



STATUTORY INSTRUMENTS.

S.I. No. 601 of 2017



MOTOR TAX (TRANSFER OF DEPARTMENTAL ADMINISTRATION
AND MINISTERIAL FUNCTIONS) ORDER 2017

MOTOR TAX (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 Motor Tax (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 Transport, Tourism and Sport.

(2) References to the Department of Housing, Planning and Local Government contained in any Act or any instrument made under an Act and relating to the 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 Housing, Planning and Local Government—

(a) by or under any of the Acts specified in Schedule 1, and

(b) under the instruments specified in Schedule 2,

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

(2) References to the Minister for Housing, Planning and Local Government contained in any Act or instrument made under an 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 Housing, Planning and Local Government 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

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 2nd January, 2018.*

proceedings for that of the Minister for Housing, Planning and Local Government 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 Housing, Planning and Local Government may, in so far as it relates to a function 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 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 granted or made by the Minister for Transport, Tourism and Sport.

7. References to the Minister for Housing, Planning and Local Government 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 Housing, Planning and Local Government in connection with the functions transferred by this Order are transferred on the commencement to the Minister for Transport, Tourism and Sport and, accordingly, without any further conveyance, transfer or assignment—

- (a) that property, both real and personal, vests in the Minister for Transport, Tourism and Sport,
- (b) those rights are rights of the Minister for Transport, Tourism and Sport,
- (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 Housing, Planning and Local Government 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.

SCHEDULE 1

Article 3(1)(a)

Acts, functions by or under which are transferred from the Minister for Housing, Planning and Local Government to the Minister for Transport, Tourism and Sport

Sections 6, 12 (other than subsection (1A)) and 19 of the Roads Act 1920 (No. 72 of 1920)

Section 13 of the Finance Act 1920 (No. 18 of 1920)

Section 22 of the Finance Act 1921 (No. 32 of 1921)

Finance (Excise Duties) (Vehicles) Act 1952 (No. 24 of 1952)

Section 4 of the Finance (Excise Duties) (Vehicles) (Amendment) Act 1960 (No. 1 of 1960)

Chapters I and II of Part V of the Finance Act 1976 (No. 16 of 1976)

Chapter II of Part II of the Finance (No. 2) Act 1992 (No. 28 of 1992)

SCHEDULE 2

Article 3(1)(b)

Instruments, functions under which are transferred from the Minister for Housing, Planning and Local Government to the Minister for Transport, Tourism and Sport

Road Vehicles (Registration and Licensing) Regulations 1958 (S.I. No. 13 of 1958)

Road Vehicles (Registration and Licensing) Order 1958 (S.I. No. 15 of 1958)

Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992 (S.I. No. 385 of 1992) (other than Articles 6, 7(d), 8(1), paragraphs (8), (9), (10) and (11) of Article 10, Articles 11(b), 11A, 12(3) and 16(2) and paragraphs (2) and (6) of Article 19 transferred by Part 2 of the Schedule to the Roads and Road Vehicles (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 815 of 2007))

Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 1992 (S.I. No. 409 of 1992)



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

LEO VARADKAR,
Taoiseach.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B33254). 285. 12/17. Essentra. Gr 30-15.