



STATUTORY INSTRUMENTS.

S.I. No. 587 of 2020



SCIENCE FOUNDATION IRELAND (MEMBERS OF BOARD)
(TRANSFER OF MINISTERIAL FUNCTIONS) ORDER 2020

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(TRANSFER OF 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 Science Foundation Ireland (Members of Board) (Transfer of 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 Enterprise, Trade and Employment.

(2) References to the Department of Education contained in any Act or any instrument made under such Act and relating to any administration and business transferred by paragraph (1) of this Article shall, on and after the commencement of this Order, be construed as references to the Department of Enterprise, Trade and Employment.

3. (1) The functions vested in the Minister for Education by section 8 of the Industrial Development (Science Foundation Ireland) Act 2003 (No. 30 of 2003) are transferred to the Minister for Enterprise, Trade and Employment.

(2) References to the Minister for Education contained in any Act or instrument made under such Act and relating to any functions transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Minister for Enterprise, Trade and Employment.

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

6. Every document (including any certificate or licence) granted or made in the exercise of a function transferred by this Order, if and insofar 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 Enterprise, Trade and Employment.

7. References to the Minister for Education 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 Enterprise, Trade and Employment.

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

- (a) that property, both real and personal, vests in the Minister for Enterprise, Trade and Employment,
- (b) those rights are rights of the Minister for Enterprise, Trade and Employment,
- (c) those liabilities are liabilities of the Minister for Enterprise, Trade and Employment.

(2) All moneys, stocks, shares and securities transferred to the Minister for Enterprise, Trade and Employment by this Article which, on the commencement of this Order, are standing in the name of the Minister for Education shall on the request of the Minister for Education be transferred into the name of the Minister for Enterprise, Trade and Employment.



GIVEN under the Official Seal of the Government,

1 December, 2020.

MICHEÁL MARTIN,
Taoiseach.

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