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STATUTORY INSTRUMENTS

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**2004 No. 3327**

**The Agriculture (Northern Ireland) Order 2004**

**PART II**

**THE AGRI-FOOD AND BIOSCIENCES INSTITUTE**

**Programme of work and directions**

6.—(1) The Institute and the Department—

- (a) shall for each financial year agree a programme of the Institute's proposed activities in that year in carrying out its assigned work; and
- (b) may by agreement at any time amend that programme;

and references below to the Institute's work programme for a financial year are references to the programme for that year as for the time being in force.

(2) As respects each financial year, it shall be the duty of the Institute—

- (a) to carry out the assigned work in its work programme for that year in accordance with that programme; and
- (b) not to undertake any commercial activities which would prejudice the carrying out of its work programme for that year.

(3) The functions of the Institute shall be exercised in accordance with such directions of a general or specific nature as the Department may give to the Institute in writing.

(4) But directions shall not be given in relation to any commercial activity of the Institute which would require the Institute to act in breach of any obligation owed to a person by virtue of an agreement under Article 5(1).

(5) Before giving any directions under paragraph (3), the Department shall consult the Institute.

(6) A transaction between a person and the Institute acting in purported exercise of its powers under this Order shall not be void by reason only that it was carried out in contravention of paragraph (2) or a direction given under paragraph (3), and such a person shall not be concerned to see or enquire whether—

- (a) the Institute is complying with paragraph (2); or
- (b) a direction under paragraph (3) has been given or complied with.