

**INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS ACT, 1987 (TRANSFER  
OF  
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 1993**

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 International Carriage of Perishable Foodstuffs Act, 1987 (Transfer of Departmental Administration and Ministerial Functions) Order, 1993.

(2) This Order shall come into operation on the 1st day of January, 1994.

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 Agriculture, Food and Forestry.

(2) References to the Department of Transport, Energy and Communications contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) of this Article shall, on and after the commencement of this Order in so far as they so relate, be construed as references to the Department of Agriculture, Food and Forestry.

REG 4

4. (1) The functions vested in the Minister for Transport, Energy and Communications by or under the International Carriage of Perishable Foodstuffs Act, 1987 (No. 20 of 1987), are hereby transferred to the Minister for Agriculture, Food and Forestry.

(2) References to the Minister for Transport, Energy and Communications contained in any Act or instrument made thereunder and relating to any functions transferred by paragraph (1) of this Article shall, on and after the commencement of this Order in so far as they so relate, be construed as references to the Minister for Agriculture, Food and Forestry.

REG 5

5. Where, immediately before the commencement of this Order, any legal proceedings were pending to which the Minister for Transport, Energy and Communications is a party and the proceedings have reference to functions transferred by this Order to the Minister for Agriculture, Food and Forestry, the name of the Minister for Agriculture, Food and Forestry 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, Energy and Communications 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 Transport, Energy and Communications may, in so far as it relates to functions transferred by this Order to the Minister for Agriculture, Food and Forestry, be carried on or completed on or after such commencement by the Minister for Agriculture, Food and Forestry.

#### REG 7

7. Every appointment or designation made or approval or general direction given in the exercise 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 on and from such commencement as if it had been made or given by the Minister for Agriculture, Food and Forestry.

#### REG 8

8. References to the Minister for Transport, Energy and Communications 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 Agriculture, Food and Forestry.

#### REG 9

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

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

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

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

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

GIVEN under the Official Seal of the Government, this 21st day of

December, 1993.

ALBERT REYNOLDS,  
Taoiseach.

EXPLANATORY NOTE.

This Order transfers to the Minister for Agriculture, Food and Forestry functions of the Minister for Transport, Energy and Communications under the International Carriage of Perishable Foodstuffs Act, 1987 (No. 20) and transfers the associated administration to the Department of Agriculture, Food and Forestry from the Department of Transport, Energy and Communications.