



STATUTORY INSTRUMENTS.

S.I. No. 308 of 2016



RURAL AFFAIRS AND SOCIAL ENTERPRISE (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2016

RURAL AFFAIRS AND SOCIAL ENTERPRISE (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2016

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 Rural Affairs and Social Enterprise (Transfer of Departmental Administration and Ministerial Functions) Order 2016.

(2) This Order comes into operation on 9 June 2016.

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

(2) References to the Department of the Environment, Community and Local Government contained in any Act or any instrument made thereunder and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be construed as references to the Department of Arts, Heritage and the Gaeltacht.

3. (1) The functions vested in the Minister for the Environment, Community and Local Government—

(a) by or under—

(i) the Western Development Commission Act 1998 (No. 42 of 1998),

(ii) the Dormant Accounts Act 2001 (No. 32 of 2001),

(iii) the Unclaimed Life Assurance Policies Act 2003 (No. 2 of 2003), and

(iv) the Dormant Accounts (Amendment) Act 2012 (No. 23 of 2012),

(b) under section 2 (in so far as it relates to the functions referred to in paragraphs (c) and (f) (in so far as it relates to paragraph (c)) of subsection (1) of that section) of the Community, Rural and Gaeltacht Affairs (Miscellaneous Provision) Act 2007 (No. 32 of 2007),

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 14th June, 2016.*

- (c) in relation to any programmes, schemes and funds arising from the performance of the functions referred to in subparagraph (b), including the programmes, schemes and fund specified in the Schedule, and
- (d) developing the Social Enterprise sector to include liaising amongst Departments of State in furtherance of this objective,

are transferred to the Minister for Arts, Heritage and the Gaeltacht.

(2) References to the Minister for the Environment, Community and Local Government contained in any Act or instrument made thereunder and relating to the functions transferred by this Article shall, from the commencement of this Order, be construed as references to the Minister for Arts, Heritage and the Gaeltacht.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for the Environment, Community and Local Government is a party and the proceedings have reference to the functions transferred by this Order to the Minister for Arts, Heritage and the Gaeltacht, the name of the Minister for Arts, Heritage and the Gaeltacht shall, in so far as the proceedings relate to the functions transferred by this Order, be substituted in the proceedings for that of the Minister for the Environment, Community and Local Government 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 the Environment, Community and Local Government may, in so far as it relates to the functions transferred by this Order to the Minister for Arts, Heritage and the Gaeltacht, be carried on or completed on or after such commencement by the Minister for Arts, Heritage and the Gaeltacht.

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

7. References to the Minister for the Environment, Community and Local Government 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 construed as references to the Minister for Arts, Heritage and the Gaeltacht.

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

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

(2) All moneys, stocks, shares and securities transferred to the Minister for Arts, Heritage and the Gaeltacht by this Article which, on the commencement of this Order, are standing in the name of the Minister for the Environment, Community and Local Government shall on the request of the Minister for Arts, Heritage and the Gaeltacht be transferred into the name of the Minister for Arts, Heritage and the Gaeltacht.

SCHEDULE

Ceantair Laga Árd-Riachtainais (CLÁR) Programme

LEADER — Rural Development Programme 2007-2013

LEADER — Rural Development Programme 2014-2020

Rural Development Fund

Rural Economic Development Zone (REDZ) Scheme

Rural Recreation

Tidy Towns

Town and Village Renewal Scheme

Walks Scheme



GIVEN under the Official Seal of the Government,
8 June 2016.

ENDA KENNY,
Taoiseach.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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