



**Cork ETB Policy in respect of the completion of declarations by
Board Members, Finance Committee and Audit Committee Members
under the Ethics in Public Office Acts 1995 and 2001**

Under the above legislation, all ETB Board members are obliged to complete annual Statements of Interests for the purposes of Section 17 of the Ethics in Public Office Act 1995. Board Members are covered by the statutory provisions relating to “designated directorships”. The annual statements confirm whether or not Board Members have any disclosable interests which might affect them in the performance of their role as Board Members.

In the interests of openness and transparency, Cork ETB would also request non-board members to make similar declarations, because of the nature of their involvement with Cork ETB Finance and Audit Committees.

The following is an extract from section 17 of the act, relevant to designated directorships.

“(1) A person who holds or held a designated directorship of a public body specified in subparagraphs (8) to (12), or standing prescribed under subparagraph (13), of paragraph 1 of the First Schedule –

- (a) shall, subject to Section 20 (3), in each year during any part of which he or she holds or held the directorship, prepare and furnish to the Commission and to such officer of the body as may be determined by the Minister a statement in writing of –*
- (i) the interests of the person, and*
 - (ii) the interests of which he or she has actual knowledge of his or her spouse or a child of the person or of his or her spouse,*

During the appropriate period specified in section 20 (1) which could materially influence the person in or in relation to the performance of the functions of the directorship by reason of the fact that such performance could so affect those interests as to confer on or withhold from the person or the spouse a substantial benefit.”

The Regulations set out the circumstances in which interests must be declared – see page 8 to 11 of the Disclosure Statement (copy attached). The statement is not an inventory of all such interests, but only those which meet the conditions outlined in the legislation, i.e. **where there could be a conflict of interest between interests relating to their position as Board members or designated non-members of Cork ETB and other interests.** The functions of members of Cork ETB, are defined in the Education and Training Boards Act 2013 – “reserved functions”.

Statements

There are two types of statement for Board Members and designated non-members.

(a) Disclosure Statement

In relation to each of the following disclosable interests under the Ethics in Public Office Act 1995, Board members and designated non-members should state any interest held by them and any interests held, to their actual knowledge, by their spouse or civil partner, a child of theirs or a child of their spouse, which could materially influence them in or in relation to the performance of their role as a Board member or designated non-member of Cork ETB.

- *Occupational Income etc*
- *Shares etc*
- *Directorships*
- *Land (excluding Private Home)*
- *Travel, Accommodation, Meals etc*
- *Other Remunerated positions*
- *Public Service Contracts*
- *Gifts, Property and Services*
- *Other Interests*

(b) Nil Statement

Where board members and designated non-members consider that they have no interests which could have a material influence on the performance of their functions as a Board member or designated non-member of Cork ETB, a statement is not legally required. However, it is Cork ETB policy that board members and designated non-members should provide a "Nil Statement."

Standards in Public Office Commission

Advice on this matter is available from the Standards in Public Office Commission. The officers of the Commission can be contacted via the Commission's website: www.sipo.gov.ie and email address: sipo@sipo.gov.ie.



T. OWENS,
Chief Executive.

18th May, 2017