



STATUTORY INSTRUMENTS.

**S.I. No. 165 of 2018**



COMMUNITY DEVELOPMENT (TRANSFER OF DEPARTMENTAL  
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2018

## COMMUNITY DEVELOPMENT (TRANSFER OF DEPARTMENTAL ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2018

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 Community Development (Transfer of Departmental Administration and Ministerial Functions) Order 2018.

(2) This Order comes into operation on 1 June 2018.

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 Rural and Community Development.

(2) References to the Department of Housing, Planning and Local Government contained in any Act or any 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 Rural and Community Development.

3. (1) The functions vested in the Minister for Housing, Planning and Local Government by or under—

(a) section 1(4) of the Local Government (Miscellaneous Provisions) Act 2012 (No. 17 of 2012) in so far as it relates to the coming into operation of sections 10(e) and 11(i) of that Act,

(b) section 3 of the Local Government Services (Corporate Bodies) Act 1971 (No. 6 of 1971) in so far as it relates to the establishment of a body having functions relating to the promotion of water safety, and

(c) section 5A of the Local Government Services (Corporate Bodies) Act 1971 in so far as it relates to the transfer of assets and liabilities of the body specified in section 10(e) of the Local Government (Miscellaneous Provisions) Act 2012,

are transferred to the Minister for Rural and Community Development.

(2) References to the Minister for Housing, Planning and Local Government contained in any Act or instrument made under such Act and relating to any functions transferred by this Article shall, from the commencement of this Order, be construed as references to the Minister for Rural and Community Development.

*Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 18th May, 2018.*

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Housing, Planning and Local Government is a party and the proceedings have reference to functions transferred by this Order to the Minister for Rural and Community Development, the name of the Minister for Rural and Community Development 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 Housing, Planning 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 Housing, Planning and Local Government may, in so far as it relates to functions transferred by this Order to the Minister for Rural and Community Development, be carried on or completed from such commencement by the Minister for Rural and Community Development.

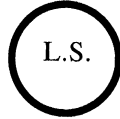
6. Every document (including any certificate or licence) granted or made in the performance of a function transferred by this Order shall, if and in so far as it was operative immediately before the commencement of this Order, have effect from such commencement as if it had been granted or made by the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

7. References to the Minister for Housing, Planning 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 Rural and Community Development.

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

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

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



GIVEN under the Official Seal of the Government,  
15 May 2018.

LEO VARADKAR,  
Taoiseach.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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nó trí aon díoltóir leabhar.

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