



STATUTORY INSTRUMENTS.

S.I. No. 402 of 2021

BROADCASTING (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2021

BROADCASTING (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2021

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 Broadcasting (Transfer of Departmental Administration and Ministerial Functions) Order 2021.

(2) This Order comes into operation on 14 July 2021.

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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.

(2) References to the Department of Transport 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.

3. (1) The functions vested in the Minister for Transport by or under subsections (1) and (5) of section 128 of the Broadcasting Act 2009 (No. 18 of 2009) are transferred to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.

(2) References to the Minister for Transport contained in any Act or instrument made under an 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.

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

function transferred by this Order to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, be carried on or completed from such commencement by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.

6. Every document (including any certificate or licence) granted or made in the exercise of a function transferred by this Order, 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.

7. References to the Minister for Transport 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.

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

- (a) that property, both real and personal, vests in the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,
- (b) those rights are rights of the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, and
- (c) those liabilities are liabilities of the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.

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



GIVEN under my Official Seal of the Government,
13 July, 2021.

MICHEÁL MARTIN,
Taoiseach.

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