



STATUTORY INSTRUMENTS.

**S.I. No. 82 of 2012**



MILITARY JUDGE (TEMPORARY DESIGNATION) (TRANSFER OF  
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL  
FUNCTIONS) ORDER 2012

**(Prn. A12/0481)**

MILITARY JUDGE (TEMPORARY DESIGNATION) (TRANSFER OF  
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL  
FUNCTIONS) ORDER 2012

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 Military Judge (Temporary Designation) (Transfer of Departmental Administration and Ministerial Functions) Order 2012.

(2) This Order comes into operation on the 13th of March 2012.

2. (1) The administration and business in connection with the exercise, performance or execution of the function transferred by Article 3 is transferred to the Department of Communications, Energy and Natural Resources.

(2) References to the Department of Justice and Equality 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 Communications, Energy and Natural Resources.

3. (1) The function vested in the Minister for Justice and Equality under section 184LA (inserted by section 7 of the Defence (Amendment) Act 2011 (No. 17 of 2011)) of the Defence Act 1954 is transferred to the Minister for Communications, Energy and Natural Resources.

(2) References to the Minister for Justice and Equality contained in any Act or instrument made thereunder and relating to the function transferred by this Article shall, from the commencement of this Order, be construed as references to the Minister for Communications, Energy and Natural Resources.

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

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 16th March, 2012.*

5. Anything commenced before the commencement of this Order by or under the authority of the Minister for Justice and Equality may, in so far as it relates to the function transferred by this Order to the Minister for Communications, Energy and Natural Resources, be carried on or completed on or after such commencement by the Minister for Communications, Energy and Natural Resources.

6. Every document (including any certificate or licence) granted or made in the exercise 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 Communications, Energy and Natural Resources.



GIVEN under the Official Seal of the Government,  
13 March 2012.

ENDA KENNY,  
Taoiseach.

EXPLANATORY NOTE

*(This does not form part of the Instrument and does not purport to be a legal interpretation.)*

This order provides for the transfer of the functions of the Minister for Justice and Equality under the provisions of Section 7 of the Defence (Amendment) Act 2011 to the Minister for Communications, Energy and Natural Resources.

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,  
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