



STATUTORY INSTRUMENTS.

S.I. No. 189 of 2010

REDUNDANCY AND INSOLVENCY PAYMENTS (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2010

(Prn. A10/0613)

REDUNDANCY AND INSOLVENCY PAYMENTS (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 Redundancy and Insolvency Payments (Transfer of Departmental Administration and Ministerial Functions) Order 2010.

(2) This Order comes into operation on 1 January 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 Social Protection.

(2) References to the Department of Enterprise, Trade and Innovation 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 construed as references to the Department of Social Protection.

3. (1) The functions vested in the Minister for Enterprise, Trade and Innovation by or under—

(a) the Redundancy Payments Act 1967 (No. 21 of 1967) other than section 39,

(b) the Protection of Employees (Employers' Insolvency) Acts 1984 to 2004,

(c) sections 15 to 17 of the Redundancy Payments Act 1971 (No. 20 of 1971), and

(d) section 9(1) and (2) of the Protection of Employment (Exceptional Collective Redundancies and Related Matters) Act 2007 (No. 27 of 2007),

are transferred to the Minister for Social Protection.

(2) References to the Minister for Enterprise, Trade and Innovation contained in any Act or instrument made under such Act and relating to any

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 7th May, 2010.*

functions transferred by this Article shall, from the commencement of this Order, be read as references to the Minister for Social Protection.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Enterprise, Trade and Innovation is a party and the proceedings have reference to functions transferred by this Order to the Minister for Social Protection, the name of the Minister for Social Protection 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 Enterprise, Trade and Innovation 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 Enterprise, Trade and Innovation may, in so far as it relates to functions transferred by this Order to the Minister for Social Protection, be carried on or completed from such commencement by the Minister for Social Protection.

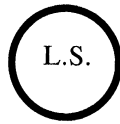
6. Every document (including any certificate or licence) granted or made in the exercise of a function transferred by this Order, if and in so far as it was operative immediately before the commencement of this Order, has effect from such commencement as if it had been granted or made by the Minister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

7. References to the Minister for Enterprise, Trade and Innovation 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 Social Protection.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Enterprise, Trade and Innovation, in connection with the functions transferred by this Order are transferred to the Minister for Social Protection and, accordingly, without any further conveyance, transfer or assignment, on such commencement—

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

(2) All moneys, stocks, shares and securities transferred to the Minister for Social Protection by this Article which, on the commencement of this Order, are standing in the name of the Minister for Enterprise, Trade and Innovation shall on the request of the Minister for Social Protection be transferred into the name of the Minister for Social Protection.



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

BRIAN COWEN,
Taoiseach.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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