



STATUTORY INSTRUMENTS.

S.I. No. 595 of 2023

SPECIALIST COMMUNITY-BASED DISABILITY SERVICES
(TRANSFER OF DEPARTMENTAL ADMINISTRATION AND
MINISTERIAL FUNCTIONS) ORDER 2023

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SPECIALIST COMMUNITY-BASED DISABILITY SERVICES
(TRANSFER OF DEPARTMENTAL ADMINISTRATION AND
MINISTERIAL FUNCTIONS) ORDER 2023

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 Specialist Community-Based Disability Services (Transfer of Departmental Administration and Ministerial Functions) Order 2023.

(2) This Order comes into operation on 29 November 2023.

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 Children, Equality, Disability, Integration and Youth.

(2) References to the Department of Health contained in any Act or any instrument made under an 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 Children, Equality, Disability, Integration and Youth.

3. (1) The functions vested in the Minister for Health by or under section 3 of the Disability Act 2005 (No. 14 of 2005) are transferred to the Minister for Children, Equality, Disability, Integration and Youth.

(2) References to the Minister for Health 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 Children, Equality, Disability, Integration and Youth.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Health is a party and the proceedings have reference to functions transferred by this Order to the Minister for Children, Equality, Disability, Integration and Youth, the name of the Minister for Children, Equality, Disability, Integration and Youth 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 Health 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 Health may, in so far as it relates to functions transferred by this Order to the Minister for Children, Equality, Disability, Integration and Youth, be carried on or completed from such commencement by the Minister for Children, Equality, Disability, Integration and Youth.

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 Children, Equality, Disability, Integration and Youth.

7. References to the Minister for Health 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 Children, Equality, Disability, Integration and Youth.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Health in connection with the functions transferred by this Order are transferred to the Minister for Children, Equality, Disability, Integration and Youth and, accordingly, without any further conveyance, transfer or assignment, on such commencement-

- (a) that property, both real and personal, vests in the Minister for Children, Equality, Disability, Integration and Youth,
- (b) those rights shall be enjoyed by the Minister for Children, Equality, Disability, Integration and Youth, and
- (c) those liabilities are liabilities of the Minister for Children, Equality, Disability, Integration and Youth.

(2) All moneys, stocks, shares and securities transferred to the Minister for Children, Equality, Disability, Integration and Youth by this Article which, on the commencement of this Order, are standing in the name of the Minister for Health, on the request of the Minister for Children, Equality, Disability, Integration and Youth, be transferred into the name of the Minister for Children, Equality, Disability, Integration and Youth.



GIVEN under my Official Seal,
28 November, 2023.

LEO VARADKAR,
Taoiseach.

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