



STATUTORY INSTRUMENTS.

S.I. No. 586 of 2020



RESEARCH POLICY AND PROGRAMMES (TRANSFER OF
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL
FUNCTIONS) ORDER 2020

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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 Research Policy and Programmes (Transfer of Departmental Administration and Ministerial Functions) Order 2020.

(2) This Order comes into operation on 1 January 2021.

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 Further and Higher Education, Research, Innovation and Science.

(2) References to the Department of Enterprise, Trade and Employment contained in any Act or any instrument made under such Act 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 Further and Higher Education, Research, Innovation and Science.

3. (1) The functions vested in the Minister for Enterprise, Trade and Employment –

- (a) by or under the Industrial Development (Science Foundation Ireland) Act 2003 (No. 30 of 2003),
- (b) by section 9B (inserted by section 37(1)(b) of the Industrial Development (Forfás Dissolution) Act 2014 (No. 13 of 2014)) of the Industrial Development Act 1993 (No. 19 of 1993), and
- (c) in relation to the programme known as the Programme for Research in Third Level Institutions,

are transferred to the Minister for Further and Higher Education, Research, Innovation and Science.

(2) References to the Minister for Enterprise, Trade and Employment contained in any Act or instrument made under such Act 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 Further and Higher Education, Research, Innovation and Science.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Enterprise, Trade and Employment is a party and the proceedings have reference to functions transferred by this Order to the Minister for Further and Higher Education, Research, Innovation and Science, the name of the Minister for Further and Higher Education, Research, Innovation and Science 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 Enterprise, Trade and Employment 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 Enterprise, Trade and Employment may, in so far as it relates to functions transferred by this Order to the Minister for Further and Higher Education, Research, Innovation and Science, be carried on or completed on or after such commencement by the Minister for Further and Higher Education, Research, Innovation and Science.

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 on and after such commencement as if it had been granted or made by the Minister for Further and Higher Education, Research, Innovation and Science.

7. References to the Minister for Enterprise, Trade and Employment 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 Further and Higher Education, Research, Innovation and Science.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Enterprise, Trade and Employment in connection with the functions transferred by this Order are transferred on the commencement to the Minister for Further and Higher Education, Research, Innovation and Science and, accordingly, without any further conveyance, transfer or assignment –

- (a) that property, real and personal, vests in the Minister for Further and Higher Education, Research, Innovation and Science,
- (b) those rights are rights of the Minister for Further and Higher Education, Research, Innovation and Science,
- (c) those liabilities are liabilities of the Minister for Further and Higher Education, Research, Innovation and Science.

(2) All moneys, stocks, shares and securities transferred to the Minister for Further and Higher Education, Research, Innovation and Science by this Article which, on the commencement of this Order, are standing in the name of the

Minister for Enterprise, Trade and Employment shall on the request of the Minister for Enterprise, Trade and Employment be transferred into the name of the Minister for Further and Higher Education, Research, Innovation and Science.



GIVEN under the Official Seal of the Government,
1 December, 2020.

MICHEÁL MARTIN,
Taoiseach.

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