



STATUTORY INSTRUMENTS.

S.I. No. 545 of 2025



QUALIFICATIONS AND QUALITY ASSURANCE (EDUCATION AND
TRAINING) ACT 2012 (APPEALS) REGULATIONS 2025

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TRAINING) ACT 2012 (APPEALS) REGULATIONS 2025

I, JAMES LAWLESS, Minister for Further and Higher Education, Research, Innovation and Science, in exercise of the powers conferred on me by section 3, (inserted by section 23 of the Qualifications and Quality Assurance (Education and Training) (Amendment) Act 2019 (No. 32 of 2019)) and 70 of the Qualifications and Quality Assurance (Education and Training) Act 2012 (No. 28 of 2012) (as adapted by the Further and Higher Education, Research, Innovation and Science (Transfer of Departmental Administration and Ministerial Functions) Order 2020 (S.I. No. 451 of 2020), and the Public Expenditure and Reform (Alteration of Name of Department and Title of Minister) Order 2023 (S.I. No. 19 of 2023)), hereby make the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Qualifications and Quality Assurance (Education and Training) Act 2012 (Appeals) Regulations 2025.

(2) These Regulations come into operation on 21 November 2025.

(3) The Qualifications and Quality Assurance (Education and Training) Act 2012 (Appeals) Regulations 2014 are revoked.

Interpretation

2. In these Regulations,

“Act” means the Qualifications and Quality Assurance (Education and Training) Act 2012 (No. 28 of 2012);

“Authority” means the Qualifications and Quality Assurance Authority of Ireland established under the Act;

“Minister” means the Minister for Further and Higher Education, Research, Innovation and Science;

“appeal” means an appeal under section 31, 36, 45, 47, 53, 55, 55C, 55D, 55H, 59, 61 or 63 of the Act;

“appellant” means a provider, relevant provider or linked provider, as the case may be, referred to in section 31, 36, 45, 47, 53, 55, 55C, 55D, 55H, 59, 61 or 63 of the Act who may bring an appeal in relation to a decision of the Authority;

“days” means calendar days.

Prescribed period for lodging an appeal

3. An appeal shall be lodged with the chairperson of the appeals panel appointed under subsection (4) of section 68 of the Act no later than 21 days

from the date of notification of the decision of the Authority to which the appeal relates.

Notice of appeal

4. A notice of appeal shall -
 - (a) be in writing,
 - (b) state the name and address of the appellant,
 - (c) be accompanied by -
 - (i) a copy of the decision of the Authority to which the appeal relates,
 - (ii) a statement of the grounds of appeal and the facts and contentions upon which the appellant intends to reply, and
 - (iii) such other documents as the appellant wishes to submit in support of the appeal
 - (iv) the relevant fee.

Receipt of notice of appeal

5. The chairperson of the appeals panel shall notify the appellant in writing of receipt by him or her of the appeal within 7 days of the appeal being received.

Establishment of appeals board

6. The chairperson of the appeals panel shall appoint an appeals board, including a chairperson of the appeals board, under subsection (3) of section 69 of the Act to determine an appeal as soon as practicable and no later than 21 days following receipt of an appeal.

Provision of information

7. (1) For the purposes of the appeal for which an appeals board is appointed, the board -

- (a) may request further particulars or documentation regarding the appeal from the parties to the appeal and the parties shall furnish such particulars or documentation to the appeals board within the period specified in the request,
- (b) may request such information from any other person as the appeals board considers necessary for the proper performance of its functions, and the other person shall furnish the information to the appeals board within the period specified in the request,
- (c) may share particulars, documentation and information collected from the parties to the appeal with other relevant parties to the appeal,

- (d) following consideration of the particulars, documentation and information, may hold an oral hearing.
- (2) If an oral hearing is held –
- (a) the chairperson of the appeals panel shall determine the procedures for a hearing by an appeals board and all parties to the appeal shall comply with those procedures,
 - (b) the appeals board shall, as soon as practicable, fix a date and location for the hearing and give reasonable notice of the hearing to all parties to the appeal,
 - (c) each of the parties to the appeal is entitled to be heard at the hearing and to present evidence to the appeals board,
 - (d) an appeals board may determine an appeal notwithstanding the refusal or failure of one or more of the parties to the appeal to -
 - (i) attend the hearing, or
 - (ii) comply with these Regulations,
 - (e) the appeals board may adjourn the hearing of a matter at any stage in the proceedings until a date specified by the board.
- (3) A decision by a majority of the members of an appeals board shall suffice for any purpose.
- (4) Where no oral hearing takes place, a maximum period of 60 days, following establishment of the appeals board, is prescribed for the purposes of paragraphs (a) to (c) of Regulation 7 (1). Where an oral hearing takes place, a maximum period of 67 days, following establishment of the appeals board, is prescribed for the purposes of Regulation 7 (1) and (2).

Withdrawal of appeal

8. (1) An appellant who lodges an appeal under Regulation 3 may withdraw the appeal by notice in writing to the chair of the appeals panel.
- (2) The chair of the appeals panel shall notify an appeals board of the withdrawal of an appeal under paragraph (1) as soon as practicable after the receipt of the notice under that paragraph.
- (3) The chair of the appeals panel shall notify the Authority and any other person concerned in the matter of the withdrawal of an appeal under paragraph (1) as soon as practicable after the receipt of the notice under that paragraph.

Determination of appeal

9. (1) An appeals board shall make its determination of an appeal –
- (a) within 28 days of the later of –
 - (i) where no particulars, documentation or information are requested by the appeals board under Regulation 7, the date of the establishment of the appeals board, or

- (b) either –
 - (i) the date of the receipt by the appeals board of the last particulars, documentation or information requested by an appeals board under Regulation 7, or
 - (ii) where no particulars, documentation or information referred to in subparagraph (i) are furnished, the day following the last day of the period specified for the receipt of particulars, documentation or information requested by an appeals board under Regulation 7.
- (2) In determining an appeal, an appeals board may -
 - (a) affirm the decision of the Authority, or
 - (b) quash the decision of the Authority and direct the Authority, for stated reasons, to reconsider its decision as soon as practicable and no later than 28 days following receipt of the direction of the appeals board.
- (3) The appeals board shall notify all parties to the appeal of its determination under subsection 2 within 7 days of its determination being made.



GIVEN under my Official Seal,
18 November, 2025.

JAMES LAWLESS ,
Minister for Further and Higher Education, Research,
Innovation and Science .

BAILE ÁTHA CLIATH
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