



STATUTORY INSTRUMENTS.

**S.I. No. 140 of 2011**

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TOURISM AND SPORT (TRANSFER OF DEPARTMENTAL  
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2011

**(Prn. A11/0493)**

TOURISM AND SPORT (TRANSFER OF DEPARTMENTAL  
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2011

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 Tourism and Sport (Transfer of Departmental Administration and Ministerial Functions) Order 2011.

(2) This Order comes into operation on 1 April 2011.

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.

(2) References to the Department of Tourism, Culture and Sport contained in any Act or any instrument made under such Act and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be read as references to the Department of Transport.

3. (1) The functions vested in the Minister for Tourism, Culture and Sport by or under—

(a) the Tourist Traffic Acts 1939 to 2003,

(b) section 847A (inserted by section 41 of the Finance Act 2002 (No. 5 of 2002)) of the Taxes Consolidation Act 1997 (No. 39 of 1997),

(c) the Irish Sports Council Act 1999 (No. 6 of 1999),

(d) the Intoxicating Liquor Act 2003 (No. 31 of 2003),

(e) the National Sports Campus Development Authority Act 2006 (No. 19 of 2006), and

(f) the Intoxicating Liquor (National Conference Centre) Act 2010 (No. 9 of 2010), are transferred to the Minister for Transport.

(2) References to the Minister for Tourism, Culture and Sport contained in any Act or instrument made under such Act and relating to any functions transferred by this Article shall, from the commencement of this Order, be read as references to the Minister for Transport.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 1st April, 2011.*

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

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, has effect from such commencement as if it had been granted or made by the Minister for Transport.

7. References to the Minister for Tourism, Culture and Sport 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 read as references to the Minister for Transport.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Tourism, Culture and Sport in connection with the functions transferred by this Order are transferred to the Minister for Transport, and, accordingly, without any further conveyance, transfer or assignment, on such commencement—

- (a) that property, real and personal, vests in the Minister for Transport,
- (b) those rights shall be enjoyed by the Minister for Transport, and
- (c) those liabilities are liabilities of the Minister for Transport.

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



GIVEN under the Official Seal of the Government,  
29 March 2011.

ENDA KENNY,  
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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