



STATUTORY INSTRUMENTS.

S.I. No. 215 of 2011



NATIONAL EDUCATION WELFARE BOARD (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2011.

(Prn. A11/0707)

NATIONAL EDUCATION WELFARE BOARD (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2011.

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 National Education Welfare Board (Transfer of Departmental Administration and Ministerial Functions) Order 2011.

(2) This Order comes into operation on 11 May 2011.

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, Equality and Gaeltacht Affairs.

(2) References to the Department of Education and Skills contained in any Act or any instrument made under such Act and relating to any administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Community, Equality and Gaeltacht Affairs.

3. (1) The functions vested in the Minister for Education and Skills—

(a) by or under the Education (Welfare) Act 2000 (No. 22 of 2000), with the exception of those functions of the said Minister provided for under sections 16, 19, 20 and 28, and paragraph (16) of section 29,

and

(b) in relation to the administration of—

(i) the Home School Community Liaison scheme (other than the allocation of teachers to the scheme and the payment of such teachers),

(ii) the School Completion Programme, and

(iii) the Visiting Teacher for Travellers Service (other than the payment of such teachers),

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

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 13th May, 2011.*

(2) References to the Minister for Education and Skills contained in any Act or instrument made under such Act and relating to any functions transferred by this Article shall, on and after the commencement of this Order, be construed as references to the Minister for Community, Equality and Gaeltacht Affairs.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Education and Skills is a party and the proceedings have reference to functions transferred by this Order to the Minister for Community, Equality and Gaeltacht Affairs, the name of the Minister for Community, Equality 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 Education and Skills 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 Education and Skills may, in so far as it relates to functions transferred by this Order to the Minister for Community, Equality and Gaeltacht Affairs, be carried on or completed on or after such commencement by the Minister for Community, Equality 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 on and after such commencement as if it had been granted or made by the Minister for Community, Equality and Gaeltacht Affairs.

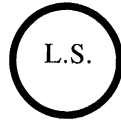
7. References to the Minister for Education and Skills contained in the memorandum and articles of association of any company and relating to any function transferred by this Order shall, on and after the commencement of this Order, be construed as references to the Minister for Community, Equality and Gaeltacht Affairs.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Education and Skills in connection with the functions transferred by this Order are transferred on the commencement to the Minister for Community, Equality and Gaeltacht Affairs and, accordingly, without any further conveyance, transfer or assignment—

- (a) that property, both real and personal, vests in the Minister for Community, Equality and Gaeltacht Affairs,
- (b) those rights are rights of the Minister for Community, Equality and Gaeltacht Affairs,
- (c) those liabilities are liabilities of the Minister for Community, Equality and Gaeltacht Affairs.

(2) All moneys, stocks, shares and securities transferred to the Minister for Community, Equality and Gaeltacht Affairs by this Article which, on the commencement of this Order, are standing in the name of the Minister for Education

and Skills shall on the request of the Minister for Community, Equality and Gaeltacht Affairs be transferred into the name of the Minister for Community, Equality and Gaeltacht Affairs.



GIVEN under the Official Seal of the Government,
10 May 2011.

ENDA KENNY,
Taoiseach.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
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