1. POLICY

1.1 It is University policy to ensure adherence to best practice in the disposal of its assets, and in controlling access thereto. In this regard, the University recognises and adopts the relevant sections of the 2007 Governance of Irish Universities Code as representing current best practice.

1.2 The disposal of, and granting access to, University assets, is governed by the Universities Act 1997 and in particular by Sections 13 and 42 of that Act.

1.3 In addition to the relevant statutory provisions of the 1997 Act, the University is committed to ensuring that all University's assets are used in a most effective and efficient manner. When such resources become surplus to requirements, the University will endeavour to dispose of them in a method that is fair and transparent, and which maximises any possible remaining value of the asset.

2. POLICY OBJECTIVES

2.1 To provide a systematic transparent and accountable method of monitoring and controlling the disposal of, and granting access to, University assets, and to protect the University and its staff from any conflict of interest, either potential or real, which may arise in relation thereto.

2.2 To ensure value for money in the disposal of, or granting access to, University assets, and to maximise the residual value from such disposals, where applicable.

3. AUTHORITY & RESPONSIBILITY

3.1 Údarás na hOllscoile has overall responsibility for the custody, safekeeping, utilisation access to and disposal of, University assets. In general these functions are delegated through a decentralised structure with responsibility for assets being vested in relevant Officers (i.e Heads of Departments/Budget Holders.) who act as custodians, on behalf of the University.
3.2 Adherence to Policy

Heads of Departments/Budget Holders are responsible for adherence to this policy in the disposal/granting access to, all assets registered to or located in their Unit. They must also ensure compliance with any other related relevant Statutes and Government Regulations.

3.3 Process

Heads of Departments/Budget Holders disposing/granting access to University assets are responsible for ensuring that the process for sale or disposal/granting access to, (including all measures necessary to adequately decommission an asset prior to disposal) complies with this policy.

3.3 Costs

Heads of Departments / Budget Holder disposing/granting access to University assets are responsible for all costs incurred in the process, such as transportation costs, auction fees, recycling fees etc.

3.4 Notification

Heads of Departments / Budget holders are responsible for notifying the Bursar’s Office of all assets registered to or located in their areas which they intend to dispose of, or grant access to.

4. PROCEDURES

4.1 Methods of Disposal of Assets

The principal methods of disposal are follows:
   a) outright sale
   b) auction by a contracted auctioneer
   c) scrap - to a licensed dealer
   d) recycle - to an authorised agency
   e) trade in - to supplier against replacement items
   f) donation to registered charities or community organisations

4.2 Methods of Granting Access to Assets

The principal methods of granting access are follows:
   a) lease agreement
   b) rent agreement
   c) license agreement
   d) concession agreement
   e) option agreement
4.3 Professional Valuation Advice

In all cases where the anticipated disposal value, or where the anticipated value of granting access to a University asset is greater than €70,000, the relevant Head of Department/Budget Holder should obtain written a professional valuation for the asset in question.

4.4 Valuation Thresholds

(a) Less than €1,000

Whilst having due regard for the principles of openness and transparency, the University recognises that in the case of low value items, where the costs of disposals e.g. (advertising/administration etc) are likely to exceed the proceeds from sale, public tender may not be justified. Occasionally, individual offers may be received for obsolete equipment, including offers from staff members and connected persons. In the case of low value items valued at less than €1,000, the relevant Head of Department/Budget Holder responsible for those assets may agree to dispose of the item(s) at their own discretion, subject to notifying the Bursars Office in writing of their estimated value.

(b) €1,001 to €25,000

Where the anticipated value of the disposal/granting access transaction is between €1,001 and €25,000, it may be proceeded with, upon obtaining the relevant U.M.T. member’s agreement to the transaction in writing (or by email), and by advertising the sale/access in the public domain, e.g. local press and internet. The transaction should be open and transparent and at least three offers in writing to acquire the asset/access rights should be procured.

(c) €25,001 to €70,000

Where the anticipated value of the disposal/granting access transaction is between €25,001 and €70,000, it may be proceeded with, upon obtaining the Bursar’s office agreement to the transaction in writing (or by email), and by advertising the sale/access in the public domain, e.g. local press and internet. The transaction should be open and transparent and at least three offers in writing to acquire the asset/access rights should be procured.

(d) Greater than €70,001

Except in exceptional circumstances (see below), where the anticipated value of the disposal/granting access transaction is greater than €70,001, the Head of Department/Budget holder shall notify the Bursar’s office, who may table the proposal at the next F.R.C. Upon obtaining Bursar’s office approval, the Budget shall organise the disposal/granting access by way of auction or competitive tendering process.

Exceptional circumstances could include a sale to a charitable body or where the University believes that competitive tendering is not appropriate due to the sensitive nature of particular arrangements in respect of research collaborations, joint ventures with industry or other external parties or in respect of arrangements where Intellectual Property may be brought to the university. In the exceptional event of this procedure not being followed, Údarás (Governing Authority) approval must be sought. In all
cases, the method used should be both transparent and likely to achieve a fair market-related price.

4.5 Where highest auction/tender bid not accepted

In all cases where auction/public tender takes place (anticipated value is greater than €70,001) and it is proposed not to accept the highest bid, specific Údarás (Governing Authority) approval will be required before the transaction is completed. Heads of Department/Budget Holders planning to dispose of, or grant access to University assets by auction, must use a University appointed Auctioneer.

4.6 Safety and Waste issues

University assets disposed of, will be classified as such in the University’s fixed asset register. Dangerous parts will be removed from machines deemed to be unsafe. Costs of disposal and/or recycling will be borne by the disposing department/unit. Where possible the University will cover the cost by using the scheme (WEEE/PRF Waste Electrical and Electronic Equipment Directive/Producer Recycling Fund) to minimise or eliminate this cost.

4.7 Decommissioning of Assets Prior to Disposal

All assets must be adequately decommissioned prior to sale or other disposal. Such decommissioning may involve deleting files and programs from computer hard drives with particular attention to potentially sensitive files and other information or programs licensed to the University, and/or ensuring that assets are completely safe and uncontaminated, with all potentially hazardous materials or substances removed or made safe in accordance with current Health and Safety guidelines before exposure to the public.

4.8 Conflict of Interest

Heads of departments, service/research centres, offices, etc, nominated responsible officers and nominated destruction witnesses must ensure that no conflict of interest occurs in, or as a result of, asset disposals, or granting access to University assets.

4.9 Audit of Asset Disposal/Granting Access Process

All disposals/granting access will be subject to random audit checks. All relevant documentation including a copy of the Disposal/Transfer of Asset Form must be retained by the Department/Budget Holder, etc and made readily available for scrutiny by auditors.

4.10 Income from Disposal of, and/or granting access to University assets

Income derived from the disposal of and/or granting access to University assets must be receipted immediately, with the income being accounted for as central funds of the University, unless other wise by prior written arrangement with the Bursar’s office. The Disposal/Transfer of Asset Form must include the receipt number when monies are received from the disposal of the assets.