



Number 2 of 2023

**Oil Emergency Contingency and Transfer of Renewable Transport Fuel
Functions Act 2023**



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**OIL EMERGENCY CONTINGENCY AND TRANSFER OF RENEWABLE
TRANSPORT FUEL FUNCTIONS ACT 2023**

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*Oil Emergency Contingency and Transfer
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[2023.]

*Oil Emergency Contingency and Transfer
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ACTS REFERRED TO

Climate Action and Low Carbon Development Act 2015 (No. 46)

Companies Act 2014 (No. 38)

Education and Training Boards Act 2013 (No. 11)

Electricity Regulation Act 1999 (No. 23)

Fuels (Control of Supplies) Act 1971 (No. 3)

National Oil Reserves Agency Act 2007 (No. 7)



Number 2 of 2023

**OIL EMERGENCY CONTINGENCY AND TRANSFER OF RENEWABLE
TRANSPORT FUEL FUNCTIONS ACT 2023**

An Act to amend the National Oil Reserves Agency Act 2007 to provide for the preparation of an oil emergency plan in response to an oil emergency, to enable the Minister for Transport to exempt certain oil stocks from the requirement to be blended with renewable transport fuel in certain cases and to increase the supply of renewable transport fuel available in the State; to establish a Petroleum Register; to transfer renewable transport fuel functions from the Minister for the Environment, Climate and Communications to the Minister for Transport; to amend the Fuels (Control of Supplies) Act 1971 to enable the Minister for the Environment, Climate and Communications to divert supplies of fuel to critical services in certain cases of fuel shortages; and to provide for related matters. [24th February, 2023]

Be it enacted by the Oireachtas as follows:

PART 1

PRELIMINARY AND GENERAL

Short title and commencement

1. (1) This Act may be cited as the Oil Emergency Contingency and Transfer of Renewable Transport Fuel Functions Act 2023.
- (2) This Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.
- (3) The National Oil Reserves Agency Act 2007 and *section 23* may be cited together as the National Oil Reserves Agency Acts 2007 and 2023 and shall be construed together as one.

PART 2

AMENDMENT OF NATIONAL OIL RESERVES AGENCY ACT 2007

Definitions**2.** In this Act—

“Act of 1971” means the Fuels (Control of Supplies) Act 1971;

“Act of 2007” means the National Oil Reserves Agency Act 2007;

“Minister” means the Minister for the Environment, Climate and Communications;

“vesting day” means the day appointed under *section 30* to be the vesting day.

Amendment of section 2 of Act of 2007**3.** Section 2 of the Act of 2007 is amended—

(a) by the insertion of the following definitions:

“ ‘Oil Emergency Plan’ has the meaning assigned to it by section 68;

‘public body’ means any of the following:

(a) a Minister of the Government;

(b) a local authority;

(c) the Health Service Executive;

(d) a university or institute of technology;

(e) an education and training board established under section 9 of the Education and Training Boards Act 2013;

(f) any other person, body or organisation established—

(i) by or under an enactment (other than the Companies Act 2014) or charter,

(ii) by any scheme administered by a Minister of the Government, or

(iii) under the Companies Act 2014 in pursuance of powers conferred by or under another enactment, and financed wholly or partly by means of money provided, or loans made or guaranteed, by a Minister of the Government or the issue of shares held by or on behalf of a Minister of the Government;

(g) a company (within the meaning of the Companies Act 2014) a majority of the shares in which are held by or on behalf of a Minister of the Government;

- (h) any other person, body, organisation or group that the Minister may prescribe for the purposes of this Act;

‘register’ has the meaning assigned to it by section 69.”,

and

- (b) by the substitution of the following definition for the definition of “prescribed”:

“ ‘prescribed’ means prescribed (other than in sections 44D, 44E, 44G, 44GA, 44X and 44J) by regulations made by the Minister;”.

Amendment of section 15 of Act of 2007

4. Section 15 of the Act of 2007 is amended by the insertion of the following subsection after subsection (3):

“(3A) Prior to approving a strategy statement, the Minister shall consult with the Minister for Transport in relation to the information included in the strategy statement pursuant to subsection (3) where such information relates to functions transferred to the Minister for Transport under section 23 of the *Oil Emergency Contingency and Transfer of Renewable Transport Fuel Functions Act 2023*.”.

Amendment of section 28 of Act of 2007

5. Section 28 of the Act of 2007 is amended—

- (a) in subsection (1), by the substitution of “shall submit to the Minister” for “shall submit”, and

- (b) by the insertion of the following subsection after subsection (2):

“(2A) On receipt of the annual report from the Agency under subsection (1), the Minister shall provide a copy of the annual report to the Minister for Transport.”.

Amendment of section 29 of Act of 2007

6. Section 29 of the Act of 2007 is amended by the insertion of the following subsection after subsection (3):

“(3A) The Minister shall, as soon as may be after he or she has been presented, under subsection (3), with the documents referred to in that subsection, provide copies of those documents to the Minister for Transport.”.

Amendment of section 30 of Act of 2007

7. Section 30 of the Act of 2007 is amended by the insertion of the following subsections after subsection (2):

- “(3) If required by the Minister for Transport, the Agency shall provide the Minister for Transport with information in relation to such matters as he or she may specify concerning or relating to—
- (a) the performance of its functions (including those performed through a subsidiary) under:
 - (i) Part 5A;
 - (ii) the European Union (Biofuel Sustainability Criteria) Regulations 2012 (S.I. No. 33 of 2012);
 - (iii) the European Union (Greenhouse Gas Emission Reductions, Calculation Methods and Reporting Requirements) Regulations 2017 (S.I. No. 160 of 2017),
- and
- (b) its plans for the future performance of its functions under Part 5A or either of the instruments referred to at subparagraphs (ii) and (iii) of paragraph (a).
- (4) Information required by the Minister for Transport under subsection (3) shall be provided in such form and within such period as the Minister for Transport may direct.”.

Amendment of section 43A of Act of 2007

8. Section 43A of the Act of 2007 is amended by the substitution of the following subsection for subsection (2):

“(2) Taxpayer information transferred to the Minister by the Revenue Commissioners under subsection (1) may be used by the Minister in the exercise of his or her powers and functions relating to the administration of the levy or the preparation of the Oil Emergency Plan only and shall not be disclosed by the Minister to any other person for any purpose whatsoever.”.

Amendment of section 44D of Act of 2007

9. Section 44D of the Act of 2007 is amended, in subsection (4), by the substitution of the following paragraph for paragraph (b):

“(b) For the purposes of paragraph (a), the Minister shall consult with—

- (i) the Minister for Finance,
- (ii) the Minister for Public Expenditure and Reform,
- (iii) the Minister for the Environment, Climate and Communications,
- (iv) the Agency,
- (v) the Environmental Protection Agency,

- (vi) the National Standards Authority of Ireland, and
 - (vii) Sustainable Energy Ireland — The Sustainable Energy Authority of Ireland,
- and may consult with such other persons as he or she considers appropriate.”.

Amendment of section 44G of Act of 2007**10.** Section 44G of the Act of 2007 is amended—

- (a) in subsection (1)—
 - (i) in paragraph (a), by the substitution of “eligible,” for “eligible, and”,
 - (ii) in paragraph (b), by the substitution of “fuel, and” for “fuels.”, and
 - (iii) by the insertion of the following paragraph after paragraph (b):
 - “(c) such additional certificates as the Minister may provide for by regulations made under subsection (1B).”,
- and
- (b) by the insertion of the following subsection after subsection (1A):
 - “(1B) (a) The Minister for Transport may, from time to time, make regulations providing for the Agency to issue, in accordance with this section and notwithstanding subsection (1), on such terms and conditions as the Minister for Transport may specify, additional certificates in respect of renewable transport fuel.
 - (b) Without prejudice to the generality of paragraph (a), regulations under that paragraph may:
 - (i) specify a particular renewable transport fuel in respect of which an additional certificate or certificates may be issued by the Agency, and the number of certificates that may be issued, in respect of the renewable transport fuel concerned;
 - (ii) to encourage renewable transport fuel obligation account holders to supply a particular renewable transport fuel for use in economic or transport sectors within the State specified in the regulations or for specific purposes or means of transport, provide that additional certificates may be issued where that renewable transport fuel is used within any of those sectors or for those specific purposes or means of transport.
 - (c) Before making regulations under this subsection, the Minister for Transport shall—
 - (i) consult with—

- (I) the Minister for Finance,
 - (II) the Minister for Public Expenditure and Reform,
 - (III) the Minister for the Environment, Climate and Communications,
 - (IV) the Agency,
 - (V) the Environmental Protection Agency,
 - (VI) the National Standards Authority of Ireland, and
 - (VII) Sustainable Energy Ireland — The Sustainable Energy Authority of Ireland,
- and may consult with such other persons as he or she considers appropriate, and
- (ii) publish, following consultation in accordance with subparagraph (i), on the website of the Department of Transport and by any other means as he or she considers appropriate, a draft of the proposed regulations inviting persons to make representations in writing to the Minister for Transport in relation to the proposed regulations within 28 days from the date of publication and consider any representations made to him or her.
- (d) The Minister for Transport may, having considered any representations made to him or her under paragraph (c)(ii), make the regulations with or without modification.
 - (e) When making regulations under this subsection, the Minister for Transport shall have regard to the following:
 - (i) the effect of such regulations on fuel prices in the State;
 - (ii) the information submitted by the State to the European Commission pursuant to Article 30(3) of the Directive;
 - (iii) the integrated national energy and climate plans and corresponding progress reports submitted by the State to the European Commission pursuant to Articles 3, 17 and 20 of Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018¹ on the Governance of the Energy Union and Climate Action;
 - (iv) carbon budgets prepared and approved under sections 6A and 6B respectively of the Climate Action and Low Carbon Development Act 2015 and sectoral emissions ceilings prepared and approved under section 6C of that Act,

¹ OJ No. L 328, 21.12.2018, p. 1

and may have regard to such other matters as he or she considers appropriate relating to the effects, if any, of increased consumption of renewable transport fuel in the State on economic activities in the State and on the environment.”.

Obligation to include minimum percentage volume of renewable transport fuel

11. The Act of 2007 is amended by the insertion of the following section after section 44G:

“44GA. (1) The Minister for Transport may, from time to time, and with the consent of the Minister for Finance and the Minister for Public Expenditure and Reform, make regulations specifying a particular petroleum product in respect of which the Minister for Transport may prescribe a minimum percentage volume of renewable transport fuel specified by the regulations required to be included in that product so that it may be disposed of by sale or otherwise in the State by a renewable transport fuel obligation account holder.

(2) Before making regulations under this section, the Minister for Transport shall—

(a) consult with—

(i) the Minister for the Environment, Climate and Communications,

(ii) the Agency,

(iii) the Environmental Protection Agency,

(iv) the National Standards Authority of Ireland, and

(v) Sustainable Energy Ireland — The Sustainable Energy Authority of Ireland,

and may consult with such other persons as he or she considers appropriate,

(b) publish following consultation in accordance with paragraph (a), on the website of the Department of Transport and by any other means as he or she considers appropriate, a draft of the proposed regulations inviting persons to make representations in writing to the Minister for Transport in relation to the proposed regulations within 28 days from the date of publication and consider any representations made to him or her.

(3) The Minister for Transport may, having considered any representations made to him or her under subsection (2)(b), make the regulations with or without modification.

(4) When making regulations under this subsection, the Minister for Transport shall have regard to the following:

(a) the effect of such regulations on fuel prices in the State;

- (b) the information submitted by the State to the European Commission pursuant to Article 30(3) of the Directive;
- (c) the integrated national energy and climate plans and corresponding progress reports submitted by the State to the European Commission pursuant to Articles 3, 17 and 20 of Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018² on the Governance of the Energy Union and Climate Action;
- (d) carbon budgets prepared and approved under sections 6A and 6B respectively of the Climate Action and Low Carbon Development Act 2015 and sectoral emissions ceilings prepared and approved under section 6C of that Act, and may have regard to such other matters as he or she considers appropriate relating to the effects, if any, of increased consumption of renewable transport fuel in the State on economic activities in the State and on the environment.”.

Amendment of section 44J of Act of 2007

12. Section 44J of the Act of 2007 is amended, in subsection (7), by the substitution of the following paragraph for paragraph (b):

- “(b) For the purposes of paragraph (a), the Minister shall consult with—
- (i) the Minister for Finance,
 - (ii) the Minister for Public Expenditure and Reform,
 - (iii) the Minister for the Environment, Climate and Communications,
 - (iv) the Agency,
 - (v) the Environmental Protection Agency,
 - (vi) the National Standards Authority of Ireland, and
 - (vii) Sustainable Energy Ireland — The Sustainable Energy Authority of Ireland.”.

Amendment of section 44U of Act of 2007

13. Section 44U of the Act of 2007 is amended by the substitution of “The Minister may, following consultation with the Minister for Transport, make regulations” for “The Minister may make regulations,”.

Exemption from renewable transport fuel obligation in cases of particular urgency

14. The Act of 2007 is amended by the insertion of the following section after section 44X:

² OJ No. L 328, 21.12.2018, p. 1

- “44Y. (1) The Minister for Transport may determine that oil stocks released, or to be released, by the Agency pursuant to a direction of the Minister under section 35 may, in a case of particular urgency in order to avoid, or mitigate against, a major supply disruption or the risk thereof, be exempt from the renewable transport fuel obligation under section 44C.
- (2) For the purpose of calculating the specified amount under subsection (3) of section 44C, oil stocks which are the subject of an exemption under subsection (1) shall not be treated as a relevant disposal of petroleum products under paragraph (a) of that subsection.
- (3) A determination under subsection (1) shall be made by the Minister for Transport as soon as practicable following the direction of the Minister under section 35 but may be made following the release of the oil stocks the subject of the direction.
- (4) For the purposes of subsection (1), the Minister shall, as soon as practicable following the making of a direction by him or her under section 35, notify the Minister for Transport of any oil stocks released or to be released by the Agency in accordance with that section.
- (5) The Minister for Transport shall, before making a determination under subsection (1)—
- (a) consult with the Minister and the Agency, and
 - (b) have regard to—
 - (i) Article 25(1) of Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018³ on the promotion of the use of energy from renewable sources,
 - (ii) Article 7a of Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009⁴ amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC, and
 - (iii) carbon budgets prepared and approved under sections 6A and 6B respectively of the Climate Action and Low Carbon Development Act 2015 and sectoral emissions ceilings prepared and approved under section 6C of that Act.
- (6) The Minister for Transport shall, as soon as practicable, advise the Minister and the Agency of the making of a determination under

3 OJ No. L 328, 21.12.2018, p. 82

4 OJ No. L 140, 5.6.2009, p. 88

subsection (1) and the Agency shall inform the obligated party concerned.

- (7) The Agency shall, when notifying an obligated party under section 44I, take account of any determination made under subsection (1).”.

Amendment of section 46 of Act of 2007

15. Section 46 of the Act of 2007 is amended—

(a) in subsection (1)—

(i) in paragraph (b), by the substitution of “the Minister and the Minister for Transport” for “the Minister”, and

(ii) by the substitution of the following paragraph for paragraph (c):

“(c) any other person including an officer of the Minister or the Agency appointed to be an authorised officer by the Minister or including an officer of the Minister for Transport appointed to be an authorised officer by the Minister for Transport, as the case may be,”,

(b) in subsection (4)(b), by the substitution of “by the Minister or the Minister for Transport, as the case may be” for “by the Minister”, and

(c) in subsection (6), by the insertion of the following paragraph:

“(ba) if made by the Minister for Transport, on the Minister for Transport revoking the appointment.”.

Amendment of section 47 of Act of 2007

16. Section 47 of the Act of 2007 is amended—

(a) in subsection (1), by the substitution of “the Minister, the Minister for Transport or the Agency of their respective functions under this Act” for “the Minister or the Agency of their functions under this Act”,

(b) by the substitution of the following subsection for subsection (2):

“(2) Any information obtained by an auditor appointed under section 46(1) (b) shall be given directly to both the Minister and the Minister for Transport.”,

and

(c) by the insertion of the following subsection after subsection (2):

“(2A) The Minister or the Minister for Transport, as the case may be, may send to the Agency any information given to him or her under subsection (2) where he or she considers it appropriate to do so.”.

Amendment of section 58 of Act of 2007

17. Section 58 of the Act of 2007 is amended, in subsection (1), by the substitution of “The Minister may make regulations, other than the regulations referred to in section 58A(1)—” for “The Minister may make regulations—”.

Regulations and orders – Minister for Transport

18. The Act of 2007 is amended by the insertion of the following section after section 58:

“58A. (1) The Minister for Transport may make regulations—

- (a) for any purpose in relation to which regulations are provided for in sections 44D, 44E, 44G, 44GA, 44J and 44X, and
 - (b) for prescribing any matter or thing referred to in sections 44D, 44E, 44G, 44GA, 44J and 44X as prescribed or to be prescribed.
- (2) The Minister for Transport may make orders for any matter in relation to which orders are provided for in sections 44D, 44E, 44G, 44GA and 44J.”.

Amendment of section 64 of Act of 2007

19. Section 64 of the Act of 2007 is amended by the substitution of the following subsection for subsection (1):

“(1) Summary proceedings for an offence may be brought and prosecuted—

- (a) in the case of an offence under section 44E, 44G or 44GA, by the Minister for Transport or the Agency,
- (b) in the case of an offence under section 44U or 50, by the Minister or the Agency, and
- (c) in the case of an offence under section 59, by the Minister.”.

Amendment of section 68 of Act of 2007

20. The Act of 2007 is amended by the substitution of the following section for section 68:

“Oil Emergency Plan

68. (1) Subject to subsection (4), the Minister shall prepare a contingency plan (in this Act referred to as the ‘Oil Emergency Plan’), to be implemented in the event of an oil supply disruption.
- (2) The Agency, each oil company and oil consumer, and such public bodies as the Minister considers appropriate, shall assist and co-operate with the Minister in the preparation of the Oil Emergency Plan and the response to, an oil supply disruption.

- (3) The Agency and each oil company and oil consumer shall, if so directed by the Minister, furnish to the Minister such information as he or she may require in respect of the preparation of the Oil Emergency Plan and response to an oil supply disruption.
- (4) The Oil Emergency Plan shall include:
 - (a) such measures as the Minister considers appropriate to provide for mitigation against and preparedness for an oil supply disruption, including in relation to the maintenance of oil stocks in accordance with section 32;
 - (b) measures to monitor the availability of petroleum products in the State;
 - (c) procedures for consultation between the Minister, such public bodies as the Minister considers appropriate, the Agency and oil companies and oil consumers in relation to the implementation of the Oil Emergency Plan;
 - (d) procedures for the timely release of oil stocks by the Minister where section 35 applies;
 - (e) such measures, including in relation to the consumption of road transport fuel, to conserve petroleum products as the Minister, following consultation with such public bodies as the Minister considers appropriate, may determine;
 - (f) such measures as the Minister considers appropriate to ensure that supplies of petroleum products to such entities as are deemed by the Minister, following consultation with such other Ministers as the Minister considers appropriate, to be providing a critical service in the State are, in so far as practicable, protected.
- (5) The Minister shall, when preparing the Oil Emergency Plan, have regard to Article 20 of the Council Directive.
- (6) The Minister may, from time to time, review the Oil Emergency Plan and, as he or she considers necessary, prepare a new Oil Emergency Plan.”.

Register

21. The Act of 2007 is amended by the insertion of the following section after section 68:

“Register

69. (1) The Minister shall, as soon as may be after the coming into operation of this section, establish and maintain a register of oil companies to be known as the Petroleum Register, and referred to in this section as the ‘register’.

- (2) The register shall be in such form (including electronic form) as the Minister considers appropriate, and shall contain such particulars as may, from time to time, be prescribed.
- (3) For the purposes of the register, each oil company shall, within one month of a request in that behalf by the Minister and, in any event not later than 30 July in each year, furnish, in a manner prescribed, the following to the Minister:
 - (a) the name and address in the State of the company;
 - (b) contact details for the company, including an up to date e-mail address and telephone number.
- (4) The Minister may, from time to time, request from an oil company such further information in relation to the nature of the business conducted by the company as the Minister considers appropriate and the company shall, within one month after the date of the request, furnish the information to the Minister in the manner requested by the Minister.
- (5) A person is guilty of an offence under this section if the person—
 - (a) fails to furnish the information in such form and containing such particulars as is required under subsection (3) within 3 months after the date of a request by the Minister or after 30 July in each year, the information in such form and containing such particulars as is required under that provision,
 - (b) fails to furnish within one month after the date of a request from the Minister under subsection (4), the information in such form and containing such particulars as is required under that provision, or
 - (c) furnishes information under subsection (3) or (4) that is false or misleading in a material respect and that the person knows is false or misleading.”.

Provision of information by Minister to Minister for Transport

22. The Act of 2007 is amended by the insertion of the following section after section 69:

“Provision of information by Minister to Minister for Transport

70. (1) The Minister shall, at the request of the Minister for Transport, and may, as he or she considers appropriate, provide information to the Minister for Transport relating to:
- (a) returns made by renewable transport fuel obligation account holders pursuant to regulations made by the Minister under section 44U;
 - (b) the prosecution of offences by the Minister or the Agency under section 44U;

- (c) the performance by the Minister of his or her functions under sections 44O and 44P.”.

PART 3

TRANSFER OF CERTAIN FUNCTIONS UNDER ACT OF 2007

Transfer of functions to Minister for Transport

23. The functions conferred on the Minister by or under—

- (a) sections 44A, 44C, 44D, 44E, 44F, 44G, 44H, 44I, 44J, 44K, 44L, 44M, 44N, 44Q, 44R, 44S, 44T, 44V, 44W and 44X of the Act of 2007,
- (b) the European Union (Biofuel Sustainability Criteria) Regulations 2012 (S.I. No. 33 of 2012),
- (c) the European Union (Greenhouse Gas Emission Reductions, Calculation Methods and Reporting Requirements) Regulations 2017 (S.I. No. 160 of 2017), and
- (d) Regulation 4 of the European Union (Renewable Energy) Regulations (2) 2022 (S.I. No. 350 of 2022),

are transferred to the Minister for Transport on the vesting day.

Transfer of administration and business

- 24.** (1) The administration and business in connection with the performance of the functions transferred by *section 23* are, on the vesting day, transferred to the Department of Transport.
- (2) References to the Department of the Environment, Climate and Communications contained in any enactment (other than this Act) in so far as they relate to the administration and business transferred by *subsection (1)* shall, from the vesting day, be construed as references to the Department of Transport.

Pending legal proceedings

- 25.** Where, immediately before the vesting day, any legal proceedings are pending to which the Minister is a party and the proceedings have reference to functions transferred by *section 23* the name of the Minister for Transport shall, to the extent that they have such reference, be substituted for the Minister in those proceedings or added in the proceedings, as may be appropriate, and the proceedings shall not abate by reason of such substitution.

Completion of certain matters commenced

- 26.** Anything commenced but not completed before the vesting day by or under the authority of the Minister may, in so far as it relates to a function transferred by *section 23*, be

carried on and completed by the Minister for Transport.

Operation of certain instruments

27. Every instrument (including any certificate or licence) granted or made in the performance of a function transferred by *section 23* shall, if and in so far as it was operative immediately before the vesting day, continue to have effect from the vesting day as if it had been granted or made by the Minister for Transport.

Construction of references to Minister

28. (1) References to the Minister contained in any enactment (other than this Act) in so far as they relate to any function transferred by *section 23* shall, from the vesting day, be construed as references to the Minister for Transport.
- (2) References to the Minister contained in the memorandum or articles of association or constitution of any company in so far as they relate to any function transferred by *section 23* shall, from the vesting day, be construed as references to the Minister for Transport.

Transfer of property, etc. to Minister for Transport

29. (1) All property, rights and liabilities held, enjoyed or incurred before the vesting day by the Minister in connection with any function transferred by *section 23* are, on the vesting day, transferred to the Minister for Transport and, accordingly, without any further conveyance, transfer or assignment—
- (a) the said property, real and personal, shall, from the vesting day, vest in the Minister for Transport,
 - (b) the said rights shall, from the vesting day, be enjoyed by the Minister for Transport, and
 - (c) the said liabilities shall, from the vesting day, be the liabilities of the Minister for Transport.
- (2) All moneys, stocks, shares and securities transferred to the Minister for Transport by this section that, immediately before the vesting day, stand in the name of the Minister shall, upon the request of the Minister for Transport, be transferred into his or her name.

Vesting day

30. The Minister for Transport shall by order appoint a day to be the vesting day for the purposes of this Part as soon as practicable after the coming into operation of this section and a reference in this Part to the “vesting day” shall be construed as a reference to the day so appointed.

PART 4

AMENDMENT OF FUELS (CONTROL OF SUPPLIES) ACT 1971

Amendment of section 3 of Act of 1971

31. Section 3 of the Act of 1971 is amended—

(a) in subsection (1)(a), by the substitution of “acquisition, supply, distribution, marketing or use of the type or types of fuel” for “acquisition, supply, distribution or marketing of the type or types of fuel”, and

(b) by the insertion of the following subsection after subsection (1):

“(1A) Without prejudice to subsection (1), an order under that subsection may provide that:

(a) the Minister may, in the interests of the common good, by direction in writing, require oil companies operating within the State, or other such persons as the Minister may designate, to supply fuel to which an order under section 2 relates to designated generating stations within the meaning of the Electricity Regulation Act 1999, or such other persons or locations as may be necessary on such terms as may be specified in the direction, in order to secure the supply of electricity in the State and the operation of such services as are deemed by the Minister to be critical services of the State;

(b) the Minister may, where he or she considers it necessary in order to protect the operation of such services as are deemed by the Minister to be critical services of the State, by direction in writing, regulate, restrict or control the acquisition, supply, distribution, marketing or use of the type or types of fuel to which the order under section 2 relates.”.