



STATUTORY INSTRUMENTS

S.I. No. 815 of 2007

ROADS AND ROAD VEHICLES (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2007

(Prn. A7/2307)

ROADS AND ROAD VEHICLES (TRANSFER OF DEPARTMENTAL ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2007

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 Roads and Road Vehicles (Transfer of Departmental Administration and Ministerial Functions) Order 2007.

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

(2) References to the Department of the Environment, Heritage and Local Government 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 references to the Department of Transport.

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

(a) an Act set out in the first column of Part 1 of the Schedule, and

(b) a statutory instrument set out in the first column of Part 2 of the Schedule,

are transferred to the Minister for Transport to the extent specified in the second column of the Part concerned opposite the mention of Act or statutory instrument (as the case may be) so set out.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for the Environment, Heritage and Local Government is a party and the proceedings have reference to functions transferred by this Order to the Minister for Transport, the name of the Minister for Transport 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 the Environment, Heritage and Local Government 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 14th December, 2007.

5. Anything commenced before the commencement of this Order by or under the authority of the Minister for the Environment, Heritage and Local Government may, in so far as it relates to functions transferred by this Order to the Minister for Transport, be carried on or completed on or after such commencement by the Minister for Transport.

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 on and after such commencement as if it had been granted or made by the Minister for Transport.

7. References to the Minister for the Environment, Heritage and Local Government contained in the memorandum and articles of association of any company and relating to any function transferred by this Order shall, on and after the commencement of this Order, be construed as references to the Minister for Transport.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for the Environment, Heritage and Local Government in connection with the functions transferred by this Order shall be and are transferred to the Minister for Transport and, accordingly, without any further conveyance, transfer or assignment—

- (a) the said property, real and personal, shall, on such commencement, vest in the Minister for Transport,
- (b) the said rights shall, as on and from such commencement, be enjoyed by the Minister for Transport,
- (c) the said liabilities shall, as on and from such commencement, be the liabilities of the Minister for Transport.

(2) All moneys, stocks, shares and securities transferred to the Minister for Transport by this Article which, on such commencement, are standing in the name of the Minister for the Environment, Heritage and Local Government shall on the request of the Minister for Transport be transferred into the name of the Minister for Transport.

SCHEDULE

Part 1

Acts, certain functions under which are transferred from the Minister for the Environment, Heritage and Local Government to the Minister for Transport

Short Title of Act and number	Extent of transfer of functions to the Minister for Transport
Arterial Drainage Act 1945 (No. 3 of 1945)	Section 50
Local Government Act 1955 (No. 9 of 1955)	Section 38
Finance Act 1992 (No. 9 of 1992)	Subsections (5) (inserted by section 102 of the Finance Act 2003 (No. 3 of 2003)) and (7) of section 131
Finance Act 1993 (No. 13 of 1993)	Chapter II of Part II
Roads Act 1993 (No.14 of 1993)	The whole Act
Local Government Act 2001 (No. 37 of 2001)	Section 81
Communications Regulation Act 2002 (No. 20 of 2002)	Sections 53 and 56

Part 2

Statutory Instruments, certain functions under which are transferred from the Minister for the Environment, Heritage and Local Government to the Minister for Transport

Citation and number	Extent of transfer of functions to the Minister for Transport
Mechanically Propelled Vehicles (International Circulation) Order 1992 (S.I. No. 384 of 1992)	The whole order except Article 5
Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992 (S.I. No. 385 of 1992)	Articles 6, 7(d), 8(1) and 9(4), paragraphs (8), (9), (10), (11) of Article 10, Articles 11(b), 11A, 12(3) and 16(2), and paragraphs (2) and (6) of Article 19
Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006)	Articles 19(2), 22 and 23(2)(b)



GIVEN under the Official Seal of the Government,
4 December 2007

BERTIE AHERN.
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,
51 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
51 ST. STEPHEN'S GREEN, DUBLIN 2
(Tel: 01-6476834/35/36/37; Fax: 01-6476843)
or through any bookseller.

€2.54



Wt. (B25824). 315. 12/07. Cahill. Gr. 30-15.