



STATUTORY INSTRUMENTS.

S.I. No. 356 of 2020



TOURISM AND SPORT (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2020

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TOURISM AND SPORT (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2020

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) Order 2020.

(2) This Order comes into operation on 16 September 2020.

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 Culture, Heritage and the Gaeltacht.

(2) References to the Department of Transport, Tourism 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 Culture, Heritage and the Gaeltacht.

3. (1) The functions vested in the Minister for Transport, Tourism and Sport by or under -

- (a) the Tourist Traffic Acts 1939 to 2016,
- (b) section 847A (inserted by section 41 of the Finance Act 2002 (No. 5 of 2002) of the Taxes Consolidation Act 1997 (No. 39 of 1997),
- (c) the Sport Ireland Act 2015 (No. 15 of 2015),
- (d) the Intoxicating Liquor Act 2003 (No. 31 of 2003),
- (e) the Intoxicating Liquor (National Conference Centre) Act 2010 (No. 9 of 2010), and
- (f) the Rugby World Cup 2023 Act 2017 (No. 17 of 2017),

are transferred to the Minister for Culture, Heritage and the Gaeltacht.

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

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Transport, Tourism and Sport is a party and the proceedings have reference to functions transferred by this Order to the Minister for Culture, Heritage and the Gaeltacht, the name of the

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 25th September, 2020.*

Minister for Culture, Heritage and the Gaeltacht 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, Tourism 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 Transport, Tourism and Sport may, in so far as it relates to functions transferred by this Order to the Minister for Culture, Heritage and the Gaeltacht, be carried on or completed from such commencement by the Minister for Culture, Heritage and the Gaeltacht.

6. Every document (including any certificate or licence) granted or made in the exercise 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 Culture, Heritage and the Gaeltacht.

7. References to the Minister for Transport, Tourism 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 Culture, Heritage and the Gaeltacht.

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

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

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



GIVEN under the Official Seal of the Government,
15 September, 2020.

MICHEÁL MARTIN,
Taoiseach.

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