



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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ACTS REFERRED TO

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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:

Annotations

Editorial Notes:

- E1** Powers and functions of Eolas under Act transferred and references construed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 9(1), (3), commenced on enactment, subject to cessation of functions provided (1.08.2014) by *Industrial Development (Forfás Dissolution) Act 2014* (13/2014), s. 18(6), commenced as per subs. (8) and S.I. No. 341 of 2014: (6) Any assignment of powers and functions under section 9 of the Act of 1993 to Enterprise Ireland or IDA in force immediately before the coming into operation of this section shall cease to have effect on that coming into operation.

Functions formerly exercised by the Industrial Development Authority and Eolas.

9.—(1) Subject to subsection (2), the powers and functions of the Industrial Development Authority, as specified in the Act of 1986, and the powers and functions of Eolas, as specified in the Industrial Research and Standards Act, 1961 and in the Act of 1987, shall be vested in Forfás and may, to such an extent and in accordance with such directions as the Minister may from time to time determine, be assigned to and exercised by [Enterprise Ireland] [, IDA or Science Foundation Ireland] as the case may be.

(2) The powers and functions of the Industrial Development Authority conferred on it by Part III of the Act of 1986 shall be assigned to, and exercised by, [Enterprise Ireland] or IDA to such an extent and in accordance with such directions as Forfás, with the concurrence of the Minister, may from time to time determine.

(3) For the purposes of this section, references in the Act of 1986 and in the Shannon Free Airport Development Company Limited (Amendment) Act, 1970 to “the Authority” and in the Act of 1987 to “the Agency” shall be construed as references to [Forfás, Enterprise Ireland, IDA and Science Foundation Ireland], or to any of them, as may be appropriate.

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.—F1[...]

Annotations

Amendments:

F1 Repealed (23.07.1998, establishment day) by *Industrial Development (Enterprise Ireland) Act 1998* (34/1998), s. 4 and sch., S.I. No. 252 of 1998.

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.

Annotations

Modifications (not altering text):

C1 References construed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 9(3), commenced on enactment, as amended (23.07.1999) by *Industrial Development (Enterprise Ireland) Act 1998* (34/1998), s. 44(4), commenced as per s. 44(5). Subsection further amended (25.07.2003) by *Industrial Development (Science Foundation Ireland) Act 2003* (30/2003), s. 35(d), S.I. No. 325 of 2003.

Functions formerly exercised by the Industrial Development Authority and Eolas.

9.— ...

(3) For the purposes of this section, references in the Act of 1986 and in the Shannon Free Airport Development Company Limited (Amendment) Act, 1970 to “the Authority” and in the Act of 1987 to “the Agency” shall be construed as references to [Forfás, Enterprise Ireland, IDA and Science Foundation Ireland], or to any of them, as may be appropriate.

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.

Annotations**Editorial Notes:**

- E2** Power pursuant to subs. (1) exercised (1.01.1996) by *Industrial Research and Standards (Fire Safety) (Domestic Furniture) Order 1995* (S.I. No. 316 of 1995), in effect as per art. 1(2).

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.

Annotations**Modifications (not altering text):**

- C2** Functions under subss. (1)(a), (1)(d), (1)(f)-(i), (2), (3)(d)-(g) and (3)(i)-(m) transferred (1.08.2014) by *Industrial Development (Forfás Dissolution) Act 2014* (13/2014), s. 18 and sch., commenced as per subs. (8) and S.I. No. 341 of 2014.

Transfer of functions to Enterprise Ireland and IDA

- 18.** (1) The functions specified in the Schedule are transferred to Enterprise Ireland and IDA.
- (2) The functions transferred under subsection (1) may be performed—
- (a) by either Enterprise Ireland or IDA, or
- (b) jointly by both Enterprise Ireland and IDA.
- (3) The functions specified in paragraph (c) of subsection (1) of section 8 of the Act of 1987 are transferred to IDA.
- (4) A function transferred under subsection (1) shall be performed by Enterprise Ireland or IDA, or both, as the case may be, in accordance with such directions (if any) as may be issued by the Minister from time to time.
- (5) A function transferred under subsection (3) shall be performed by IDA in accordance with such directions (if any) as may be issued by the Minister from time to time.
- (6) Any assignment of powers and functions under section 9 of the Act of 1993 to Enterprise Ireland or IDA in force immediately before the coming into operation of this section shall cease to have effect on that coming into operation.
- (7) Subsection (3) of section 3 of the Act of 1995 is repealed.
- (8) This section shall come into operation on the dissolution day.

SCHEDULE*Section 18***Functions Transferred to Enterprise Ireland and IDA**

Functions referred to in: ...

3. Paragraphs (a), (d) and (f) to (i) of subsection (1), subsection (2) and paragraphs (d) to (g) and (i) to (m) of subsection (3), of section 8, and sections 12 and 18, of the Act of 1987.

- C3** References construed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 9(3), commenced on enactment, as amended (23.07.1999) by *Industrial Development (Enterprise Ireland) Act 1998* (34/1998), s. 44(4), commenced as per s. 44(5). Subsection further amended (25.07.2003) by *Industrial Development (Science Foundation Ireland) Act 2003* (30/2003), s. 35(d), S.I. No. 325 of 2003.

Functions formerly exercised by the Industrial Development Authority and Eolas.

9.— ...

(3) For the purposes of this section, references in the Act of 1986 and in the Shannon Free Airport Development Company Limited (Amendment) Act, 1970 to “the Authority” and in the Act of 1987 to “the Agency” shall be construed as references to [Forfás, Enterprise Ireland, IDA and Science Foundation Ireland], or to any of them, as may be appropriate.

Science Budget. **9.—F2[...]**

Annotations**Amendments:**

- F2** Repealed (27.11.2013) by *Industrial Development (Science Foundation Ireland) (Amendment) Act 2013* (36/2013), s. 7, S.I. No. 448 of 2013.

Review of
programmes.

10.—F3[...]

Annotations

Amendments:

- F3** Repealed (27.11.2013) by *Industrial Development (Science Foundation Ireland) (Amendment) Act 2013* (36/2013), s. 7, S.I. No. 448 of 2013.

Supply of
information
required by
Agency.

11.—F4[...]

Annotations

Amendments:

- F4** Repealed (27.11.2013) by *Industrial Development (Science Foundation Ireland) (Amendment) Act 2013* (36/2013), s. 7, S.I. No. 448 of 2013.

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.

Annotations

Modifications (not altering text):

- C4** Functions under subss. (1)(a), (1)(d), (1)(f)-(i), (2), (3)(d)-(g) and (3)(i)-(m) transferred (1.08.2014) by *Industrial Development (Forfás Dissolution) Act 2014* (13/2014), s. 18 and sch., commenced as per subss. (8) and S.I. No. 341 of 2014.

Transfer of functions to Enterprise Ireland and IDA

- 18.** (1) The functions specified in the Schedule are transferred to Enterprise Ireland and IDA.
- (2) The functions transferred under subsection (1) may be performed—
- (a) by either Enterprise Ireland or IDA, or
- (b) jointly by both Enterprise Ireland and IDA.
- (3) The functions specified in paragraph (c) of subsection (1) of section 8 of the Act of 1987 are transferred to IDA.
- (4) A function transferred under subsection (1) shall be performed by Enterprise Ireland or IDA, or both, as the case may be, in accordance with such directions (if any) as may be issued by the Minister from time to time.
- (5) A function transferred under subsection (3) shall be performed by IDA in accordance with such directions (if any) as may be issued by the Minister from time to time.
- (6) Any assignment of powers and functions under section 9 of the Act of 1993 to Enterprise Ireland or IDA in force immediately before the coming into operation of this section shall cease to have effect on that coming into operation.
- (7) Subsection (3) of section 3 of the Act of 1995 is repealed.
- (8) This section shall come into operation on the dissolution day.

SCHEDULE

Section 18

Functions Transferred to Enterprise Ireland and IDA

Functions referred to in: ...

3. Paragraphs (a), (d) and (f) to (i) of subsection (1), subsection (2) and paragraphs (d) to (g) and (i) to (m) of subsection (3), of section 8, and sections 12 and 18, of the Act of 1987.

C5 References construed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 9(3), commenced on enactment, as amended (23.07.1999) by *Industrial Development (Enterprise Ireland) Act 1998* (34/1998), s. 44(4), commenced as per s. 44(5). Subsection further amended (25.07.2003) by *Industrial Development (Science Foundation Ireland) Act 2003* (30/2003), s. 35(d), S.I. No. 325 of 2003.

9.— ...

(3) For the purposes of this section, references in the Act of 1986 and in the Shannon Free Airport Development Company Limited (Amendment) Act, 1970 to “the Authority” and in the Act of 1987 to “the Agency” shall be construed as references to [Forfás, Enterprise Ireland, IDA and Science Foundation Ireland], or to any of them, as may be appropriate.

Directives to the Agency.

13.—F5[...]

Annotations**Amendments:**

F5 Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

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”.

Annotations**Modifications (not altering text):**

C6 References construed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 9(3), commenced on enactment, as amended (23.07.1999) by *Industrial Development (Enterprise Ireland) Act 1998* (34/1998), s. 44(4), commenced as per s. 44(5). Subsection further amended (25.07.2003) by *Industrial Development (Science Foundation Ireland) Act 2003* (30/2003), s. 35(d), S.I. No. 325 of 2003.

9.— ...

(3) For the purposes of this section, references in the Act of 1986 and in the Shannon Free Airport Development Company Limited (Amendment) Act, 1970 to “the Authority” and in the Act of 1987 to “the Agency” shall be construed as references to [Forfás, Enterprise Ireland, IDA and Science Foundation Ireland], or to any of them, as may be appropriate.

PART III**ADMINISTRATION**

Chief Executive.

15.—F6[...]

Annotations**Amendments:**

- F6** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Disclosure by
member of Board
of interest in
proposed
contract.

16.—F7[...]**Annotations****Amendments:**

- F7** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Membership of
Houses of
Oireachtas or
Assembly of
European
Communities.

17.—F8[...]**Annotations****Amendments:**

- F8** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

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.

Annotations**Modifications (not altering text):**

- C7** Functions under subss. (1)(a), (1)(d), (1)(f)-(i), (2), (3)(d)-(g) and (3)(i)-(m) transferred (1.08.2014) by *Industrial Development (Forfás Dissolution) Act 2014* (13/2014), s. 18 and sch., commenced as per subs. (8) and S.I. No. 341 of 2014.

Transfer of functions to Enterprise Ireland and IDA

18. (1) The functions specified in the Schedule are transferred to Enterprise Ireland and IDA.

(2) The functions transferred under subsection (1) may be performed—

(a) by either Enterprise Ireland or IDA, or

(b) jointly by both Enterprise Ireland and IDA.

(3) The functions specified in paragraph (c) of subsection (1) of section 8 of the Act of 1987 are transferred to IDA.

(4) A function transferred under subsection (1) shall be performed by Enterprise Ireland or IDA, or both, as the case may be, in accordance with such directions (if any) as may be issued by the Minister from time to time.

(5) A function transferred under subsection (3) shall be performed by IDA in accordance with such directions (if any) as may be issued by the Minister from time to time.

(6) Any assignment of powers and functions under section 9 of the Act of 1993 to Enterprise Ireland or IDA in force immediately before the coming into operation of this section shall cease to have effect on that coming into operation.

(7) Subsection (3) of section 3 of the Act of 1995 is repealed.

(8) This section shall come into operation on the dissolution day.

SCHEDULE

Section 18

Functions Transferred to Enterprise Ireland and IDA

Functions referred to in: ...

3. Paragraphs (a), (d) and (f) to (i) of subsection (1), subsection (2) and paragraphs (d) to (g) and (i) to (m) of subsection (3), of section 8, and sections 12 and 18, of the Act of 1987.

C8 References construed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 9(3), commenced on enactment, as amended (23.07.1999) by *Industrial Development (Enterprise Ireland) Act 1998* (34/1998), s. 44(4), commenced as per s. 44(5). Subsection further amended (25.07.2003) by *Industrial Development (Science Foundation Ireland) Act 2003* (30/2003), s. 35(d), S.I. No. 325 of 2003.

9.— ...

(3) For the purposes of this section, references in the Act of 1986 and in the Shannon Free Airport Development Company Limited (Amendment) Act, 1970 to “the Authority” and in the Act of 1987 to “the Agency” shall be construed as references to [Forfás, Enterprise Ireland, IDA and Science Foundation Ireland], or to any of them, as may be appropriate.

Investment by
Agency.

19.—F9[...]

Annotations

Amendments:

F9 Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Acceptance of
gifts by Agency.

20.—F10[...]

Annotations

Amendments:

F10 Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Annual report
and information
to Minister.

21.—F11[...]

Annotations

Amendments:

- F11** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Accounts and
audits.

22.—F12[...]

Annotations

Amendments:

- F12** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Officers and
servants.

23.—F13[...]

Annotations

Amendments:

- F13** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Power to employ
consultants.

24.—F14[...]

Annotations

Amendments:

- F14** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Prohibition of
disclosure of
confidential
information.

25.—F15[...]

Annotations

Amendments:

- F15** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Committees of
Board.

26.—F16[...]

Annotations**Amendments:**

- F16** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

PART IV

TRANSITIONAL PROVISIONS

Transfer of staff. **27.—F17[...]**

Annotations**Amendments:**

- F17** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Transfer of property. **28.—F18[...]**

Annotations**Amendments:**

- F18** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.

Transfer of rights and liabilities and continuance of pending proceedings. **29.—F19[...]**

Annotations**Amendments:**

- F19** Repealed (6.07.1993) by *Industrial Development Act 1993* (19/1993), s. 4 and sch. 3, commenced on enactment.



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REVISED

Updated to 1 February 2019

About this Revised Act

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.

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Industrial Development (Forfás Dissolution) Act 2014* (13/2014)
- *Industrial Development (Science Foundation Ireland) (Amendment) Act 2013* (36/2013)
- *Industrial Development (Enterprise Ireland) Act 1998* (34/1998)
- *Industrial Development Act 1993* (19/1993)

All Acts up to and including *Local Government Act 2019* (1/2019), enacted 25 January 2019, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Industrial Research and Standards (Fire Safety) (Domestic Furniture) Order 1995* (S.I. No. 316 of 1995)

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 revision.