



STATUTORY INSTRUMENTS.

S.I. No. 217 of 2011

TOURISM AND SPORT (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) (NO. 2) ORDER
2011

(Prn. A11/0709)

TOURISM AND SPORT (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) (NO. 2) ORDER
2011

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 Tourism and Sport (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order 2011.

(2) This Order comes into operation on 1 June 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 Transport, Tourism and Sport.

(2) References to the Department of Tourism, Culture and Sport contained in any Act or any instrument made under such Act and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be construed as references to the Department of Transport, Tourism and Sport.

3. (1) The functions vested in the Minister for Tourism, Culture and Sport—

(a) by or under—

- (i) the Shannon Free Airport Development Company Limited Acts 1959 to 2003 in relation to the functions of the Shannon Free Airport Development Company Limited in respect of tourism and the development of air traffic at Shannon Airport,
- (ii) Chapter 12 of Part 10, Part 16 (other than section 496(8)) and sections 353(1), 409B (1) and 787(8B) of the Taxes Consolidation Act 1997 (No. 39 of 1997),
- (iii) sections 23 and 24 of the Package Holidays and Travel Trade Act 1995 (No. 17 of 1995),
- (iv) section 8 of the Intoxicating Liquor Act 1988 (No. 16 of 1988),
- (v) the Adventure Activities Standards Authority Act 2001 (No. 34 of 2001), and
- (vi) the Broadcasting Act 2009 (No. 18 of 2009),

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 13th May, 2011.*

and

(b) in relation to-

- (i) the North/South Ministerial Council relating to the Tourism Sector and the functions of Tourism Ireland Limited,
- (ii) the British-Irish Council relating to tourism, and
- (iii) the provision of grants in respect of sport, including under the Sports Capital Programme and the Local Authority Swimming Pools Programme,

are transferred to the Minister for Transport, Tourism and Sport.

(2) References to the Minister for Tourism, Culture and Sport contained in any Act or instrument made under such Act and relating to any functions transferred by this Article shall, from the commencement of this Order, be construed as references to the Minister for Transport, Tourism and Sport.

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

6. Every document (including any certificate or licence) granted or made in the performance 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 from such commencement as if it had been granted or made by the Minister for Transport, Tourism and Sport.

7. References to the Minister for Tourism, Culture and Sport 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 construed as references to the Minister for Transport, Tourism and Sport.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Tourism, Culture and Sport in connection with the functions transferred by this Order are transferred to the

Minister for Transport, Tourism and Sport and, accordingly, without any further conveyance, transfer or assignment, on such commencement—

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

(2) All moneys, stocks, shares and securities transferred to the Minister for Transport, Tourism and Sport by this Article which, on the commencement of this Order, are standing in the name of the Minister for Tourism, Culture and Sport shall on the request of the Minister for Transport, Tourism and Sport be transferred into the name of the Minister for Transport, Tourism and Sport.



GIVEN under the Official Seal of the Government,
10 May 2011.

ENDA KENNY,
Taoiseach.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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