



Number 30 of 1987

SCIENCE AND TECHNOLOGY ACT 1987

REVISED

Updated to 1 February 2019

This Revised Act is an administrative consolidation of the *Science and Technology Act 1987*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975 (3/1975)* to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Local Government Act 2019 (1/2019)*, enacted 25 January 2019, and all statutory instruments up to and including *Brown Crab (Conservation Of Stocks) Regulations 2019 (S.I. No. 26 of 2019)*, made 1 February 2019, were considered in the preparation of this Revised Act.

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Introduction

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.



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ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY AND GENERAL

Section

1. Short title.
2. Commencement.
3. Name of Agency. *(Repealed)*
4. Definitions.
5. Orders.
6. Repeals.
7. Expenses.

PART II

ADDITIONAL FUNCTIONS OF AGENCY

8. Functions in relation to science and technology.
9. Science Budget. *(Repealed)*
10. Review of programmes. *(Repealed)*
11. Supply of information required by Agency. *(Repealed)*
12. Power to research.
13. Directives to the Agency. *(Repealed)*
14. Limitation of expenditure on inventions.

PART III

ADMINISTRATION

15. Chief Executive. *(Repealed)*
16. Disclosure by member of Board of interest in proposed contract. *(Repealed)*

17. Membership of Houses of Oireachtas or Assembly of European Communities. *(Repealed)*
18. Expenditure by Agency.
19. Investment by Agency. *(Repealed)*
20. Acceptance of gifts by Agency. *(Repealed)*
21. Annual report and information to Minister. *(Repealed)*
22. Accounts and audits. *(Repealed)*
23. Officers and servants. *(Repealed)*
24. Power to employ consultants. *(Repealed)*
25. Prohibition of disclosure of confidential information. *(Repealed)*
26. Committees of Board. *(Repealed)*

PART IV

TRANSITIONAL PROVISIONS

27. Transfer of staff. *(Repealed)*
28. Transfer of property. *(Repealed)*
29. Transfer of rights and liabilities and continuance of pending proceedings. *(Repealed)*

 ACTS REFERRED TO

European Assembly Elections Act, 1977	1977, No. 30
European Assembly Elections Act, 1984	1984, No. 6
Industrial Research and Standards Act, 1961	1961, No. 20
Industrial Research and Standards (Amendment) Act, 1979	1979, No. 33
National Board for Science and Technology Act, 1977	1977, No. 25



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AN ACT TO COMBINE THE FUNCTIONS OF THE NATIONAL BOARD FOR SCIENCE AND TECHNOLOGY AND THE INSTITUTE FOR INDUSTRIAL RESEARCH AND STANDARDS IN A SINGLE BODY AND TO PROVIDE FOR RELATED MATTERS. [23rd December, 1987]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART I

PRELIMINARY AND GENERAL

- Short title. **1.**—This Act may be cited as the Science and Technology Act, 1987.
- Commencement. **2.**—This Act shall come into operation on the first day of January, 1988.
- Name of Agency. **3.**—[...]
- Definitions. **4.**—In this Act—
- “the Act of 1961” means the Industrial Research and Standards Act, 1961, as amended by the Industrial Research and Standards (Amendment) Act, 1979;
- “the Agency” means Eolas—The Irish Science and Technology Agency;
- “the Board” means the Board of the Agency;
- “the dissolved body” means the National Board for Science and Technology dissolved by *section 8 (7)* of this Act;
- “functions” includes powers and duties;
- “institution” means any institute, college, laboratory, office or service (whether under the control of a Minister or otherwise) which is wholly or partly engaged in research and development or any other activity related to science or technology;
- “the Minister” means the Minister for Industry and Commerce.
- Orders. **5.**—(1) The Minister may by order amend or revoke any order made by him under any provision of the Act of 1961 or this Act.

(2) Every order under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling any such order is passed by either House within the next twenty-one days on which that House has sat after the order has been laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

Repeals.

6.—The following enactments are hereby repealed:

- (a) in the Act of 1961, sections 14, 17, 25 (5), 34, 40, 41 and 42;
- (b) the National Board for Science and Technology Act, 1977.

Expenses.

7.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be authorised by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

PART II

ADDITIONAL FUNCTIONS OF AGENCY

Functions in relation to science and technology.

8.—(1) The Agency shall, in addition to any functions assigned to it by or under the Act of 1961, have the following general functions heretofore assigned to the National Board for Science and Technology—

- (a) to act under the Minister as a body having responsibility for the furtherance of science and technology,
- (b) to advise the Government or the Minister on the Agency's initiative or at the request of the Minister on policy for science and technology and related matters,
- (c) to promote the co-ordination of public investment and of public with private investment in science and technology and to prepare proposals for public investment,
- (d) to provide and administer grants and other financial facilities for activities related to science and technology,
- (e) to advise the Minister at his request on any matter related to science and technology,
- (f) to promote research,
- (g) to promote the application of science and technology to economic and social development,
- (h) to promote the development of natural resources through the application of science and technology,
- (i) to promote appreciation of the value of science and technology.

(2) The Agency may, subject to such conditions as the Minister may prescribe, do all such other things as arise out of or are consequential on the functions assigned to it by or under this Act.

(3) Without prejudice to the generality of *subsection (1) or (2)* of this section, the Agency shall have the following particular functions—

- (a) to advise the Government on the need for the establishment of any new institution or the dissolution of any existing institution or on the need for

- revising the functions of any existing institution and on the nature or form of such institutions,
- (b) to prepare and to review periodically a national programme for science and technology in consultation with relevant institutions,
 - (c) to co-ordinate activities related to science and technology,
 - (d) to promote participation in activities related to science and technology,
 - (e) to engage in such activities related to science and technology as may be approved by the Minister,
 - (f) to disseminate and promote the dissemination of literature and information relating to science and technology,
 - (g) to engage (where appropriate after consultation with the Minister for Foreign Affairs) in international activities in science and technology, including where appropriate representation of the State at conferences, meetings and seminars,
 - (h) to participate and promote participation in international collaborative projects in science and technology, and where appropriate to enter into agreements with comparable bodies outside the State, subject to the consent of the Minister and the Minister for Finance and where appropriate to consultation with the Minister for Foreign Affairs,
 - (i) to engage in studies on manpower, in consultation with the appropriate institutions, in connection with activities related to science and technology and where appropriate to promote the expansion and development of manpower for such activities,
 - (j) to undertake and assist, in consultation with the appropriate institutions, in the development and exploitation of inventions,
 - (k) to promote and organise seminars, conferences, lectures and demonstrations, whether in the State or elsewhere, relating to science and technology and related subjects,
 - (l) to promote the application of science and technology to the development and improvement of industrial and commercial design,
 - (m) to advise and assist inventors in registering and protecting their inventions.
- (4) (a) The powers and functions conferred by statute on any institution shall be deemed not to be restricted by any provisions of this Act and in the exercise of its powers and functions the Agency shall have regard to the statutory functions of such institutions.
- (b) The teaching functions of any educational institute, college or school shall be deemed not to be restricted by any provisions of this Act.
- (5) The Agency shall not engage in or promote any activity of a primarily military relevance without the prior approval of the Government.
- (6) The Minister may by order assign additional functions to the Agency after consultation with the Minister for Finance and with any other Minister of the Government appearing to the Minister to be concerned.
- (7) The National Board for Science and Technology is hereby dissolved.

- Review of programmes. **10.—[...]**
- Supply of information required by Agency. **11.—[...]**
- Power to research. **12.—**The Agency may, with the approval of the Minister, institute and conduct research into and studies on such problems relating to science and technology as it considers appropriate and may publish or disseminate the results of any such investigation as it considers appropriate.
- Directives to the Agency. **13.—[...]**
- Limitation of expenditure on inventions. **14.—**Section 43 (5) of the 1961 Act (which imposes a limitation on expenditure by the Agency without the consent of the Minister on the development and exploitation of inventions) is hereby amended by the insertion, after “the sum of five thousand pounds”, of “or such greater sum as the Minister may from time to time by order prescribe”.

PART III

ADMINISTRATION

- Chief Executive. **15.—[...]**
- Disclosure by member of Board of interest in proposed contract. **16.—[...]**
- Membership of Houses of Oireachtas or Assembly of European Communities. **17.—[...]**
- Expenditure by Agency. **18.—**The funds of the Agency may be used—
 (a) for the payment of expenses incurred by it in the performance of its functions, and
 (b) for the making of payments, grants or loans for any purpose that, in the opinion of the Agency, is conducive to the promotion and development of scientific and technological activities.
- Investment by Agency. **19.—[...]**
- Acceptance of gifts by Agency. **20.—[...]**
- Annual report and information to Minister. **21.—[...]**
- Accounts and audits. **22.—[...]**

Officers and servants. **23.—[...]**

Power to employ consultants. **24.—[...]**

Prohibition of disclosure of confidential information. **25.—[...]**

Committees of Board. **26.—[...]**

PART IV

TRANSITIONAL PROVISIONS

Transfer of staff. **27.—[...]**

Transfer of property. **28.—[...]**

Transfer of rights and liabilities and continuance of pending proceedings. **29.—[...]**