

**FORESTRY AND WILDLIFE (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND
MINISTERIAL FUNCTIONS) ORDER 1987**

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:

REG 1

1. (1) This Order may be cited as the Forestry and Wildlife (Transfer of Departmental Administration and Ministerial Functions) Order, 1987.
- (2) This Order shall come into operation on the 31st day of March, 1987.

REG 2

2. In this Order "functions" includes powers and duties.

REG 3

3. (1) The administration and business in connection with the exercise, performance or execution of any functions transferred by Article 4 of this Order are hereby transferred to the Department of Energy.
- (2) References to the Department of the Marine contained in any Act or instrument made thereunder and relating to any administration and business transferred by paragraph (1) of this Article shall, on and after the commencement of this Order, be construed as references to the Department of Energy.

REG 4

4. (1) The functions vested in the Minister for the Marine by or under the Whale Fisheries Act, 1937 (No. 4 of 1937), the Forestry Act (No. 13 of 1946) (as amended by the Forestry Act (No. 6 of 1956) and the Wildlife Act (No. 39 of 1976), are hereby transferred to the Minister for Energy,
- (2) References to the Minister for the Marine contained in any Act or instrument made thereunder and relating to any functions transferred by this Article shall, on and after the commencement of this Order, be construed as references to the Minister for Energy,

REG 5

5. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for the Marine is a party and the proceedings have reference to functions transferred by this Order to the Minister for Energy, the name of the Minister for Energy, 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 the Marine or added in the proceedings, as may be appropriate, and the proceedings shall not abate by reason of such substitution.

REG 6

6. Anything commenced before the commencement of this Order by or under the authority of the Minister for the Marine may, so far as it relates to functions transferred by this Order to the Minister for Energy, be carried on or completed on or after such commencement by the Minister for Energy.

REG 7

7. Every document (including any certificate or licence) granted or made in the exercise of a function transferred by his Order shall, if and in so far as it was operative immediately before the commencement of this Order, have effect on and after such commencement as if it had been granted or made by the Minister for Energy.

REG 8

8. References to the Minister for the Marine contained in the memorandum and articles of association of any company and relating to any function transferred by this Order shall, on and after the commencement of this Order, be construed as references to the Minister for Energy.

REG 9

9. (1) All property, rights and liabilities held, enjoyed or incurred before the commencement of this Order by the Minister for the Marine in connection with the functions transferred by this Order shall be and are hereby transferred to the Minister for Energy, accordingly, without any further conveyance, transfer or assignment—

(a) the said property, real and personal, shall, on such commencement, vest in the Minister for Energy,

(b) the said rights shall, as on and from such commencement, be enjoyed by the Minister for Energy,

(c) the said liabilities shall, as on and from such commencement, be the liabilities of the Minister for Energy.

(2) All moneys, stocks, shares and securities transferred to the Minister for Energy by this Article which, on such commencement, are standing in the name of the Minister for the Marine shall on the request of the Minister for Energy be transferred into his name.

GIVEN under the Official Seal of the Government this 31st day of March, 1987.

CHARLES J. HAUGHEY,
Taoiseach.

EXPLANATORY NOTE.

This Order transfers to the Minister for Energy and to the Department of Energy respectively, with effect from the operative date of this Order, Ministerial functions and Departmental administration in relation to Forestry and Wildlife.