



STATUTORY INSTRUMENTS.

S.I. No. 588 of 2020

EDUCATION WELFARE (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2020

**EDUCATION WELFARE (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2020**

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 Education Welfare (Transfer of Departmental Administration and Ministerial Functions) Order 2020.

(2) This Order shall come into operation on 1 January 2021.

2. (1) The administration and business in connection with the exercise, performance or execution of the functions transferred by Article 3 are transferred to the Department of Education.

(2) References to the Department of Children, Equality, Disability, Integration and Youth 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 Education.

3. (1) The functions vested in the Minister for Children, Equality, Disability, Integration and Youth -

- (a) by or under the Education (Welfare) Act 2000 (No. 22 of 2000), other than section 12(6)(e), and
- (b) in relation to the administration of -
 - (i) the Home School Community Liaison Scheme, and
 - (ii) the School Completion Programme,

are transferred to the Minister for Education.

(2) References to the Minister for Children, Equality, Disability, Integration and Youth 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 Education.

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

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 Education.

7. References to the Minister for Children, Equality, Disability, Integration and Youth 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 Education.

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

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

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



GIVEN under the Official Seal of the Government,
1 December, 2020.

MICHEÁL MARTIN,
Taoiseach.

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