



STATUTORY INSTRUMENTS.

S.I. No. 677 of 2010



MARINE TOURISM (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2010

(Prn. A10/1993)

MARINE TOURISM (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 Ministers and Secretaries (Amendment) Act 1939 (No. 36 of 1939), hereby order as follows:

1. (1) This Order may be cited as the Marine Tourism (Transfer of Departmental Administration and Ministerial Functions) Order 2010.

(2) This Order comes into operation on 1 January 2011.

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 Community, Equality and Gaeltacht Affairs.

(2) References to the Department of Transport contained in any Act or instrument made thereunder 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 Community, Equality and Gaeltacht Affairs.

3. (1) The functions vested in the Minister for Transport by or under section 46 of the Merchant Shipping (Investigation of Marine Casualties) Act 2000 (No. 14 of 2000) are transferred to the Minister for Community, Equality and Gaeltacht Affairs.

(2) References to the Minister for Transport contained in any Act or instrument made thereunder and relating to any functions transferred by this Article shall, from the commencement of this Order, be read as references to the Minister for Community, Equality and Gaeltacht Affairs.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Transport is a party and the proceedings have reference to functions transferred by this Order to the Minister for Community, Equality and Gaeltacht Affairs, the name of the Minister for Community, Equality and Gaeltacht Affairs 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 Transport 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 Transport may, in so far as it relates to functions

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 4th January, 2011.*

transferred by this Order to the Minister for Community, Equality and Gaeltacht Affairs, be carried on or completed from such commencement by the Minister for Community, Equality and Gaeltacht Affairs.

6. Every document 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 made by the Minister for Community, Equality and Gaeltacht Affairs.

7. References to the Minister for Transport 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 Community, Equality and Gaeltacht Affairs.

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

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

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



GIVEN under the Official Seal of the Government,
21 December 2010.

BRIAN COWEN,
Taoiseach.

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