



STATUTORY INSTRUMENTS

**S.I. No. 516 of 2008**

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QUALITY OF SHELLFISH WATERS (TRANSFER OF  
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL  
FUNCTIONS) ORDER 2008

**(Prn. A8/1937)**

QUALITY OF SHELLFISH WATERS (TRANSFER OF  
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL  
FUNCTIONS) ORDER 2008

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 Quality of Shellfish Waters (Transfer of Departmental Administration and Ministerial Functions) Order 2008.

(2) This Order comes into operation on 5 November 2008.

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 the Environment, Heritage and Local Government.

(2) References to the Department of Agriculture, Fisheries and Food contained in any Act or 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 a reference to the Department of the Environment, Heritage and Local Government.

3. (1) The functions vested in the Minister for Agriculture, Fisheries and Food by or under the European Communities (Quality of Shellfish Waters) Regulations 2006 (S.I. No. 268 of 2006) other than in respect of any function exercisable by virtue of being a prescribed public authority as referred to in Schedule 1 of those Regulations are transferred to the Minister for the Environment, Heritage and Local Government.

(2) References to the Minister for Agriculture, Fisheries and Food 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 read as references to the Minister for the Environment, Heritage and Local Government.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Agriculture, Fisheries and Food is a party and the proceedings have reference to functions transferred by this Order to the Minister for the Environment, Heritage and Local Government, the name of the Minister for the Environment, Heritage and Local Government, 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

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 26th February, 2010.*

Agriculture, Fisheries and Food 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 Agriculture, Fisheries and Food may, in so far as it relates to functions transferred by this Order to the Minister for the Environment, Heritage and Local Government, be carried on or completed by the Minister for the Environment, Heritage and Local Government.

6. Every document (including a 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 the Environment, Heritage and Local Government.



GIVEN under the Official Seal of the Government,  
4 November 2008.

BRIAN COWEN,  
Taoiseach.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
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