



STATUTORY INSTRUMENTS.

S.I. No. 237 of 2025

TELECOMMUNICATIONS (TRANSFER OF DEPARTMENTAL
ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2025

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ADMINISTRATION AND MINISTERIAL FUNCTIONS) ORDER 2025

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 Telecommunications (Transfer of Departmental Administration and Ministerial Functions) Order 2025.

(2) This Order comes into operation on 1 June 2025.

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 the Environment, Climate and Communications contained in any Act or any instrument made under an Act 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.

3. (1) The functions vested in the Minister for the Environment, Climate and Communications –

- (a) by or under the Acts or provisions of the Acts mentioned in Part 1 of the Schedule,
- (b) under the Regulations or provisions of the Regulations mentioned in Part 2 of that Schedule,

are transferred to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.

(2) References to the Minister for the Environment, Climate and Communications contained in any Act or instrument made under such 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 the Environment, Climate and Communications 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 the Environment, Climate and Communications 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media 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 the Environment, Climate and Communications may, in so far as it relates to functions transferred by this Order to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media be carried on or completed on or after 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 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.

7. References to the Minister for the Environment, Climate and Communications contained in the constitution 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 the Environment, Climate and Communications, in connection with the functions transferred by this Order are transferred to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media and, accordingly, without any further conveyance, transfer or assignment, on such commencement –

- (a) that property, both real and personal, vests in the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,
- (b) those rights shall be enjoyed by 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 the Environment, Climate and Communications 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.

Schedule

Part 1

Sections 10 and 12A of the Wireless Telegraphy Act 1926 (No 45 of 1926)

Postal and Telecommunications Services Act 1983 (No. 24 of 1983)

Postal and Telecommunications Services (Amendment) Act 1984 (No. 10 of 1984)

Telecommunications (Miscellaneous Provisions) Act 1996 (No. 34 of 1996)

Postal and Telecommunications Services (Amendment) Act 1999 (No.5 of 1999)

Electronic Commerce Act 2000 (No. 27 of 2000)

A function of the Minister for the Environment, Climate and Communications under the Competition Act 2002 (amended by the Competition (Amendment) Act 2022 (No. 12 of 2022)) (No. 14 of 2002) as a relevant Minister (within the meaning of the Competition Act 2002)

Communications Regulation Act 2002 (No. 20 of 2002)

Digital Hub Development Agency Act 2003 (No. 23 of 2003)

Section 4(4) of the Communications Regulation (Amendment) Act 2007 (No. 22 of 2007)

Section 184 of the Broadcasting Act 2009 (No. 18 of 2009)

Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 (No.2 of 2010)

Communications Regulation (Postal Services) Act 2011 (No. 21 of 2011) (other than section 62 to 65 and Part 4)

Telecommunications Services (Ducting and Cables) Act 2018 (No.4 of 2018)

Section 3 (other than in so far as the section relates to Regulations that may be made under section 6 or 20), sections 11 and 17 and Parts 4 to 7 of the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 (No. 4 of 2023)

Schedule

Part 2

European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020 (S.I. No. 358 of 2020)

European (Electronic Communications Code) Regulations (S.I. No. 444 of 2022) (other than Regulation 79)

The functions of the Minister for the Environment, Climate and Communications referred to in paragraph (b) of the definition of relevant Minister in Regulation 2 of the Competition Act 2002 (Adjudication Officers) Regulations 2023 (S.I. No. 476 of 2023)

European Union (European Data Governance Act) Regulations 2024 (S.I. No. 272 of 2024)

European Union (European Data Governance Act) (No. 2) Regulations 2024 (S.I. No. 734 of 2024)



GIVEN under the Official Seal of the Government,
27 May, 2025.

MICHEÁL MARTIN,
Taoiseach.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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