



STATUTORY INSTRUMENTS.

S.I. No. 578 of 2017

COMMUNITY SERVICES PROGRAMME (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2017

COMMUNITY SERVICES PROGRAMME (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2017

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 Community Services Programme (Transfer of Departmental Administration and Ministerial Functions) Order 2017.

(2) This Order comes into operation on 1 January 2018.

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 Rural and Community Development.

(2) References to the Department of Employment Affairs and Social Protection contained in any Act or any instrument made thereunder 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 Rural and Community Development.

3. (1) The functions vested in the Minister for Employment Affairs and Social Protection—

(a) by or under-

(i) section 32(1)(d)(ii) of the Social Welfare (Miscellaneous Provisions) Act 2010 (No. 28 of 2010),

(ii) section 32 of the Social Welfare (Miscellaneous Provisions) Act 2010, in so far as it relates to the functions transferred by clause (i),

(iii) section 3A(b) of the Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007 (No. 32 of 2007), and

(iv) section 3A of the Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007, in so far as it relates to the functions transferred by clause (iii), and

(b) in relation to the administration of the scheme commonly known as the community services programme,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 19th December, 2017.*

are transferred to the Minister for Rural and Community Development.

(2) References to the Minister for Employment Affairs and Social Protection contained in any Act or instrument made thereunder and relating to any functions transferred by this Article shall, on and after the commencement of this Order, be construed as references to the Minister for Rural and Community Development.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Employment Affairs and Social Protection is a party and the proceedings have reference to functions transferred by this Order to the Minister for Rural and Community Development, the name of the Minister for Rural and Community Development 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 Employment Affairs and Social Protection 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 Employment Affairs and Social Protection may, in so far as it relates to functions transferred by this Order to the Minister for Rural and Community Development, be carried on or completed on or after such commencement by the Minister for Rural and Community Development.

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

7. References to the Minister for Employment Affairs and Social Protection 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 Rural and Community Development.

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

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

(2) All moneys, stocks, shares and securities transferred to the Minister for Rural and Community Development by this Article which, on the commencement of this Order, are standing in the name of the Minister for Employment Affairs and Social Protection shall on the request of the Minister for Rural and Community Development be transferred into the name of the Minister for Rural and Community Development.



GIVEN under the Official Seal of the Government,
12 December 2017.

LEO VARADKAR,
Taoiseach.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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