



STATUTORY INSTRUMENTS.

S.I. No. 296 of 2010

MARKETING OF FOREST REPRODUCTIVE MATERIAL (TRANSFER
OF DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2010

(Prn. A10/0891)

MARKETING OF FOREST REPRODUCTIVE MATERIAL (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 Marketing of Forest Reproductive Material (Transfer of Departmental Administration and Ministerial Functions) Order 2010.

(2) This Order comes into operation on 10 June 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 Agriculture, Fisheries and Food.

(2) References to the Department of Communications, Energy and Natural Resources contained in any Act or any instrument made thereunder 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 Agriculture, Fisheries and Food.

3. (1) The functions vested in the Minister for Communications, Energy and Natural Resources by the European Communities (Marketing of Forest Reproductive Material) Regulations 2002 (S.I. No. 618 of 2002) are transferred to the Minister for Agriculture, Fisheries and Food.

(2) References to the Minister for Communications, Energy and Natural Resources 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 construed as references to the Minister for Agriculture, Fisheries and Food.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Communications, Energy and Natural Resources is a party and the proceedings have reference to functions transferred by this Order to the Minister for Agriculture, Fisheries and Food, the name of the Minister for Agriculture, Fisheries and Food 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 Communications, Energy and Natural Resources or added in the proceedings, as may be appropriate, and the proceedings shall not abate by reason of such substitution.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 22nd June, 2010.*

5. Anything commenced before the commencement of this Order by or under the authority of the Minister for Communications, Energy and Natural Resources may, in so far as it relates to functions transferred by this Order to the Minister for Agriculture, Fisheries and Food, be carried on or completed on or after such commencement by the Minister for Agriculture, Fisheries and Food.

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 Agriculture, Fisheries and Food.

7. References to the Minister for Communications, Energy and Natural Resources 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 Agriculture, Fisheries and Food.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Communications, Energy and Natural Resources in connection with the functions transferred by this Order are transferred to the Minister for Agriculture, Fisheries and Food and, accordingly, without any further conveyance, transfer or assignment, on such commencement—

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

(2) All moneys, stocks, shares and securities transferred to the Minister for Agriculture, Fisheries and Food by this Article which, on the commencement of this Order, are standing in the name of the Minister for Communications, Energy and Natural Resources shall on the request of the Minister for Agriculture, Fisheries and Food be transferred into the name of the Minister for Agriculture, Fisheries and Food.



GIVEN under the Official Seal of the Government,
9 June 2010.

BRIAN COWEN,
Taoiseach.

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