



STATUTORY INSTRUMENTS.

**S.I. No. 188 of 2010**

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PROGRAMME FOR RESEARCH IN THIRD LEVEL INSTITUTIONS  
(TRANSFER OF DEPARTMENTAL ADMINISTRATION AND  
MINISTERIAL FUNCTIONS) ORDER 2010

**(Prn. A10/0611)**

PROGRAMME FOR RESEARCH IN THIRD LEVEL INSTITUTIONS  
(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 Programme for Research in Third Level Institutions (Transfer of Departmental Administration and Ministerial Functions) Order 2010.

(2) This Order comes into operation on 1 May 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 Enterprise, Trade and Employment.

(2) References to the Department of Education and Science contained in any Act or 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 Enterprise, Trade and Employment.

3. (1) The functions vested in the Minister for Education and Science in relation to the programme known as the Programme for Research in Third Level Institutions are transferred to the Minister for Enterprise, Trade and Employment.

(2) References to the Minister for Education and Science 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 Enterprise, Trade and Employment.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Education and Science 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 function transferred by this Order, be substituted in the proceedings for that of the Minister for Education and Science 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 30th April, 2010.*

5. Anything commenced before the commencement of this Order by or under the authority of the Minister for Education and Science 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 shall, if and in so far as it was operative immediately before the commencement of this Order, have 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 and Science 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 and Science, in connection with the functions transferred by this Order shall be and are transferred to the Minister for Enterprise, Trade and Employment and, accordingly, without any further conveyance, transfer or assignment—

- (a) the said property, real and personal shall, on such commencement vest in the Minister for Enterprise, Trade and Employment,
- (b) the said rights shall, as and from such commencement, be enjoyed by the Minister for Enterprise, Trade and Employment,
- (c) the said liabilities shall, as and from such commencement, be the 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 such commencement, are standing in the name of the Minister for Education and Science shall on the request of the Minister for Enterprise, Trade and Employment be transferred into the name of the Minister for Enterprise, Trade and Employment.



GIVEN under the official Seal of the Government,  
27 April 2010.

BRIAN COWEN,  
Taoiseach.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
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CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
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