
STATUTORY INSTRUMENTS

1978 No. 458 (N.I. 3)

NORTHERN IRELAND

The Industries Development (Northern Ireland) Order 1978

Laid before Parliament in draft

Made 21st March 1978

Coming into Operation 21st March 1978

At the Court at Buckingham Palace, the 21st day of March 1978

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 (a) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1.—(1) This Order may be cited as the Industries Development (Northern Ireland) Order 1978 and shall come into operation forthwith.

(2) The Interpretation Act (Northern Ireland) 1954 (b) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Vesting of property, etc., in Department of Commerce

2.—(1) The Department of Commerce (in this Article referred to as “the Department”) may, after consultation with the Northern Ireland Development Agency (in this Article referred to as “the Agency”) and with the consent of the Department of Finance, determine that so much of the property vested in the Agency by Article 13 of the Industries Development (Northern Ireland) Order 1976 (c) (in this Article referred to as “the principal Order”) as is held by the Agency in connection with undertakings specified in the determination shall on the date of the coming into operation of this Order vest in the Department and as from that date the Department shall, to the exclusion of the Agency, have all the rights and be subject to all the liabilities which the Agency had or to which the Agency was subject immediately before that date in relation to the undertakings so specified.

(a) 1974 c. 28.

(b) 1954 c. 33 (N.I.).

(c) S.I. 1976/580 (N.I. 10).

(2) Paragraphs (2) to (5) and (7) of the said Article 13 shall apply to any agreement, statutory provisions, document, right, liability, power or remedy so far as having effect in relation to undertakings specified in a determination under paragraph (1) and for that purpose references to the Northern Ireland Finance Corporation or the Agency shall be construed respectively as references to the Agency and the Department and references to the appointed day shall be construed as references to the day on which this Order comes into operation.

(3) The Department shall out of moneys appropriated for the purpose pay into the Consolidated Fund an amount equal to the amount of any issues—

(a) which were made to the Department from that Fund under Article 5 (2) of the Northern Ireland Finance Corporation (Northern Ireland) Order 1972 (a) or paragraph 2 of Schedule 2 to the principal Order; and

(b) which enabled it to make loans to the Northern Ireland Finance Corporation or the Agency for the purpose of giving financial assistance to the undertakings specified in a determination under paragraph (1); and

(c) which have not been repaid;

together with any outstanding interest on such issues.

(4) The Department, with the approval of the Department of Finance, may write off any loans which were made by the Department to the Northern Ireland Finance Corporation or the Agency from issues from the Consolidated Fund in relation to the undertakings specified in a determination under paragraph (1) together with any outstanding interest thereon.

(5) A certificate by the Department that land has been vested in it by virtue of paragraph (1) shall be evidence of such vesting and, upon lodgment of such a certificate, the certificate shall be registered in the Registry of Deeds or, in the case of registered land the title to which the certificate relates, shall be registered in the Land Registry.

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order enables the Department of Commerce for Northern Ireland to transfer from the Northern Ireland Development Agency to the Department certain undertakings which in 1976 were transferred from the Northern Ireland Finance Corporation to the Agency.