



STATUTORY INSTRUMENTS.

**S.I. No. 218 of 2011**

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OFFICE OF THE MINISTER FOR CHILDREN AND YOUTH AFFAIRS  
(TRANSFER OF DEPARTMENTAL ADMINISTRATION AND  
MINISTERIAL FUNCTIONS) ORDER 2011

**(Prn. A11/0710)**

OFFICE OF THE MINISTER FOR CHILDREN AND YOUTH AFFAIRS  
(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 Office of the Minister for Children and Youth Affairs (Transfer of Departmental Administration and Ministerial Functions) Order 2011.

(2) This Order comes into operation on 3 June 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 Children and Youth Affairs.

(2) References to the Department of Health and Children contained in any Act or any 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 Children and Youth Affairs.

3. (1) The functions vested in the Minister for Health and Children by or under the Acts specified in the Schedule are transferred to the Minister for Children and Youth Affairs.

(2) The functions of the Minister for Health and Children in relation to—

- (a) promoting the development of integrated policy frameworks to enable the development and implementation of cross-departmental strategies to secure the well-being of children and young people,
- (b) conducting, commissioning and publishing research and building an information base to inform the development of policy and service delivery for children and young people across relevant government agencies and non-governmental organisations,
- (c) developing, monitoring and supporting the implementation of play, recreation and youth policies,
- (d) overseeing the development, improvement and monitoring of policies and structures to promote and enable participation by children and young people in decision-making on matters that affect their lives, and

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 13th May, 2011.*

- (e) providing and administering early childhood care and education programmes, including the Pre-School Year in Early Childhood Care and Education (ECCE) Scheme, the Community Childcare Subvention (CCS) Scheme and the Childcare Education and Training Support (CETS) Scheme, are transferred to the Minister for Children and Youth Affairs.

(3) References to the Minister for Health and Children 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 Children and Youth Affairs.

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

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 and Youth Affairs.

7. References to the Minister for Health and Children 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 and Youth Affairs.

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

- (a) that property, real and personal, vests in the Minister for Children and Youth Affairs,
- (b) those rights shall be enjoyed by the Minister for Children and Youth Affairs, and

(c) those liabilities are liabilities of the Minister for Children and Youth Affairs.

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

SCHEDULE

Adoption Act 2010 (No. 21 of 2010)

Subsections (1)(d) and (2) (in so far as they relate to the Young People's Facilities and Services Fund) of section 2 of the Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007 (No. 32 of 2007)

*Ombudsman for Children Act 2002 (No. 22 of 2002)*

*Protections for Persons Reporting Child Abuse Act 1998 (No. 49 of 1998)*

Youth Work Act 2001 (No. 42 of 2001)



GIVEN under the Official Seal of the Government,  
10 May 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,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
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