



Number 50 of 1998

GEORGE MITCHELL SCHOLARSHIP FUND ACT, 1998

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Acts Referred to

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1992, No. 16
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GEORGE MITCHELL SCHOLARSHIP FUND ACT, 1998

AN ACT TO ENABLE THE MINISTER FOR EDUCATION AND SCIENCE TO ESTABLISH A FUND IN THE UNITED STATES OF AMERICA TO BE KNOWN AS THE GEORGE MITCHELL SCHOLARSHIP FUND TO PROVIDE SCHOLARSHIPS TO CITIZENS AND NATIONALS OF THE UNITED STATES OF AMERICA ATTENDING UNIVERSITIES OR COLLEGES OF HIGHER LEARNING IN THE UNITED STATES TO STUDY OR CARRY OUT RESEARCH IN THE STATE OR NORTHERN IRELAND IN UNIVERSITIES OR OTHER INSTITUTIONS OF HIGHER EDUCATION, TO GIVE EFFECT TO AN AGREEMENT IN THAT BEHALF BETWEEN THE MINISTER AND THE SECRETARY OF STATE FOR EDUCATION OF THE UNITED STATES OF AMERICA AND TO PROVIDE FOR RELATED MATTERS.

[23rd December, 1998]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Definitions.

“the Fund” means the George Mitchell Scholarship Fund;

“the Minister” means the Minister for Education and Science;

“the United States” means the United States of America.

2.—(1) The Minister shall duly establish, in the United States, a fund which shall be known as the George Mitchell Scholarship Fund, and is in this Act referred to as “the Fund”, to provide scholarships to citizens and nationals of the United States, attending, as students or research scholars with a high level of academic achievement, universities or colleges of higher learning in the United States, to enable those persons to study or carry out research—

George Mitchell
Scholarship Fund.

(a) in the State, at—

- (i) a university or college to which the Universities Act, 1997, applies,
- (ii) the Dublin Institute of Technology,
- (iii) an educational institution to which the Regional Technical Colleges Act, 1992, applies, or

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(iv) the Irish School of Ecumenics, situated, for the time being, at Milltown in the city of Dublin,

or

(b) in Northern Ireland, at such a university or other institution of higher education as the Minister may, with the consent of such university or other institution and any other relevant competent authority, specify.

(2) The Fund shall be managed and controlled, in the United States, by such person or persons (other than the Minister) as the Minister, with the consent of the Minister for Finance, considers appropriate and, from time to time, appoints, and different persons may be so appointed to manage and control the Fund in different capacities.

(3) The Minister shall make, with the consent of the Minister for Finance, an agreement, with such person or persons, as the Minister considers appropriate, in respect of the management and control of the Fund, and such an agreement shall provide, as may be appropriate, for all of the following:

- (a) any relevant matters relating to the control and management of the Fund,
- (b) accounts of the Fund and, in particular, an investment account,
- (c) areas of study and research for which scholarships may be awarded under the Fund,
- (d) criteria as to the academic standard required of a candidate to be awarded a scholarship under the Fund,
- (e) disbursements from the Fund,
- (f) the law to be applied, in the event of any dispute between the parties to the agreement, and
- (g) any other matter the Minister, with the consent of the Minister for Finance, considers relevant to give effect to the operation of the Fund,

and may specify the universities or colleges of higher learning in the United States or class or classes of such universities or colleges from which a candidate may or may not apply for a scholarship provided under the Fund.

(4) The Minister shall cause a copy of any agreement made by him or her, in respect of the management and control of the Fund, to be laid before each House of the Oireachtas.

Payments by
Minister into Fund.

3.—(1) The Minister shall pay into the Fund, out of moneys provided by the Oireachtas, the sum of £2,000,000.

(2) The Minister shall pay into the Fund—

- (a) the amount of any gift of moneys accepted by him or her under *section 4* of this Act, or

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(b) the proceeds of the sale or other such disposal of any gift of land or other property accepted by him or her under that section which is sold or otherwise disposed of thereunder. S.3

4.—(1) The Minister, with the consent of the Minister for Finance, may accept a gift of moneys, the purpose of the making of which is to benefit the Fund, upon such trusts and conditions (if any) as may be specified by the donor. Gifts.

(2) The Minister, with the consent of the Minister for Finance, may accept a gift of land or other property, the purpose of the making of which is to enable the State to realise its value for the benefit of the Fund, upon such trusts and conditions (if any) as may be specified by the donor.

(3) The Minister shall not accept a gift of moneys, land or other property if the trusts or conditions attached to it would be inconsistent with the functions of the Minister, or the Minister for Finance, under this Act.

(4) The Minister, in such manner as he or she, with the consent of the Minister for Finance, determines, shall sell or otherwise dispose of any land or other property a gift of which has been accepted under this section.

(5) Nothing in this section shall prejudice any power which, apart from under this section, the Minister has to accept a gift of moneys, land or other property.

5.—(1) The Minister shall annually prepare a report with respect to the operation of the Fund during the previous 12 months and shall cause a copy of the report to be laid before each House of the Oireachtas. Annual report and accounts.

(2) The Minister shall cause a copy of an abstract of any audited accounts of the Fund together with a copy of any auditor's report thereon to be laid before each House of the Oireachtas.

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

7.—This Act may be cited as the George Mitchell Scholarship Fund Act, 1998. Short title.