



STATUTORY INSTRUMENTS.

S.I. No. 217 of 2010

EQUALITY, INTEGRATION, DISABILITY AND HUMAN RIGHTS
(TRANSFER OF DEPARTMENTAL ADMINISTRATION AND
MINISTERIAL FUNCTIONS) ORDER 2010

(Prn. A10/0679)

EQUALITY, INTEGRATION, DISABILITY AND HUMAN RIGHTS
(TRANSFER OF DEPARTMENTAL ADMINISTRATION AND
MINISTERIAL FUNCTIONS) ORDER 2010

The Government, in exercise of the powers conferred on them by section 6(1) of the Ministers and Secretaries (Amendment) Act 1939 (No. 36 of 1939), hereby order as follows:

1. (1) This Order may be cited as the Equality, Integration, Disability and Human Rights (Transfer of Departmental Administration and Ministerial Functions) Order 2010.

(2) This Order comes into operation on 1 June 2010.

2. (1) The administration and business in connection with the exercise, performance or execution of any functions transferred by Article 3 are transferred to the Department of Community, Rural and Gaeltacht Affairs.

(2) References to the Department of Justice, Equality and Law Reform contained in any Act or instrument made under such Act and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be read as references to the Department of Community, Rural and Gaeltacht Affairs.

3. (1) The functions vested in the Minister for Justice, Equality and Law Reform by or under any of the Acts mentioned in the Schedule are transferred to the Minister for Community, Rural and Gaeltacht Affairs.

(2) The functions vested in the Minister for Justice, Equality and Law Reform in relation to—

- (a) the Traveller Policy Unit which supports and co-ordinates ongoing policy development in relation to travellers in Irish society, including monitoring and supporting actions to increase the effectiveness of national policies, promoting positive communications between traveller communities, public bodies and the wider settled community and contributing to policy development at international level,
- (b) the Gender Equality Division which supports and co-ordinates ongoing policy development in relation to the achievement of de facto gender equality in Ireland and co-ordinates and contributes to policy review and policy development on gender equality issues and gender related matters at international level,

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 21st May, 2010.*

- (c) the co-ordination of Government policy towards the promotion and support of equal participation in society of people with disabilities,
- (d) the development and implementation of policies to combat discrimination and to promote a more inclusive society,
- (e) the promotion of equal opportunities, fundamental rights and greater availability of family-friendly workplace practices, and
- (f) the promotion of the integration of persons (other than protection applicants) who are not, or who previously were not, Irish citizens, and their families, who are lawfully resident in the State,

are transferred to the Minister for Community, Rural and Gaeltacht Affairs.

(3) References to the Minister for Justice, Equality and Law Reform contained in any Act or instrument made under such Act and relating to any functions transferred by this Article shall, from the commencement of this Order, be read as references to the Minister for Community, Rural and Gaeltacht Affairs.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Justice, Equality and Law Reform is a party and the proceedings have reference to functions transferred by this Order to the Minister for Community, Rural and Gaeltacht Affairs, the name of the Minister for Community, Rural and Gaeltacht Affairs shall, in so far as the proceedings relate to any function transferred by this Order, be substituted in the proceedings for that of the Minister for Justice, Equality and Law Reform or added in the proceedings, as may be appropriate, and the proceedings shall not abate by reason of such substitution.

5. Anything commenced before the commencement of this Order by or under the authority of the Minister for Justice, Equality and Law Reform may, in so far as it relates to functions transferred by this Order to the Minister for Community, Rural and Gaeltacht Affairs, be carried on or completed from such commencement by the Minister for Community, Rural and Gaeltacht Affairs.

6. Every document (including any certificate or licence) granted or made in the exercise of a function transferred by this Order, if and in so far as it was operative immediately before the commencement of this Order, has effect from such commencement as if it had been granted or made by the Minister for Community, Rural and Gaeltacht Affairs.

7. References to the Minister for Justice, Equality and Law Reform contained in the memorandum and articles of association of any company and relating to any function transferred by this Order shall, from the commencement of this Order, be read as references to the Minister for Community, Rural and Gaeltacht Affairs.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Justice, Equality and Law

Reform, in connection with the functions transferred by this Order are transferred to the Minister for Community, Rural and Gaeltacht Affairs and, accordingly, without any further conveyance, transfer or assignment, on such commencement—

- (a) that property, real and personal, vests in the Minister for Community, Rural and Gaeltacht Affairs,
- (b) those rights shall be enjoyed by the Minister for Community, Rural and Gaeltacht Affairs, and
- (c) those liabilities are liabilities of the Minister for Community, Rural and Gaeltacht Affairs.

(2) All moneys, stocks, shares and securities transferred to the Minister for Community, Rural and Gaeltacht Affairs by this Article which, on such commencement, are standing in the name of the Minister for Justice, Equality and Law Reform shall on the request of the Minister for Community, Rural and Gaeltacht Affairs be transferred into the name of the Minister for Community, Rural and Gaeltacht Affairs.

Article 3(1).

SCHEDULE

Enactments, functions under which are transferred from the Minister for Justice, Equality and Law Reform to the Minister for Community, Rural and Gaeltacht Affairs

Adoptive Leave Acts 1995 and 2005

Disability Act 2005 (No. 14 of 2005)

Employment Equality Acts 1998 to 2008, other than section 27(2) and section 37(4) (inserted by Part 2 of the Equality Act 2004 (No. 24 of 2004)) of the Employment Equality Act 1998 (No. 21 of 1998)

Equal Status Acts 2000 to 2008, other than sections 6(7)(a) and 14(aa)(ii) (inserted by Part 3 of the Equality Act 2004) of the Equal Status Act 2000 (No. 8 of 2000)

European Convention on Human Rights Act 2003 (No. 20 of 2003)

Human Rights Commission Acts 2000 and 2001

Maternity Protections Acts 1994 and 2004

National Disability Authority Act 1999 (No. 14 of 1999)

Parental Leave Acts 1998 and 2006



GIVEN under the Official Seal of the Government,
18 May 2010.

MARY COUGHLAN,
Tánaiste.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
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