



STATUTORY INSTRUMENTS.

S.I. No. 187 of 2010

EMPLOYMENT PROGRAMMES AND SERVICES AND SKILLS
TRAINING (TRANSFER OF DEPARTMENTAL ADMINISTRATION
AND MINISTERIAL FUNCTIONS) ORDER 2010

(Prn. A10/0610)

EMPLOYMENT PROGRAMMES AND SERVICES AND SKILLS
TRAINING (TRANSFER OF DEPARTMENTAL ADMINISTRATION
AND MINISTERIAL FUNCTIONS) ORDER 2010

The Government, in exercise of the powers conferred on them by section 6(1) of the Minister and Secretaries (Amendment) Act 1939 (No. 36 of 1939), hereby order as follows:

1. (1) This Order may be cited as the Employment Programmes and Services and Skills Training (Transfer of Departmental Administration and Ministerial Functions) Order 2010.

(2) This Order comes into operation on 1 May 2010.

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 Education and Science.

(2) References to the Department of Enterprise, Trade and Employment contained in any Act or instrument made under such Act and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be read as references to the Department of Education and Science.

3. (1) The functions vested in the Minister for Enterprise, Trade and Employment by or under—

(a) the Youth Employment Agency Act 1981 (No. 32 of 1981),

(b) the Industrial Training Act 1967 (No. 5 of 1967),

(c) the Labour Services Act 1987 (No. 15 of 1987),

(d) the National Training Fund Act 2000 (No. 41 of 2000), and

(e) the Labour Services (Amendment) Act 2009 (No. 38 of 2009),

are transferred to the Minister for Education and Science.

(2) References to the Minister for Enterprise, Trade and Employment contained in any Act or instrument made under such Act and relating to any functions transferred by paragraph (1) shall, from the commencement of this Order, be read as references to the Minister for Education and Science.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 30th April, 2010.*

(3) The functions of the Minister for Education and Science under sections 27(3) and 32(1) of the Industrial Training Act 1967 and paragraph 2(2) (inserted by section 9 of the Labour Services (Amendment) Act 2009) of Part I of the Schedule to the Labour Services Act 1987 are transferred to the Minister for Enterprise, Trade and Employment.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Enterprise, Trade and Employment is a party and the proceedings have reference to functions transferred by this Order to the Minister for Education and Science, the name of the Minister for Education and Science 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 Enterprise, Trade and Employment 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 Enterprise, Trade and Employment may, in so far as it relates to functions transferred by this Order to the Minister for Education and Science, be carried on or completed from such commencement by the Minister for Education and Science.

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

7. References to the Minister for Enterprise, Trade and Employment 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 read as references to the Minister for Education and Science.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Enterprise, Trade and Employment, in connection with the functions transferred by this Order are transferred to the Minister for Education and Science and, accordingly, without any further conveyance, transfer or assignment, on such commencement—

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

(2) All moneys, stocks, shares and securities transferred to the Minister for Education and Science by this Article which, on the commencement of this Order, are standing in the name of the Minister for Enterprise, Trade and

Employment shall on the request of the Minister for Education and Science be transferred into the name of the Minister for Education and Science.



GIVEN under the Official Seal of the Government,
27 April 2010.

BRIAN COWEN,
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,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 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,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B27609). 285. 5/10. Cahill. Gr. 30-15.