the Finance, Remuneration and Asset Management Committee to supervise the financial affairs of the University and to advise the Governing Authority on any matter relating to the financial management of the University.
14. It shall be the duty of the Finance, Remuneration and Asset Management Committee to keep in such form as may be approved by The Higher Education Authority all proper and usual accounts and records of all income received or expenditure incurred by the University.
15. It shall be the duty of the Finance, Remuneration and Asset Management Committee as soon as may be after the end of each financial year to make a report to the Governing Authority as to the state of the finances of the University.
16. It shall be the duty of the Audit and Risk Management Committee to advise the Governing Authority on the audit of the resources of the University, to review the annual financial statements of the University and their format and to advise the Governing Authority on risk management issues.
17. The period of office of the Finance, Remuneration and Asset Management Committee and of the Audit and Risk Management Committee shall be coterminous with the period of office of the Governing Authority.
18. The Governing Authority may from time to time appoint such and as many committees consisting either wholly or partly of members of the Governing Authority as it thinks necessary to assist in the performance of its functions and may delegate to these committees any matters it may think proper.
19. Subject to the Act and the statutes the Governing Authority shall by regulation determine its procedures and business including arrangements for the convening of extraordinary meetings.

## **CHAPTER 6 THE ACADEMIC COUNCIL**

1. There shall be an Academic Council which shall consist of the President, the Registrar, and:
  - a) the Head for the time being by whatever name known of each College and the individual in each College by whatever name known responsible for Research, and



- the individual in each College by whatever name known responsible for Teaching and Learning;
- b) the Head for the time being of each School;
  - c) the senior member of staff having responsibility for each subject or discipline as the Governing Authority determines<sup>ix</sup>;
  - d) the holders of Professorships;
  - e) the holders of Associate Professorships;
  - f) the Vice-Presidents of the University;
  - g) the Librarian;
  - h) an appropriate number of Senior Lecturers and Lecturers appointed by each College in accordance with such procedures as the Academic Council, with the approval of the Governing Authority, may determine by regulation;
  - i) the President and Education Officer of the Students' Union;
  - j) an appropriate number of students appointed by each College in accordance with such procedures as the Academic Council, with the approval of the Governing Authority, may determine by regulation;
  - k) co-opted members;
  - l) Professors and Lecturers who were members of the Academic Council on June 15, 1998 for so long as they continue to be members of the staff of the University.
2. The Academic Council shall, subject to the financial constraints determined by the Governing Authority and to review by the Governing Authority, and subject to the traditional principles of academic freedom, control the academic affairs of the University including the curriculum of, and instruction and education provided by, the University<sup>x</sup>. The functions of the Academic Council shall include:
- a) encouraging excellence in research and scholarship;
  - b) promoting the highest standards of teaching and learning;
  - c) advising the Governing Authority on academic matters and proposing to the Governing Authority the form and content 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 results of such examinations and the evaluation of academic progress<sup>xi</sup>;
  - d) advising the Governing Authority in relation to academic appointments;
  - e) designing and developing courses of study and establishing structures to implement these courses;
  - f) making recommendations relating to the selection, admission, retention and exclusion of students generally<sup>xiii</sup>;
  - g) determining the results of examinations and authorising the awarding of degrees and other awards;
  - h) making recommendations for the awarding of scholarships and prizes;
  - i) reviewing the procedures for considering appeals by students relating to the results of an examination;



- j) regulating the discipline of the students of the University and imposing penalties for breaches of discipline, subject to the right of a student to appeal any penalty to the Governing Authority;
  - k) advising the Governing Authority on procedures for quality assurance aimed at improving the quality of education and related services provided by the University;
  - l) implementing any statutes and regulations made by the Governing Authority relating to any of the matters referred to in this Chapter;
  - m) such other functions as the Governing Authority or the Academic Council, with the approval of the Governing Authority, may determine by regulation.
3. Ordinary meetings of the Academic Council shall be held at such times as the Academic Council shall determine by regulation, provided that at least four Ordinary Meetings of the Academic Council shall be held during each session. A Special Meeting may be called by the President under such conditions as the Academic Council may determine by regulation.
  4. The Academic Council may delegate any function ascribed to it by this Statute to the Registrar or to a committee established in accordance with the Act.
  5. The Academic Council may determine by regulation procedures for the convening and conduct of its meetings or the conduct of its functions, provided that any regulation which relates to membership of the Academic Council shall have the approval of the Governing Authority.

## **CHAPTER 7 THE CONDUCT OF EXAMINATIONS**

1. Under the direction of the President, the Registrar shall be responsible for the conduct of all examinations and the transmission of the results of examinations for consideration by the Academic Council. The Academic Council shall determine the results of all examinations of the University taking into account the decisions of meetings of Examination Boards.
2. Subject to the Act, examinations shall be conducted under the following conditions:
  - a) there shall be two categories of Examiners, Intern Examiners and Extern Examiners;
  - b) the Intern Examiners shall be those persons who have been approved by the Academic Council, together with those who are Examiners by virtue of their appointment by the University or its predecessor, University College Dublin, or by the National University of Ireland;
  - c) the Academic Council shall nominate Extern Examiners for appointment by the National University of Ireland;
  - d) the Senate of the National University of Ireland shall appoint such and so many Extern Examiners to the University as the University shall from time to time recommend, and the functions of those external examiners shall be determined by the Senate, with the concurrence of the University;
  - e) in each subject area, as appropriate, the Academic Council may designate an Intern Examiner to organise the conduct of the examinations in that subject area;
  - f) examination Boards and their membership shall be determined by the Academic Council;



- g) the President shall be entitled to chair all Examination Board Meetings or may appoint an Intern Examiner to chair any Examination Board Meeting;
  - h) the Registrar shall be entitled to attend all Examination Board Meetings and participate in the deliberations and shall appoint the secretaries of such Boards;
  - i) in case there shall be any difference of opinion among the members of an Examination Board, the result of each candidate shall be decided, following consultation between the members of the board, by majority vote. The vote shall be noted and brought to the attention of the Academic Council by the Registrar. The Academic Council may overrule the decision of an Examination Board by a decision of two thirds or more of those present and voting;
  - j) the policies, procedures and standards for examinations and assessments shall have been approved by the Academic Council on the recommendation of a College or other appropriate academic body.
3. Subject to the Act, the Academic Council may determine by regulation any other matter related to the conduct of examinations.

## **CHAPTER 8 APPEALS IN RELATION TO THE RESULTS OF EXAMINATIONS**

1. The Academic Council shall establish a committee to consider appeals in relation to the results of examinations. The committee shall be known as the Examinations Appeals Committee and shall consist of no more than twenty members, at least two of whom shall be men and at least two of whom shall be women. The President shall appoint one of the members of the committee to chair the committee. Four members of the committee present at a meeting shall constitute a quorum.
2. The Examinations Appeals Committee shall consider each appeal on the grounds on which it is based. In coming to a decision on an appeal the Examinations Appeals Committee may consult with Intern Examiners and Extern Examiners and other persons as appropriate. The committee may decide to amend the results of an examination or to effect such other remedy as it considers appropriate, including derogation from the policies, regulations and standards laid down for the examination. Where the Examinations Appeals Committee decides that the result of an examination should be amended, the Chair shall so inform the Registrar, and the Registrar shall amend the result of the examination accordingly. The Chair shall inform the appellant and the Head(s) of School concerned of the outcome of an appeal.
3. The Academic Council shall determine by regulation the procedures to be followed by the committee when considering appeals by students relating to examination results. The Academic Council shall review the operation of these procedures at least once during each session.
4. The Examinations Appeals Committee shall submit a report to the Academic Council at least once during each session. The report shall enumerate the appeals considered by the committee and shall indicate the number of appeals on foot of which the committee decided that the result of an examination should be amended.
5. The Academic Council may determine, by regulation, the level of fee which may be charged to students who make an appeal relating to the result of an examination and the circumstances in which this fee shall be refunded.



## **CHAPTER 9 OFFICERS OF THE UNIVERSITY**

1. In addition to the President, Professors and Lecturers, there shall be a Registrar, a Bursar, a Librarian and such other officers of the University as the Governing Authority may, by statute, determine.
2. Notwithstanding anything contained in this statute, the present holder of the office of Librarian established by Statute I, Chapter XXII of University College Dublin, shall continue to enjoy terms and conditions of service no less beneficial than those enjoyed before commencement of the Act.
3. The term of office, duties and responsibilities of an officer shall be determined by statute.

## **CHAPTER 10 THE REGISTRAR**

1. Subject to the overall authority of the President, the Registrar shall be the senior academic officer of the University, and shall hold the offices of Deputy President and Vice-President for Academic Affairs.
2. The Registrar shall, subject to good conduct and the due fulfilment of the duties of his/her office, hold office for a period of not more than ten years or until he/she shall have attained the age of sixty-five years whichever shall be shorter. At the completion of a period in office as Registrar, the holder of the office shall not be eligible for re-selection.
3. The Registrar shall be a member of the Academic Council in accordance with Chapter 6 of this Statute and the major roles and responsibilities of the Registrar are as follows:
  - a) the Registrar shall be responsible for the meetings of the Academic Council, shall prepare and issue the summons for its meetings, shall be responsible for its business, records and correspondence, shall act as secretary to the Academic Council and shall act as Chair when requested to do so by the President;
  - b) the Registrar shall be responsible for administrative matters relating to academic courses including quality of academic programmes;
  - c) the Registrar shall be responsible for student recruitment, registration and conferring and for the maintenance of records in such manner and subject to such directions as may be prescribed;
  - d) the Registrar shall prepare and forward, under the direction of the President, all documents in relation to the National University of Ireland which the Chancellor or the Senate may require, and shall preserve copies of the same;
  - e) the Registrar shall have general responsibility for student affairs;
  - f) the Registrar shall carry out the instructions of the Governing Authority in such reasonable ways as the Governing Authority shall prescribe, and as are consistent with the responsibilities of the Academic Council, for the maintenance of discipline and good conduct in Students, and for the general business of the University;
  - g) the Registrar shall carry out duties in relation to the election by the Graduates of members of the Governing Authority as required of the Registrar by Statutes of the University;
  - h) the Registrar shall preserve all books, records, or documents committed to his/her care by the President or by the Academic Council.



4. Statute CLXIX of University College Dublin is hereby rescinded.
5. In addition the Registrar shall undertake such other duties as required or delegated from time to time by the President.

## **CHAPTER 11 APPOINTMENT OF A REGISTRAR**

1. In the event of the death or removal from office of the Registrar, or on receipt of notice of the Registrar's intention to resign from office, or at any time not less than one year before the expiry of the term of office of the Registrar, the Governing Authority shall determine the arrangements for the appointment of the next Registrar. These arrangements shall be designed to ensure the participation in the selection process of candidates of the highest quality, including candidates from outside the University, and shall include the appointment by the Governing Authority of a Search Committee and a Selection Committee.
2. The Search Committee, having sought the opinions of members of the University and appropriate persons external to the University, shall determine the qualities and qualifications required of candidates for the office of Registrar and the criteria to be employed in assessing the suitability of candidates for the office. The Search Committee shall then arrange for the international advertisement of the forthcoming vacancy and invite applications from suitably qualified candidates for appointment by the Governing Authority to the office of Registrar.
3. The Selection Committee shall consider all applications received for appointment to the office of Registrar and, having regard to the criteria set down by the Search Committee, shall take appropriate measures to assess the suitability of candidates and to determine which, if any, of the candidates is suitable for appointment to the office of Registrar.
4. In the event that the Selection Committee determines that one or more candidates is suitable, it shall recommend to the Governing Authority the candidate which it deems to be most suitable for appointment to the office of Registrar.
5. The Governing Authority may appoint the candidate recommended by the Selection Committee to the office of Registrar. If the Governing Authority determines that the recommended candidate is not suitable for appointment to the office of Registrar, the Selection Committee shall be requested to recommend another suitable candidate.
6. The Selection Committee may, if one or more of the remaining candidates is considered suitable, recommend to the Governing Authority another candidate for appointment to the office of Registrar.
7. The Governing Authority may appoint to the office of Registrar an alternative candidate recommended by the Selection Committee. The Governing Authority shall not appoint to the office of Registrar a candidate who has not been recommended by a Selection Committee set up in accordance with the provisions of this statute.
8. In the event that the Selection Committee decides that no candidate is suitable for appointment to the office of Registrar, or the Governing Authority decides that no candidate recommended by the Selection Committee is suitable for appointment, or a candidate appointed by the Governing Authority declines to accept the appointment, the Governing Authority shall recommence the procedures set out above from any stage which, having regard to all the circumstances, the Governing Authority determines to be appropriate.



9. There shall be an Acting Registrar in the event that the term of office of the incumbent Registrar expires before a new Registrar has been appointed by the Governing Authority, or before the person appointed to the office of Registrar by the Governing Authority has assumed office or if, for any other reason, the office of Registrar is temporarily vacant or the current Registrar is temporarily unable to discharge the duties of the office of Registrar.
10. The Governing Authority shall, on the nomination of the President, appoint a suitable person to the office of Acting Registrar.
11. For the duration of his or her term of office, the Acting Registrar shall, subject to the Act and the statutes of the University, fulfil the duties and responsibilities associated with the post of Registrar.

## **CHAPTER 12 THE BURSAR**

1. Subject to the overall authority of the President and by appointment of the Governing Authority, the Bursar shall be the Chief Financial Officer and an officer of the University.
2. The Bursar shall be the Chief Adviser to the President and to the Governing Authority on the financial management of the University.
3. The Bursar shall be answerable to the President and the Governing Authority for the management of the financial and physical resources of the University; for treasury and asset management; for resource allocation, financial planning and budgeting; for the management of the pension and other trust funds; for keeping proper records of the financial affairs of the University; for monitoring and supervising of subsidiary and associate companies of the University and for the negotiation and approval of all financial and commercial contracts on behalf of the University. The Bursar shall undertake such other reasonable duties as are delegated from time to time by the President.
4. The Bursar shall *ex officio* be a member of the Finance, Remuneration and Asset Management Committee of the University and shall attend meetings of the Governing Authority when required to do so by the President.
5. The Bursar shall be entitled to hold office for a period of ten years save in the event of the retirement, resignation or removal from office of the Bursar before the completion of the term of office.

## **CHAPTER 13 VICE-PRESIDENTS**

1. On the nomination of the President, the Governing Authority may appoint one or more Vice-Presidents.
2. The term of office of a Vice-President shall be determined by the Governing Authority on the recommendation of the President.
3. Subject to the foregoing, if for any reason the office of President is temporarily vacant or the current President is for the time being unable to discharge the duties of the office of President, Vice-Presidents shall continue in office.
4. For the duration of their appointment Vice-Presidents shall be answerable to the President or the President's nominee. The duties of a Vice-President shall be as



delegated from time to time by the President, with the approval of the Governing Authority.

5. Vice-Presidents shall *ex officio* be members of the Academic Council.
6. Vice-Presidents shall attend meetings of the Governing Authority when required to do so by the President or by the Chairperson of the Governing Authority.

## **CHAPTER 14 ACADEMIC STRUCTURES**

1. The University, to further its objectives in research, teaching and learning, shall be organised into Schools and Colleges.
2. The School shall be the fundamental academic unit of the University. The academic activities of the School may include research, scholarship, teaching and learning, the education and training of undergraduates, postgraduates, professionals and such other activities as further the objects of the University.
3. The College shall be the entity responsible for aligning the activities of individual Schools with the overall strategic objectives of the University and each School shall be affiliated with one College.
4. The Registrar shall keep a register of the Colleges of the University together with the Schools affiliated with each College. The Governing Authority may, by resolution, amend the said register but no amendment shall have effect unless and until the Academic Council, the appropriate College(s) and School(s) have had an opportunity of pronouncing an opinion upon the proposed change.
5. The Governing Authority, having consulted the Academic Council and the appropriate College(s) and School(s), may by resolution amend the register to retitle a College or School, to establish or abolish a College or School, to merge two or more existing Colleges or Schools or to alter the College affiliation of a School.
6. The Governing Authority may, on the recommendation of the President and having consulted the Academic Council, establish Research Institutes which shall have the particular objectives of conducting and promoting research, including research-based postgraduate and postdoctoral education and training.
7. The Academic Council, on the recommendation of the President, may establish Academic Centres, where this is necessary to further specific educational or research objectives of the University.

## **CHAPTER 15 THE COLLEGES**

1. Subject to the statutes and regulations of the University, the resources available to the University and such policies as may be determined by the Governing Authority and, where appropriate, the Academic Council, the function of a College shall be to direct and support its constituent Schools in their research, educational and other activities. Without prejudice to the generality of these functions, the functions of a College shall include:
  - a) encouraging research and scholarly activity by members of the College and promoting the implementation of such policies on research and scholarship as the University may, from time to time, determine;





- b) preserving and promoting within the College an environment conducive to teaching and learning, and promoting the implementation of such policies on teaching, learning and assessment as the University may, from time to time, determine;
  - c) co-ordinating, approving and monitoring the budgets of Schools;
  - d) making recommendations to the Academic Council on the academic content and regulations of the courses and programmes leading to the degrees and other awards of the College;
  - e) making recommendations on the academic content and regulations of courses and programmes of another College when requested to do so by the Academic Council or the Registrar;
  - f) recommending to the Academic Council the policies, procedures and standards for the examination and assessment of students registered for the courses and programmes of the College;
  - g) making recommendations on the admission of students to the undergraduate and postgraduate programmes of the College;
  - h) subject to the provisions of this statute, advising the Academic Council and the Governing Authority on the appointment of Professors, Associate Professors, Senior Lecturers and Lecturers;
  - i) providing for professional, financial and strategic planning, administrative, technical and support services in Schools.
2. Each Professor and Lecturer with tenure shall be a voting member of the College to which their School is affiliated.
  3. All other permanent academic staff shall be non-voting members of the College to which their School is affiliated.
  4. Students who represent a College on the Academic Council shall be non-voting members of that College.
  5. Other members of the University or individuals who are not employees of the University who make an important contribution to the teaching or research activities of the College may, at the discretion of the College, be invited to attend and be heard at meetings of the College.
  6. Each College shall appoint an Executive Committee whose functions shall be to advise the College on the development and implementation of policies and procedures and to assist the Head in managing the resources of the College. Membership of the Executive Committee shall be representative of the membership of the College and shall include the Associate Heads of College and Heads of School.
  7. Each College shall hold such and so many meetings of the College as it deems necessary for the conduct of its business, provided that each College shall meet no less often than twice in each session.
  8. The President shall be entitled to preside at every meeting of a College or to nominate an individual to preside at any meeting of a College. Subject to this provision, the Head of College will preside at the meeting.
  9. Subject to the Statutes and regulations of the University, a College may make such regulations as it considers necessary for the conduct of its business.
  10. The College may establish such committees as it considers necessary to assist in the performance of its functions. The College may, from time to time, delegate any of its



functions to the Head of College, the Executive Committee or to any other committee established by the College.

## **CHAPTER 16 HEADS OF COLLEGES**

1. Heads of Colleges, by whatever name known, shall be appointed by the Governing Authority, on the recommendation of the President.
2. The procedures for appointment, which shall be determined by the Governing Authority after consultation with the College, shall ensure the participation in the selection process of candidates of the highest quality, including candidates from outside the University. The Governing Authority shall, on the recommendation of the President, decide on the composition of the search, selection or interview board and shall provide for representation of the College in so doing.
3. In special circumstances, the President may nominate any Professor or Lecturer to be a Head of College for such period not exceeding twelve months as the Governing Authority may determine. The Academic Council shall be informed of such a decision by the Governing Authority.
4. The Governing Authority, following consultation with the Academic Council, may establish procedures to remove a Head of College from office.
5. The term of office of a Head of College shall ordinarily be five years and a Head of College shall be eligible for re-appointment for a period no longer than five years.
6. The Head of College shall provide academic leadership for the College and be responsible for all aspects of the strategy and development of the College.
7. The Head of College shall be the Executive Officer of the College and shall manage the academic, administrative, financial and other activities of the College and shall have such delegated powers and authority as the President deems necessary for the performance of these functions and shall be responsible to the President for the proper performance of these functions.
8. Without prejudice to the generality of the foregoing paragraphs, and subject to the President's power of delegation under Chapter 3 above, the functions of the Head of College shall normally include:
  - a) in consultation with Heads of School and other members of the College, preparing strategic plans for the development of the College and its constituent Schools;
  - b) in consultation with Heads of School and other members of the College, developing a strategy for research and teaching within the College;
  - c) subject to consultation with the Executive Committee and Heads of Schools, preparing a budget for the College and approving the budget of Schools;
  - d) ensuring, as far as is practicable, the appropriate use of the financial and other resources allocated to the Schools and other activities of the College;
  - e) providing such information as is required to prepare reports on the finances and other resources of the College when required to do so by the Bursar, President or the Governing Authority;
  - f) as far as is practicable, ensuring that all academic and other activities of the College are carried out in accordance with the statutes, regulations and other written policies and procedures of the University, the policies and procedures determined by the



Governing Authority and the Academic Council and the regulations and other written procedures of the College;

g) presiding at meetings of the Executive Committee.

9. The Head of College shall appoint not fewer than two Associate Heads, by whatever name known. The appointment of an Associate Head shall be for a period not exceeding three years and shall in any case terminate on the resignation or retirement of the Head of College. Associate Heads, by whatever name known, shall be members of the College Executive Committee.
10. The Head of College shall, with the approval of the College, present an annual report to the President on the activities and strategic development of the College.
11. Heads of Schools or other staff of the College shall make such information available to the Head of College as may be required for the effective performance of the functions delegated to the Head of College by the President.

## **CHAPTER 17 SCHOOLS**

1. A School shall embrace the academic disciplines of any Schools, Departments, Centres or other academic units merged to make up the School.
2. The President shall assign or reassign each Professor, Lecturer or other member of the staff of the University with full-time or part-time academic duties as being a member of one School and that member of staff is then responsible to the Head of that School for the satisfactory performance of his or her duties.
3. A Professor, Lecturer or other member of the staff with full-time or part-time academic duties and membership of one School of the University may, with the consent of the relevant Heads of School, become affiliated with another School or Schools; however, no rights accrue to the member of staff as a consequence of such affiliation.
4. A Professor, Lecturer or other member of the staff of the University with full-time or part-time academic duties and membership of a School may, with the consent of the Head of School and of the relevant Director or Directors, become affiliated to one or more Research Institutes, and in so doing shall assume the duties and obligations and acquire the rights associated with membership of that Research Institute.
5. The President may, from time to time, assign other members of the staff of the University to a College, School, Academic Centre or Research Institute.
6. Each School shall be affiliated to a College for the purposes of deriving its financial and other resources.
7. Upon the recommendation of the Head of College, the President, having consulted the Academic Council, shall appoint the Head of School, by whatever name known. The Head of College shall consult with the members of the School and take all reasonable steps to determine their views and where possible achieve consensus on the appointment of the Head of School before making a recommendation to the President. Where the Head of College, having consulted with the members of the School, determines that the post of Head of School should be advertised inside and/or outside the University, the School shall be represented on any search, selection or interview panel.
8. Appointment to the Headship of a School shall normally be for three years, but the President may make appointments for terms other than three years but not greater than five years. Heads of School shall be eligible for re-appointment.



9. In special circumstances, the President may nominate any Professor or Lecturer to be Head of a School for such period not exceeding twelve months as the Governing Authority may determine. The Academic Council shall be informed of such a decision by the President.
10. The Head of a School shall manage the research, teaching and learning, administrative, financial and other activities of the School and shall have such delegated powers and authority as the President, having consulted the Head of College, deems necessary for the performance of these functions.
11. Each School shall have a School Committee whose membership shall include all Professors and Lecturers with tenure who are members of the School. The Head of School may invite other members of the staff and representatives of the student body of the School to attend and be heard at meetings of the School Committee. The function of the School Committee shall be to advise the Head of School on academic, financial and other matters relating to the management of the School. The School Committee shall meet as often as necessary for the performance of its functions, but not less than three times in each academic session.
12. Each School shall have an Executive Committee whose functions shall be to advise on the development and implementation of School policies and procedures and to assist the Head in managing the resources of the School. Membership of the Executive Committee shall be representative of the membership of the School.
13. The Professors, Lecturers and other staff who are members of a School shall carry out their duties in accordance with such policies and procedures as the Head of School, having consulted the School Committee, may determine.
14. The Academic Council may, on the recommendation of a College, make a recommendation to the Governing Authority to change the title of a School, establish or abolish a School or merge two or more Schools.

## **CHAPTER 18 RESEARCH INSTITUTES AND ACADEMIC CENTRES**

1. The Governing Authority, on the recommendation of the President, and having consulted the Academic Council, may establish Research Institutes, and, having done so, shall put in place such arrangements as are necessary for the proper governance, management, development, financing and other resourcing of the Institutes. The President, or any person delegated by the President to manage the Institute shall appoint a Professor, Lecturer or other suitably qualified person to be Director and to manage the activities of the Research Institute. The Director shall have such delegated powers and authority as the President deems necessary for the performance of his/her duties, and shall be responsible to the President or his/her nominee for the performance of these functions.
2. Where necessary to further specific educational or research objectives of the University, the Academic Council, upon the recommendation of the President, having consulted the Head of College, may establish Academic Centres and shall appoint a Professor, Lecturer or other suitably qualified person to be Director and to manage the activities of the Centre. Academic Centres will be associated with a College or a School for the purpose of deriving their resources. The staff of the University associated with an Academic Centre shall retain their primary affiliation and responsibility to a School.
3. The Governing Authority may, upon the recommendation of the President, retitle or abolish a Research Institute, or merge two or more existing Research Institutes.



4. The Academic Council may, with the approval of the President, retitle or abolish an Academic Centre, or merge two or more existing Centres.

## **CHAPTER 19 PROFESSORSHIPS**

1. The Registrar shall keep a register of the Professorships of the University which shall contain the name of the current holder of each professorship and the terms under which the said Professorship was filled. The Governing Authority, having taken the advice of the Academic Council, may, by statute, regulation or resolution, as appropriate, amend the register to add new Professorships, amend the title of a Professorship or delete a vacant Professorship. The Governing Authority shall note changes made to the register on the retirement, resignation, dismissal or death of the holder of a Professorship or on the appointment to a Professorship by the Governing Authority.
2. Professors shall be appointed by the Governing Authority and shall be officers of the University and, unless otherwise specified in a statute, they shall hold office until the age of 65 years, unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office.
3. Notwithstanding anything contained in this statute, Professors appointed by the National University of Ireland to Professorships of University College Dublin before the commencement of the Act shall be Professors of the University until they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office and they shall continue to enjoy terms and conditions of service no less beneficial than those enjoyed immediately before the commencement of the Act and which terms and conditions shall, unless they are varied by agreement, continue to apply to such Professors and shall be exercised or imposed by the University or the President as may be appropriate while such Professors are employed by the University.
4. Subject to the Act, Professors appointed by University College Dublin prior to the coming into effect of Statute 1, shall be Professors of the University until they reach the age of 65 years, unless they retire or resign, die, are dismissed in accordance with the procedures established by statute or become incapable by reason of physical or mental infirmity from continuing in office.
5. Professors shall be appointed on the basis of proven excellence in research, scholarship or teaching in their disciplines and in accordance with the procedures established by this statute.
6. The duties of Professors shall include:
  - a) providing academic leadership and contributing to the development of their disciplines through research, scholarship or teaching;
  - b) supporting the Head of School in the development and administration of the School;
  - c) serving as members of such Colleges as the Academic Council may determine and contributing to the planning, development of the research, educational and other activities of the College or Colleges;
  - d) serving as members of the Academic Council and contributing to the planning, development and regulation of the academic affairs of the University;



- e) serving on committees of the University and representing the University on external bodies when so appointed by the Governing Authority or the President.
- 7. The remuneration of Professors shall be as determined, from time to time, by the Governing Authority on the advice of the Finance, Remuneration and Asset Management Committee and in accordance with the Act and any relevant local and national agreements.
- 8. The Governing Authority, on the recommendation of the Academic Council, may confer the title of Emeritus Professor upon any Professor or Associate Professor on or after retirement, in recognition of meritorious services to the University. The title Emeritus Professor shall be held only so long as the Professor or Associate Professor does not hold another office of a similar character. An Emeritus Professor shall not be entitled to membership of the Academic Council.

## **CHAPTER 20 STAFF OF THE UNIVERSITY**

1. The staff of the University shall include Professors and Lecturers and such other staff as the Governing Authority shall appoint.
2. Professors and Lecturers shall engage in research and scholarship, shall instruct students of the University and shall perform such other appropriate duties as their Head of School or Research Institute Director may reasonably assign to them. Professors and Lecturers shall serve on such committees and perform such administrative functions as the President may require.
3. Subject to the Act, Professors and Lecturers with tenure shall be officers of the University and, unless otherwise specified in a statute, shall enjoy tenure of office until they reach the age of 65 years unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office.
4. The Professors of the University shall include Professors and Associate Professors.
5. The Governing Authority may, with the approval of the Academic Council, determine that other members of the staff of the University or its teaching hospitals shall be titled Professor or Associate Professor or that distinguished persons who are not employees of the University shall be titled Adjunct Professor but the provisions of this statute shall not apply to such persons by reason only of their title.
6. Subject to the Act, Associate Professors appointed by the National University of Ireland to University College Dublin prior to the commencement of the Act, shall be Associate Professors of the University until they reach the age of 65 unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office, and they shall continue to enjoy terms and conditions no less beneficial than those enjoyed immediately before the commencement of the Act.
7. Associate Professors appointed by University College Dublin prior to the coming into effect of Statute 1, shall be Associate Professors of the University until they reach the age of 65 unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office.
8. The Governing Authority, having due regard to the resources available to the University, may establish, by regulation or resolution as appropriate, such and so many



Professorships and Associate Professorships as it deems necessary for the academic activities of the University, provided that the terms and conditions of each professorship conform to the terms and conditions specified by this statute. Where the terms and conditions of a professorship differ from those specified the professorship shall be established by statute.

9. The Governing Authority, having consulted the Academic Council, shall, by regulation, determine procedures for the appointment of Professors; such procedures shall be designed to ensure the appointment of high quality candidates, shall involve the establishment of an assessment board which shall consist of suitably qualified persons, shall involve internationally recognised experts in the subject who are not employees of the University and may include international public advertisement of the appointment.
10. Associate Professorships shall normally be deemed by the Governing Authority to be promotional appointments, in which case, appointments to Associate Professorships shall be made by the Governing Authority on the recommendation of a Promotions Board. The Governing Authority, having consulted the Academic Council, shall establish, by regulation, the composition of the Promotions Board and the procedures to be followed by the Promotions Board.
11. Where an Associate Professorship is deemed by the Governing Authority not to be promotional, the Associate Professor shall be appointed by the Governing Authority in accordance with the procedures specified in paragraph 9.
12. Persons appointed as Associate Professors shall ordinarily be appointed to age 65, subject to such terms and conditions as the Governing Authority, having consulted the Academic Council, shall determine, but the Governing Authority may, by regulation, establish Associate Professorships with fixed terms of office.
13. Lecturers shall include Senior Lecturers and Lecturers. The Governing Authority, having due regard to the resources available to the University, may appoint such and so many Senior Lecturers and Lecturers as it deems necessary to carry out the academic activities of the University.
14. Subject to the Act, Lecturers appointed by the National University of Ireland to University College Dublin prior to the commencement of the Act, shall be Senior Lecturers until they reach the age of 65 years, unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office, and they shall continue to enjoy terms and conditions no less beneficial than those enjoyed immediately before the commencement of the Act.
15. Members of staff deemed by the Governing Body of University College Dublin to be College Lecturers or Assistant Lecturers, prior to the enactment of Statute 1, are Lecturers until they reach the age of 65 years unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office, and they shall continue to enjoy terms and conditions no less beneficial than those enjoyed immediately before the commencement of the Act.
16. Senior Lecturers and Lecturers appointed by University College Dublin prior to the coming into effect of Statute 1, shall be Senior Lecturers or Lecturers until they reach the age of 65 years, unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office.



17. College Lecturers and Assistant Lecturers appointed by the University following commencement of the Act shall be Lecturers until they reach the age of 65, unless they retire or resign, die, are dismissed in accordance with the procedures established by this statute or become incapable by reason of physical or mental infirmity from continuing in office.
18. Senior Lectureships shall normally be deemed by the Governing Authority to be promotional appointments, in which case appointments to Senior Lectureships shall be made by the Governing Authority on the recommendation of a Promotions Board. The Governing Authority, having consulted the Academic Council, shall establish, by regulation, the composition of the Promotions Board and the procedures to be followed by the Promotions Board.
19. The Governing Authority, having consulted the Academic Council, shall determine by regulation procedures for making appointments to such Senior Lectureships as are not deemed to be promotional and to Lectureships and other permanent academic positions; such procedures shall be designed to ensure participation in the selection process by high quality candidates and shall include public advertisement of the appointment and the establishment of a board to assess the candidates which shall consist of suitably qualified persons, including persons who are not employees of the University.
20. The Governing Authority shall make appointments to such Senior Lectureships as are not deemed to be promotional on the recommendation of an assessment board established in accordance with the procedures referred to in paragraph 19.
21. The Governing Authority may delegate to the President the appointment of Lecturers and other permanent academic staff, provided that the President shall, in each case, make the appointment on the recommendations of an assessment board established in accordance with the procedures referred to in paragraph 19. The Governing Authority, the Academic Council and the appropriate College shall be notified of such appointments.
22. Persons appointed to Lectureships and Senior Lectureships shall ordinarily be appointed to age 65, subject to such terms and conditions, including arrangements for probation and the award of tenure, as the Governing Authority, having consulted the Academic Council, may determine.
23. All staff, other than those referred to in the foregoing paragraphs, shall be appointed by the President in accordance with procedures to be determined by the President which shall include such interview and other procedures which, in the opinion of the President, shall best ensure participation in the selection process by high quality candidates both from within and outside the University.
24. All staff shall carry out their duties with due regard to the statutes and regulations of the University and the policies and procedures determined by the Governing Authority and subject to the authority of the President or of a Head of School or such other senior member of staff to whom the President has delegated the appropriate authority.
25. The remuneration of staff of the University shall be as determined, from time to time, by the Governing Authority on the advice of the Finance, Remuneration and Asset Management Committee and in accordance with the Act and any relevant local and national agreements.
26. The entitlement of members of staff to receive pensions from the University's pension fund shall be in accordance with the provisions of Statute XCVI of University College Dublin as amended from time to time.





## **CHAPTER 21 STAFF DISCIPLINE AND PROCEDURES FOR SUSPENSION AND DISMISSAL**

1. Staff of the University shall perform such reasonable and appropriate duties as are required by the President or by a Head of School or other member of staff to whom the President has delegated the appropriate authority.
2. Where a member of staff fails to perform the duties required by the President or by a Head of School or other member of staff to whom the President has delegated the appropriate authority, or performs these duties in a manner which is deemed to be incompetent or unsatisfactory or where a member of staff is alleged to be guilty of serious and persistent misconduct, the University may, subject to the provisions of this statute, and any regulations made under this statute, take appropriate disciplinary action.
3. The University shall conduct all disciplinary procedures in a manner which respects the dignity of members of staff.
4. In any disciplinary action in regard to a member of staff, the Governing Authority shall ensure fair and equitable procedures and shall have due regard to the provisions of the Act and any other relevant legislation and to the principles of constitutional justice. At any meeting with representatives of the University in connection with the disciplinary procedures set out in this statute, a member of staff may be accompanied by another member of staff, a representative of a trades union or any other person, including a practising lawyer.
5. Following appropriate disciplinary procedures in accordance with this statute and any regulations made under this statute, the Governing Authority may impose such penalties as appear fair and reasonable in all the circumstances of the case. Such penalties may include suspension or dismissal.
6. The Governing Authority, having consulted the trades unions and staff interests, shall determine detailed arrangements to implement the procedures set out in this chapter. Such arrangements shall, in accordance with the Act, provide for the tenure of officers and may specify different practices in relation to particular categories of staff. The arrangements shall recognise the rights of any President, Professor or Lecturer appointed by the National University of Ireland prior to the commencement of the Act to appeal to the Visitor against dismissal by the University in accordance with the statutes of University College Dublin and of the National University of Ireland.
7. Where, in the opinion of the President, or of a Head of School or other member of staff to whom the President has delegated the appropriate authority, hereinafter referred to as the appropriate person, the conduct or performance of a member of staff does not meet acceptable standards or where such other matter arises which warrants the initiation of disciplinary action the following procedures shall be used as appropriate:
  - a) the member of staff shall normally be given an informal oral warning. The aspects of conduct or performance requiring change or improvement shall be specified;
  - b) following an informal warning where it is the opinion of the appropriate person that the conduct or performance of the member of staff does not improve to acceptable standards, or where a further matter arises which warrants disciplinary action, the staff member shall be given a formal oral warning which shall be recorded on the staff member's personnel record. The formal oral warning will give details of the complaint and specify aspects of conduct or performance requiring change or improvement;



- c) where having received a formal oral warning it is the opinion of the appropriate person that the conduct or performance of the member of staff has not improved to acceptable standards or where a further matter arises which warrants further disciplinary action, the staff member shall be given a formal written warning. The written warning shall give details of the complaint and specify the aspects of conduct or performance requiring change or improvement;
  - d) a staff member who has received a formal oral or a formal written warning shall be entitled to reply in writing to the statement of the matters giving rise to the complaint and any such reply shall be attached to the staff member's personnel record;
  - e) where having received a formal written warning it is the opinion of the appropriate person that the conduct or performance of the member of staff has not improved to acceptable standards or where a further matter arises which warrants disciplinary action, the staff member shall be given a final formal written warning. This final warning shall give details of the complaint and specify the aspects of conduct or performance requiring change or improvement.
8. Where, in the opinion of the President, or of a Head of School or other member of staff to whom the President has delegated the appropriate authority, the conduct or performance of a member of staff who has received a final formal written warning in accordance with paragraph 7 does not improve to acceptable standards, or where a further matter arises which warrants disciplinary action, the University may issue notice to the member of staff of dismissal from the employment of the University.
  9. Where a member of staff has been issued with a formal oral or written warning or final written warning, in accordance with paragraph 7 but no further matter of a disciplinary nature has been recorded on the staff member's personnel record for a period of at least one year, the record of any disciplinary procedures shall be removed from the staff member's personnel record, and in the event of a further matter arising which, in the opinion of the President, or of a Head of School or other member of staff to whom the President has delegated the appropriate authority, warrants disciplinary action, the University shall issue such formal or informal warning, in accordance with paragraph 7 as deemed appropriate to the matter concerned.
  10. Notwithstanding the procedures set out in paragraphs 7 and 8, where the conduct of a member of staff constitutes, in the opinion of the President, gross misconduct, the member of staff may be summarily dismissed from the University. In such circumstances, the University may, at its discretion, make a payment to the member of staff in lieu of notice of termination of employment.
  11. The University may carry out an investigation in respect of any matter which is the subject of a written warning in accordance with paragraph 7 or in connection with which a member of staff has been given notice of dismissal in accordance with paragraph 8. A member of staff whose conduct or performance is the subject of such an investigation shall co-operate fully with the investigation when required to do so by the University.
  12. Pending an investigation in accordance with paragraph 11, the University may, for administrative reasons, suspend the member of staff with pay and on such terms as the University considers appropriate.
  13. The detailed procedures to be followed in investigations in accordance with paragraph 11 shall be determined by regulation of the Governing Authority. Such regulations shall include provisions to ensure that:



- a) the member of staff shall, as soon as practicable, be informed in writing of the alleged conduct or performance which is to be the subject of the investigation and shall be given reasonable time to respond to the University's case;
  - b) the University shall appoint one or more persons, who may be external or internal to the University, to conduct the investigation; this person or persons shall impartially hear the statement of the University in relation to the conduct or performance of the member of staff and the response of the member of staff to the University's statement;
  - c) the University's case will be presented by a person appointed by the University who shall not be one of the persons appointed to conduct the investigation;
  - d) the person presenting the case for the University shall be entitled to be present at any part of the investigation where evidence is adduced and to receive copies of any documentation produced by the member of staff at the investigation;
  - e) the person presenting the case for the University shall be entitled to call one or more witnesses to support the University's case and to question any witnesses called by the persons conducting the investigation or by the member of staff;
  - f) the member of staff shall be entitled to be present, and/or to be represented, at any part of the investigation where evidence is adduced in relation to the staff member's conduct or performance, to receive copies of any documentation produced by the University in advance of the investigation, to question any witnesses called by the persons conducting the investigation or by the University and shall be given a reasonable opportunity to respond to the University's case;
  - g) the member of staff may call one or more witnesses to give evidence to the investigation and shall have the right to question any witnesses called by the persons conducting the investigation or by the University;
  - h) the person or persons conducting the investigation shall be entitled to question the member of staff, the person presenting the case for the University or their witnesses on any matter relating to the subject of the investigation;
  - i) the person or persons conducting the investigation shall be entitled to call witnesses and the member of staff and the representative of the University shall be entitled to question such witnesses;
  - j) the person or persons conducting the investigation, having heard and considered the case for the University, the response of the member of staff to the case for the University, the evidence of any witness called to assist the investigation and any other relevant matters, including any mitigating circumstances and the member of staff's record of employment with the University, shall make a report in writing to the University setting out the conclusion of the investigation in relation to the University's case and, where appropriate, making a recommendation in relation to the penalty which the University might reasonably impose on the member of staff;
  - k) the University shall, as soon as practicable, make available to the member of staff a copy of the report of the investigation and, where appropriate, notice in writing of the University's decision in relation to the imposition of any penalty.
14. Where, following an investigation, the University decides to dismiss or impose a penalty on a member of staff, implementation of the decision shall be deferred in order to allow the member of staff to appeal the decision. The University may suspend a member of staff, with pay, pending the outcome of such an appeal.



15. A member of staff may appeal the University's decision to impose a penalty by written notification, specifying the grounds for the appeal, to the Governing Authority within twenty-eight days of issue by the University of notification of a decision to impose a penalty.
16. On receipt of an appeal against a decision to impose a penalty, the Governing Authority shall appoint an Appeals Committee comprising two persons who are not employees of the University, each of whom shall either be a member of the Senate of the National University of Ireland or be a holder or former holder of judicial office or be a barrister or solicitor of at least ten years' standing. The Governing Authority shall appoint one member of the Appeals Committee to preside over the committee and to have a casting vote in any decision of the committee.
17. The Appeals Committee shall, subject to the requirements of constitutional justice, determine its own procedures which shall include provisions to ensure that:
  - a) the appellant shall be entitled to be present, and/or to be represented, at any meeting of the Appeals Committee where evidence in relation to the appellant's conduct or performance is adduced, to receive copies of any documentation presented by the University to the Appeals Committee and the appellant shall be given a reasonable opportunity to state the grounds for the appeal;
  - b) the University may be represented at any meeting of the Appeals Committee where evidence in relation to the appellant's conduct or performance is adduced. The University's representative may make a statement in response to the appeal and may call one or more witnesses to give evidence to the Appeals Committee and the committee and the appellant shall have the right to question such witnesses;
  - c) the appellant may call one or more witnesses to give evidence to the Appeals Committee and the committee and the University representative shall have the right to question such witnesses;
  - d) the Appeals Committee shall be entitled to call witnesses to give evidence in connection with the grounds of the appeal and the appellant and the representative of the University shall be entitled to question such witnesses;
  - e) the Appeals Committee, having heard and considered the grounds for the appeal, the response of the University to the appeal and the evidence of any witnesses, shall report in writing to the President stating whether the appeal has been upheld or rejected and, in the event that the appeal has been upheld, recommending the penalty, if any, which should be imposed.
18. On receipt of the report of the Appeals Committee, the President shall, as soon as practicable, convey the decision of the Appeals Committee in writing to the Governing Authority and to the appellant.

## **CHAPTER 22 RESOLUTION OF DISPUTES**

1. The procedures hereby established by the Governing Authority in accordance with the Act are for the resolution of disputes which may arise in the University, other than disputes which are dealt with through industrial relations structures operating in the University, or appeals by students relating to the results of examinations, and other matters for which express provision is made by the University.



2. The Governing Authority shall appoint a Disputes Resolution Committee whose terms of reference shall be to advise the Governing Authority on measures to resolve disputes arising in the University which fall within its remit.
  - a) The membership of the Disputes Resolution Committee shall comprise a chair nominated by the Governing Authority, two members nominated by the Governing Authority and a member who shall be a nominee of the Chancellor of the National University of Ireland.
  - b) The Governing Authority and the Chancellor of the National University of Ireland may also appoint one or more appropriate alternates for each member of the committee who may substitute for such member of the committee in the event of the committee member being unable to serve for any reason.
  - c) To satisfy the requirements of the Act the members of the Disputes Resolution Committee shall not be members of the Governing Authority, employees or students of the University.
  - d) The term of office of the Disputes Resolution Committee shall be coterminous with the term of office of the Governing Authority.
3. Any member of the University, or an applicant to any academic programme of the University, may request that a dispute be referred to the Disputes Resolution Committee by giving notice in writing to the President.
4. Where, in accordance with paragraph 3, notice of a dispute is given by a student or an applicant to an academic programme of the University, the President shall refer the dispute in the first instance to the Registrar. In the event that the Registrar is unable to resolve the dispute to the satisfaction of all parties to the dispute, or to refer it to the Examinations Appeals Committee or to other procedures set up by the University for specific purposes, the dispute shall be referred to the Disputes Resolution Committee.
5. Where, in accordance with paragraph 3, notice of a dispute is given by a member of the University other than a student, the President shall ensure that the dispute conforms to the terms of reference of the Disputes Resolution Committee and that all reasonable attempts have been made to resolve the dispute at local level before referring the dispute to the Disputes Resolution Committee.
6. Where a dispute is referred to the Disputes Resolution Committee, the person who requested that the dispute be referred to the committee shall submit a written statement to the committee containing such account of all relevant facts and circumstances of the dispute as shall enable the committee to determine whether the dispute is within its terms of reference.
7. Subject to the provisions of this statute and the principles of constitutional justice, the committee shall determine its own procedures.
8. The quorum for a meeting of the committee shall be three persons.
9. Questions arising at meetings of the committee shall, if possible, be agreed by consensus; otherwise, questions shall be agreed by majority vote; should there be an equality of votes, the person presiding over the committee shall have a deliberative and a casting vote.
10. All hearings of the committee shall be held in private. No person other than a party to the dispute as identified by the committee and such witnesses as the committee may invite to assist the committee, shall be entitled to be present at a hearing of the committee.



11. When considering whether a dispute referred to it lies within its terms of reference, the committee may seek further information from the person who requested that the dispute be referred to it or from such other party or parties as the committee sees fit. The committee may require any student or member of staff of the University to provide such reasonable information as it requires or to appear before it to provide oral evidence.
12. Following due consideration, the committee shall determine whether the dispute lies within its terms of reference. Where the committee determines that a dispute does not lie within its terms of reference it will so advise the person who requested that the dispute be referred to it and it may make a recommendation that the dispute should be referred to another forum.
13. Where the committee determines that a dispute lies within its terms of reference, it shall call all parties to the dispute to appear before it and shall hear an account of the matter from all parties to the dispute. A party appearing before the committee shall be entitled to be accompanied by a friend, colleague or other representative. The committee may, if it sees fit, seek such further oral or written evidence as it requires. Non-attendance or non-cooperation by any person shall not vitiate the proceedings of the committee.
14. The committee shall be entitled to seek such external professional advice as it deems necessary from the professional advisors to the University or others.
15. If, at any stage during the hearing of matters relating to the dispute, the parties to the dispute voluntarily agree measures to resolve the dispute, they shall so inform the committee and, if the committee approves the measures agreed upon by the parties to the dispute, it shall terminate consideration of the dispute.
16. Where a dispute is not so resolved, the committee shall consider all the oral and written evidence available to it, and shall submit a written report to the President setting out the circumstances to the dispute as made known to the committee and recommending measures to be taken to resolve the dispute.
17. Where the President is a party to the dispute, the committee shall address its report to the Governing Authority.
18. The President or, in the event of the President being a party to the dispute, the Governing Authority, having considered the report of the committee, shall put in place measures to resolve the dispute.

## **CHAPTER 23 GENERAL INTERPRETATION AND LEGAL REFERENCES**

In the interpretation of the statutes and regulations of the University the following words and expressions shall have the meaning hereby assigned to them, except where the context otherwise requires:-

1. “The Academic Council” means the Academic Council of the University constituted under the Universities Act, 1997.
2. “The Act” means the Universities Act, 1997.
3. “The Bursar” means the Chief Financial Officer of the University.
4. “The Charter” means the Charter of University College Dublin and shall include any Supplemental Charter.
5. “Chief Officer” means –



- a) the person appointed in accordance with the Universities Act, 1997
  - b) the President of the University continued in office for the purpose of the Universities Act, 1997 and includes a person acting in the office or performing the duties of a Chief Officer.
6. "Employee" means a person employed by the University in any capacity, and includes an officer of the University.
  7. "College" includes reference to Faculties.
  8. "Examination" means any test of learning or skill prescribed by statute or regulation as a qualification for any degree or other academic distinction.
  9. "Financial Year" means the date from which the financial year shall be fixed by the Governing Authority.
  10. "Functions" includes powers and duties.
  11. "Governing Authority" means the Governing Authority of the University.
  12. "Graduate" means a graduate of the National University of Ireland who is a member of the University and includes all students of University College Dublin on whom a degree of the National University of Ireland was conferred as a result of their studies in University College Dublin.
  13. "The Higher Education Authority" means the body established by the Higher Education Authority Act, 1971.
  14. "The Minister" means the Minister for Education and Science.
  15. "The National University of Ireland" means the University by that name in Dublin, constituted and founded by Charter in pursuance of the Irish Universities Act, 1908.
  16. "Officer" includes:
    - a) a permanent full-time member of the academic staff of the University;
    - b) the Chief Officer;
    - c) a person who immediately before the commencement of Part I of the Act is an officer of University College Dublin; and
    - d) such other employees as the Governing Authority may from time to time determine.
  17. "The President" means the Chief Officer of the University.
  18. "The Registrar" means the senior academic officer of the University.
  19. "Regulations" means regulations made at the discretion of the Governing Authority under or pursuant to any provision of the Universities Act, 1997, the Charter or the statutes.
  20. "The Senate" means the Senate of the National University of Ireland.
  21. "Session" means the academic year commencing on a date determined by the Governing Authority.
  22. "The statutes" means the statutes from time to time in force for the regulation of the affairs of the University made by the Governing Authority in pursuance of the Universities Act, 1997 and includes statutes of University College Dublin continued in force by the aforesaid Act.
  23. "The University" means the National University of Ireland, Dublin, a constituent University of the National University of Ireland.



24. “University College Dublin” means the former constituent college of the National University of Ireland.
25. “Visitor” means the Visitor to the University or a person appointed under section 19 of the Universities Act, 1997 to be a Visitor for any purpose under the Act.
26. Words importing the masculine gender shall include the feminine gender and likewise words importing the feminine gender shall include the masculine gender.
27. Words in the singular include the plural, and words in the plural shall include the singular.

#### Legal References

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- <sup>i</sup> Universities Act 1997, Section 12
- <sup>ii</sup> Universities Act 1997, Section 13
- <sup>iii</sup> Universities Act 1997, 4<sup>th</sup> Schedule, paragraph 2
- <sup>iv</sup> Universities Act 1997, Section 25 (2)
- <sup>v</sup> Universities Act 1997, Section 15 (3)
- <sup>vi</sup> Universities Act 1997, Section 13 (1)
- <sup>vii</sup> Universities Act 1997, Section 18 (1)
- <sup>viii</sup> Universities Act 1997, Section 27 (1)
- <sup>ix</sup> Universities Act 1997, Section 28 (1) (a)
- <sup>x</sup> Universities Act 1997, Section 27(1)
- <sup>xi</sup> Universities Act 1997, Section 27 (2)(e)
- <sup>xii</sup> Universities Act 1997, Section 27 (2)(d)





## **CHAPTER 24 DATE OF COMMENCEMENT**

This statute shall come into operation on 1 September 2005, but the Governing Authority may by regulation bring this statute or any part thereof into operation on an earlier date should it so decide. It may be cited as Statute 6 of University College Dublin, National University of Ireland, Dublin.

## **CHAPTER 25 DATE OF ENACTMENT**

Given under the Common Seal of University College Dublin,  
National University of Ireland, Dublin,  
the



Present when the Common Seal of University College Dublin,  
National University of Ireland, Dublin  
was affixed :

Chairperson of the Governing  
Authority:

Kieran McGowan

President of the University:

Hugh Brady

