



STATUTORY INSTRUMENTS.

S.I. No. 531 of 2012

EQUALITY TRIBUNAL (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2012

EQUALITY TRIBUNAL (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2012

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 Equality Tribunal (Transfer of Departmental Administration and Ministerial Functions) Order 2012.

(2) This Order comes into operation on 1 January 2013.

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 Jobs, Enterprise and Innovation.

(2) References to the Department of Justice and Equality 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 construed as references to the Department of Jobs, Enterprise and Innovation.

3. (1) The functions vested in the Minister for Justice and Equality by or under—

(a) sections 75, 76, 79, 94 and 100 of the Employment Equality Act 1998 (No. 21 of 1998),

(b) Part III and section 41(2) of the Equal Status Act 2000 (No. 8 of 2000),

(c) subsections (1) and (4) of section 41 of the Equal Status Act 2000 in so far as they relate to the provisions referred to in paragraph (b), and

(d) section 44(1) of the Equal Status Act 2000, in so far as it relates to summary proceedings for an offence under sections 36(4) or 37(1) of that Act,

are transferred to the Minister for Jobs, Enterprise and Innovation.

(2) References to the Minister for Justice and Equality 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 construed as references to the Minister for Jobs, Enterprise and Innovation.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 28th December, 2012.*

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

6. Every document (including any certificate or licence) granted or made in the performance 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 Jobs, Enterprise and Innovation.

7. References to the Minister for Justice and Equality 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 Jobs, Enterprise and Innovation.

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

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

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



GIVEN under the Official Seal of the Government,
18 December 2012.

ENDA KENNY,
Taoiseach.

Le ceannach ó
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