



STATUTORY INSTRUMENTS.

**S.I. No. 76 of 2012**

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AUTHORISATION OF CERTAIN INTERCEPTIONS (TRANSFER OF  
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL  
FUNCTIONS) ORDER 2012

**(Prn. A12/0460)**

AUTHORISATION OF CERTAIN INTERCEPTIONS (TRANSFER OF  
DEPARTMENTAL ADMINISTRATION AND MINISTERIAL  
FUNCTIONS) ORDER 2012

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 Authorisation of Certain Interceptions (Transfer of Departmental Administration and Ministerial Functions) Order 2012.

(2) This Order comes into operation on 13 March 2012.

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 Communications, Energy and Natural Resources.

(2) References to the Department of Justice and Equality 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 Communications, Energy and Natural Resources.

3. (1) The functions vested in the Minister for Justice and Equality under section 2 of the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993 (No. 10 of 1993) are transferred to the Minister for Communications, Energy and Natural Resources but only insofar as they relate to applications for an authorisation pursuant to section 6(1)(a)(ii)(II) of that Act.

(2) References to the Minister for Justice and Equality contained in any Act or instrument made thereunder and relating to the functions transferred by this Article shall, from the commencement of this Order, be construed as references to the Minister for Communications, Energy and Natural Resources.

4. Where, immediately before the commencement of this Order, any legal proceedings are pending to which the Minister for Justice and Equality is a party and the proceedings have reference to the functions transferred by this Order to the Minister for Communications, Energy and Natural Resources, the name of the Minister for Communications, Energy and Natural Resources shall, in so far as the proceedings relate to the functions transferred by this Order, be substituted in the proceedings for that of the Minister for Justice and Equality or

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 16th March, 2012.*

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 Justice and Equality may, in so far as it relates to the functions transferred by this Order to the Minister for Communications, Energy and Natural Resources, be carried on or completed on or after such commencement by the Minister for Communications, Energy and Natural Resources.

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 Communications, Energy and Natural Resources.



GIVEN under the Official Seal of the Government,  
13 March 2012.

ENDA KENNY,  
Taoiseach.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
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