



STATUTORY INSTRUMENTS.

S.I. No. 367 of 2023

STANDARDS IN PUBLIC OFFICE (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) (NO. 2)
ORDER 2023

STANDARDS IN PUBLIC OFFICE (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) (NO. 2)
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 Standards in Public Office (Transfer of Departmental Administration and Ministerial Functions) (No.2) Order 2023.

(2) This Order comes into operation on 5 July 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 Public Expenditure, National Development Plan Delivery and Reform.

(2) References to the Department of Finance contained in any Act or any instrument made under an Act and relating to the administration and business transferred by paragraph (1) shall, from the commencement of this Order, be construed as references to the Department of Public Expenditure, National Development Plan Delivery and Reform.

3. (1) The functions vested in the Minister for Finance –

- (a) by virtue of the Standards in Public Office (Transfer of Departmental Administration and Ministerial Functions) Order 2023 (S.I. No. 89 of 2023), and
- (b) by or under the Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023 (No. 15 of 2023), are transferred to the Minister for Public Expenditure, National Development Plan Delivery and Reform.

(2) References to the Minister for Finance contained in any Act or instrument made under an Act and relating to any functions transferred by paragraph (1) shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure, National Development Plan Delivery and Reform.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Finance is a party and the proceedings have reference to functions transferred by this Order to the Minister for Public Expenditure, National Development Plan Delivery and Reform, the name of the Minister for Public Expenditure, National Development Plan Delivery and Reform shall, in so far as the proceedings relate to any functions

transferred by this Order, be substituted in the proceedings for that of the Minister for Finance 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 Finance may, in so far as it relates to a function transferred by this Order to the Minister for Public Expenditure, National Development Plan Delivery and Reform, be carried on or completed on or after such commencement by the Minister for Public Expenditure, National Development Plan Delivery and Reform.

6. Every document (including any certificate or licence) granted or made in the exercise of a function transferred by this Order, if and insofar 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 Public Expenditure, National Development Plan Delivery and Reform.

7. References to the Minister for Finance contained in the constitution 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 Public Expenditure, National Development Plan Delivery and Reform.

8. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for Finance in connection with the functions transferred by this Order are transferred on the commencement to the Minister for Public Expenditure, National Development Plan Delivery and Reform and, accordingly, without any further conveyance, transfer or assignment –

- (a) that property, both real and personal, vests in the Minister for Public Expenditure, National Development Plan Delivery and Reform,
- (b) those rights are rights of the Minister for Public Expenditure, National Development Plan Delivery and Reform, and
- (c) those liabilities are liabilities of the Minister for Public Expenditure, National Development Plan Delivery and Reform.

(2) All moneys, stocks, shares and securities transferred to the Minister for Public Expenditure, National Development Plan Delivery and Reform by this Article which, on the commencement of this Order, are standing in the name of the Minister for Finance shall, on the request of the Minister for Public Expenditure, National Development Plan Delivery and Reform be transferred into the name of the Minister for Public Expenditure, National Development Plan Delivery and Reform.



GIVEN under the Official Seal of the Government,
4 July, 2023.

LEO VARADKAR,
Taoiseach.

BAILE ÁTHA CLIATH
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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

ISBN 978-1-3993-2518-9



€ 3.00

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