

No. 30242

**IRELAND
and
UNITED STATES OF AMERICA**

**Agreement for a programme of educational exchange. Signed
at Dublin on 27 October 1988**

Authentic text: English.

Registered by Ireland on 7 September 1993.

**IRLANDE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord relatif à un programme d'échanges éducatifs. Signé à
Dublin le 27 octobre 1988**

Texte authentique : anglais.

Enregistré par l'Irlande le 7 septembre 1993.

AN AGREEMENT¹ FOR A PROGRAMME OF EDUCATIONAL EXCHANGE BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The Government of Ireland and the Government of the United States of America, desiring to continue the shared objectives of the Agreement of 16 March, 1957² between the two countries, and to expand programmes that promote mutual understanding between the people of Ireland and the United States of America through a wide exchange of knowledge and professional talents, have agreed as follows:

ARTICLE 1

A. There shall be established a commission to be known as The Ireland-United States Commission for Educational Exchange (hereinafter referred to as "the Commission") to replace An Bord Scoláireachtaí Comalairte (hereinafter referred to as "the Scholarship Exchange Board") established pursuant to the Agreement between the Governments of Ireland and the United States of America of March 16, 1957.² The Commission shall be established to facilitate the administration of educational and cultural exchanges between Ireland and the United States of America. The Commission shall be recognised by the Revenue Commissioners of Ireland as an organisation established for charitable purposes only, within the meaning of Section 333 of the Irish Income Tax Act, 1967.

B. The Commission shall enjoy autonomy of management and administration subject to the provisions of the present Agreement.

¹ Came into force on 3 February 1992, the date agreed in an exchange of notes dated 14 and 28 January 1992 by which the Parties notified each other of their approval, in accordance with article 11 (A).

² United Nations, *Treaty Series*, vol. 304, p. 374.

C. As an organisation established for charitable purposes, the Commission will be exempt from income tax and capital gains tax in relation to income and/or gains applied for charitable purposes. Transfers and leases of land made for charitable purposes will be exempt from stamp duty. Inheritances applied for public or charitable purposes shall be exempt from inheritance tax.

The Commission shall be entitled to import free of duty necessary equipment for official use.

D. The funds which shall be made available under the present Agreement, within the conditions and limitations hereinafter set forth, shall be used by the Commission for the purpose of:

- (1) financing studies, research, instruction and other educational activities of, or for the benefit of citizens and nationals of Ireland in the United States of America; and of, or for the benefit of citizens and nationals of the United States of America in Ireland;
- (2) financing visits and exchanges between Ireland, on the one hand, and the United States of America, on the other hand, of students, research scholars and teachers; and
- (3) financing such other related educational and cultural programmes and activities as may be provided for in budgets approved in accordance with Article 6 hereof.

ARTICLE 2

A. The Commission shall consist of eight (8) members, four (4) of whom shall be citizens of Ireland and four (4) of whom shall be citizens of the United States of America.

A minimum of two (2) of the citizens of the United States of America shall be officers of the United States Foreign Service establishment in Ireland. The Ambassador or officer in charge of the diplomatic mission of the United States of America in Ireland shall appoint the American members and may terminate their appointments. The Irish members shall be appointed and may be removed by the Minister for Foreign Affairs of Ireland (hereinafter referred to in this Agreement as "the Minister").

B. The term of service of a member of the Commission shall be two (2) years from the date of his appointment. A member of the Commission shall be eligible for reappointment for three (3) further terms of two (2) years. Vacancies by reason of resignation, expiration of term of service or otherwise shall be filled in accordance with the appointment procedure set forth in this Article. Any vacancy which occurs before the end of a two year period shall be filled for the balance of the term remaining.

C. The members of the Commission shall serve without remuneration but the Commission shall pay for travel, meals and lodging, necessitated by official Commission duties.

D. The person most recently Chairman of the Scholarship Exchange Board shall serve as the first Chairman of the Commission for a term of two years. At its first meeting, the Commission shall elect from amongst its members a Deputy Chairman, a Treasurer and an Assistant Treasurer.

The terms of office of a Chairman, Deputy Chairman, Treasurer and Assistant Treasurer shall be two years from the time of their election provided that they remain members of the Commission for so long. Every member of the Commission, including the Chairman, Deputy Chairman, Treasurer and Assistant Treasurer, shall have the right to vote. Decisions of the Commission shall be taken by majority vote. In the event of a tied vote the Chairman shall cast the deciding vote.

E. Thereafter, at the first meeting of the Commission following upon the expiry of the terms of office of the Chairman, Deputy Chairman, Treasurer and the Assistant Treasurer, the Commission shall elect the officers of the Commission. The outgoing Chairman of the Commission shall take the chair at the first meeting of the Commission until a new Chairman has been elected. In the event of re-election, the tenure of a Chairman, a Deputy Chairman, a Treasurer and an Assistant Treasurer shall not exceed three (3) consecutive terms.

F. In the event of the death, resignation or removal from office of a Chairman, Deputy Chairman, Treasurer or Assistant Treasurer, at its first meeting thereafter, the Commission shall elect from amongst its members a new Chairman, Deputy Chairman, Treasurer or Assistant Treasurer to serve for the unexpired period of the relevant officer's term of office.

G. During the absence of the Chairman of the Commission from any meeting of the Commission or if when any meeting of the Commission is held there is no Chairman of the Commission, the Deputy Chairman shall exercise all the functions of the Chairman provided for in this Agreement.

H. During the absence of both the Chairman and the Deputy Chairman of the Commission from any meeting of the Commission or if when any meeting of the Commission is held there is no Chairman or Deputy Chairman of the Commission the members of the Commission present shall elect one of themselves to be Chairman of the meeting for the time being and, where at such election there is an equality of votes for two or more persons, it shall be determined by lot which of them shall be Chairman of the meeting for the time being. A Chairman of the meeting for the time being shall exercise all the functions of the Chairman provided for in this Agreement.

ARTICLE 3

The Commission shall draw up and may amend such rules of procedure consistent with the provisions of this Agreement and appoint