

1974. No. 239

[C]

**NORTHERN IRELAND DEPARTMENTS****Transfer of Functions and Adaptation of Enactments**

ORDER, DATED 13TH SEPTEMBER 1974, MADE BY THE SECRETARY OF STATE UNDER SECTION 4 OF THE MINISTRIES ACT (NORTHERN IRELAND) 1944.

WHEREAS by section 4 of the Ministries Act (Northern Ireland) 1944(a) it is provided that the chief executive member may, from time to time by order, assign to any department, or transfer to any department from any other department, such functions as appear to that member to be appropriate for such assignment or transfer; that each department shall have and may exercise such functions as may be specified by such an order; and that such an order may make such incidental, consequential and supplemental provisions as may be necessary or expedient for giving full effect to the Act, including provisions for such matters as are mentioned in section 4(2) of the Act:

AND WHEREAS by paragraph 2(1)(b) of Schedule 1 to the Northern Ireland Act 1974(b) it is provided that during the interim period within the meaning of that Act any functions of a person appointed under section 8 of the Northern Ireland Constitution Act 1973(c) other than the head of a Northern Ireland department, may be discharged by the Secretary of State:

NOW, THEREFORE, the Secretary of State in exercise of the powers conferred upon him by section 4 of the Ministries Act (Northern Ireland) 1944 and paragraph 2(1)(b) of Schedule 1 to the Northern Ireland Act 1974 and of all other powers enabling him in that behalf, hereby makes the following Order:—

*Title*

1. This Order may be cited as the Departments (Transfer of Functions) Order (Northern Ireland) 1974.

*Interpretation*

2. In this Order—

“Department” includes the head of a Department;

“transferor” and “transferee” respectively mean, in relation to any functions transferred under this Order, the Department from which and the Department to which the functions are transferred;

“transfer date” means 30th September 1974;

“transferred provision” has the meaning assigned to it by section 1 of the Interpretation Act (Northern Ireland) 1954(d).

(a) 1944. c. 14.

(b) 1974. c. 28.

(c) 1973. c. 36.

(d) 1954. c. 33.

*Transfer of certain functions of the Department of Education*

3. The functions exercisable immediately before the transfer date by the Department of Education under or for the purposes of the enactments set out in the Schedule shall be and are hereby transferred as from that date to the Department of Manpower Services.

*References in enactments, etc.*

4.—(1) The following provisions of this Article shall apply in relation to the functions transferred by this Order.

(2) In the construction and for the purposes of any transferred provision, judgment, decree, order, award, deed, contract, regulation, byelaw, certificate or other document passed or made before the appointed day, any reference to, or which is to be construed as a reference to, the transferor shall, so far only as may be necessary for the purpose or in consequence of the transfer, be construed as a reference to the transferee.

(3) The transfer shall not affect any order, regulation, rule, appointment, direction, instruction, approval, requirement or authorisation made or given or other thing done by the transferor before the appointed day, but any such matter shall, if in force immediately before that day, continue in force to the like extent and subject to the like provisions as if it had been duly made, given or done by the transferee.

(4) Anything commenced before the appointed day by or under the authority of the transferor may, so far as it relates to any functions transferred, be carried on or completed by or under the authority of the transferee.

(5) Where at the appointed day any legal proceeding is pending to which the transferor is a party, and the proceeding has reference to any of the functions transferred, the transferee shall be substituted in the proceeding for the transferor, and the proceeding shall not abate by reason of the substitution.

*Transfer of assets and liabilities*

5. All property, rights and liabilities held, enjoyed or incurred before the appointed day by a transferor in connection with the functions transferred to the transferee by this Order shall be transferred to the transferee as from the appointed day; and accordingly, as from that day, by virtue of this Order and without any further conveyance, transfer or assignment—

- (a) the said property, real or personal, shall vest in the transferee;
- (b) the said rights shall be enjoyed by the transferee; and
- (c) the said liabilities shall become liabilities of the transferee.

*Amendment of 1961 c. 8 (Northern Ireland) sections 4(3)(c), 5(2) and 7(2)*

6. In section 4(3)(c) section 5(2) and section 7(2) of the Youth Employment Service Act (Northern Ireland) 1961 for the words "the Ministry of Health and Social Services" there shall be substituted the words "the Department of Education".

Dated this 13th day of September 1974.

Merlyn Rees,  
One of Her Majesty's Principal  
Secretaries of State.

## SCHEDULE

**Enactments relating to functions transferred from Department of Education to Department of Manpower Services**

The Youth Employment Service Act (Northern Ireland) 1961 except section 6(2) and (4).

The Youth Employment Service (Amendment) Act (Northern Ireland) 1968.

Any enactment in force on the transfer date which amends or extends any of the above-mentioned enactments.

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**EXPLANATORY NOTE**

*(This note is not part of the Order but is intended to indicate its general purport.)*

The Order provides for the transfer of functions relating to the Youth Employment Service for Northern Ireland from the Department of Education to the Department of Manpower Services.

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**1974 No. 240****Medicines (Standard Provisions for Licences and Certificates) Amendment Regulations 1974**

This Order has been made by the Secretaries of State respectively concerned with health in England and in Wales, the Secretary of State concerned with health and with agriculture in Scotland, the Minister of Agriculture, Fisheries and Food, the Department of Health and Social Services for Northern Ireland and the Department of Agriculture for Northern Ireland, acting jointly, in exercise of their powers under section 47(1) of the Medicine Act 1968.

In pursuance of paragraph 11 of Schedule 4 of that Act this Order has been registered as a Northern Ireland Statutory Rule under the Statutory Rules Act (Northern Ireland) 1958. It is printed in full in the volume of United Kingdom Statutory Instruments and has been numbered 1523 in that series.