



STATUTORY INSTRUMENTS.

**S.I. No. 90 of 2009**



FINANCE ACT 2004 (SECTION 91) (DEFERRED SURRENDER TO  
CENTRAL FUND) ORDER 2009

**(Prn. A9/0395)**

FINANCE ACT 2004 (SECTION 91) (DEFERRED SURRENDER TO  
CENTRAL FUND) ORDER 2009

WHEREAS section 91 of the Finance Act 2004 (No. 8 of 2004) makes provision for the carry over from one year to another of any unspent Exchequer capital allocations, up to a maximum of 10 per cent of the capital allocation by Vote;

AND WHEREAS the Minister for Finance made a determination for the purposes of subsection (2) of the said section 91 in respect of certain undischarged appropriations by reference to the capital supply services and purposes included in a vote referred to in Schedule 1 to the Appropriation Act 2008 (No. 23 of 2008);

AND WHEREAS there is set out in Schedule 2 to the Appropriation Act 2008 the sums deferred into the year ending 31 December 2009 and the related Votes and Titles in respect of each of the sums concerned;

AND WHEREAS, pursuant to subsection (4) of the said section 91, a draft of the following order has been laid before Dáil Éireann and a resolution approving of the draft has been passed by Dáil Éireann in the financial year immediately following the financial year in respect of which the undischarged appropriations concerned relate;

NOW, the Minister for Finance, in exercise of the powers conferred on him by section 91(4) of the Finance Act 2004, hereby makes the following order:

1. This Order may be cited as the Finance Act 2004 (Section 91) (Deferred Surrender to Central Fund) Order 2009.

2. The sums set out in column 5 of the Schedule, amounting in the aggregate to €128,453,000, are determined to be available for making good supply in the year ending 31 December 2009 for the capital supply services and purposes by reference to the Vote Number, Title, Capital Subheads and descriptions mentioned in columns 1, 2, 3 and 4, respectively, of that Schedule, opposite the amount mentioned in column 5 in respect of each Capital Subhead.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 27th March, 2009.*

## SCHEDULE

## Details of sums determined for the purposes of Article 2

Vote No.	Title	Capital Subhead	Description	Sums deferred under section 91 of the Finance Act 2004
1	2	3	4	5
10	For the salaries and expenses of the Office of Public Works; for services administered by that Office including the Stationery Office as part of the Government Supplies Agency, and for payment of certain grants and for the recoupment of certain expenditure in connection with flood relief.	E	New works, alterations and additions  <b>Total under Vote No. 10</b>	€ 5,000,000  <b>5,000,000</b>
23	For the salaries and expenses of the Property Registration Authority.	A.5	Office machinery and other office supplies and related services  <b>Total under Vote No. 23</b>	350,000  <b>350,000</b>
25	For the salaries and expenses of the Office of the Minister for the Environment, Heritage and Local Government, including grants to Local Authorities, grants and other expenses in connection with housing, water services, miscellaneous schemes, subsidies and grants.	D.4	Carbon Fund  <b>Total under Vote No. 25</b>	6,277,000  <b>6,277,000</b>
30	For the salaries and expenses of the Office of the Minister for Communications, Energy and Natural Resources, including certain services administered by that Office, and for payment of certain grants and sundry grants in aid, and for the payment of certain grants under cash-limited-schemes.	B.1 B.2 D.2 D.3	ICT Programme Multimedia Developments Sustainable Energy Energy Research  <b>Total under Vote No. 30</b>	7,783,000 214,000 3,500,000 4,003,000  <b>15,500,000</b>
32	For the salaries and expenses of the office of the Minister for Transport, including certain services administered by that Office, for payment of certain grants and certain other services.	B1 C2 E1	Road Improvement/maintenance Public Transport Investment Programme Maritime Safety and Irish Coastguard  <b>Total under Vote No. 32</b>	37,000,000 40,500,000 1,000,000  <b>78,500,000</b>
34	For the salaries and expenses of the Office of the Minister for Enterprise, Trade and Employment, including certain services administered by that Office, for the payment of certain subsidies, grants and a grant-in-aid, and for the payment of certain grants under cash-limited schemes.	D.2 F G I K4	Enterprise Ireland Science and Technology Development County Enterprise Development NSAI FAS Capital  <b>Total under Vote No. 34</b>	3,500,000 6,000,000 6,000,000 326,000 2,500,000  <b>18,326,000</b>

Vote No.	Title	Capital Subhead	Description	Sums deferred under section 91 of the Finance Act 2004
1	2	3	4	5
35	For the salaries and expenses of the Office of the Minister for Arts, Sport and Tourism, including certain services administered by that Office, and for payment of certain subsidies, grants and grants-in-aid.	D.10	Irish Film Board	€ 1,500,000
			<b>Total under Vote No. 35</b>	<b>1,500,000</b>
36	For the salaries and expenses of the Office of the Minister for Defence, including certain services administered by that Office; for the pay and expenses of the Defence Forces; and for payment of certain grants-in-aid.	L N	Buildings Communications and Information Technology	2,500,000 500,000
			<b>Total under Vote No. 36</b>	<b>3,000,000</b>
<b>TOTAL OF SCHEDULE</b>				<b>128,453,000</b>



GIVEN under the Official Seal of the Minister for Finance,  
23 March 2009

BRIAN LENIHAN,  
Minister for Finance.

EXPLANATORY NOTE

*(This note is not part of the Order and does not purport to be a legal interpretation).*

This Order determines, with the approval of Dáil Éireann as required under Section 91 of the Finance Act 2004, the capital subheads and Votes against which Departments shall spend as a first charge in 2009 the carryover of €128,453,000 in unspent capital from 2008 as provided for in the Appropriation Act 2008.

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  
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