
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 391

NORTHERN IRELAND DEPARTMENTS

Departments (Transfer of Functions)
Order (Northern Ireland) 1997

Made - - - - *22nd August 1997*

Coming into operation *1st October 1997*

In exercise of the powers conferred by section 4 of the Ministries Act (Northern Ireland) 1944⁽¹⁾ and now vested in me⁽²⁾ and all other powers enabling me in that behalf, I hereby make the following Order—

Citation and commencement

1.—(1) This Order may be cited as the Departments (Transfer of Functions) Order (Northern Ireland) 1997.

(2) This Order shall come into operation on 1st October 1997.

Interpretation

2. In this Order “the transfer date” means 1st October 1997.

Transfer of certain functions of the Department of Economic Development

3. There are hereby transferred as from the transfer date to the Department of the Environment the functions exercisable immediately before that date by the Department of Economic Development under or for the purposes of Article 17 of the Social Security (Northern Ireland) Order 1990⁽³⁾.

References in enactments, etc.

4.—(1) In the construction and for the purposes of any enactment, judgment, decree, order, award, deed, contract, regulation, byelaw, certificate or other document passed or made before the transfer date, any reference to, or which is to be construed as a reference to, the Department of Economic Development shall, so far only as may be necessary for the purposes of this Order, be construed as a reference to the Department of the Environment.

(1) 1944 c. 14 (N.I.)

(2) By S.I.1973/2163 Article 14(1) and Sch. 5 para. 27; 1974 c. 28 section 1(3) and Sch. 1 para. 2(1)(b)

(3) S.I. 1990/1511 (N.I. 15) as amended by S.I. 1996/2879 (N.I. 21)

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(2) The transfer of functions by this Order shall not affect any order, regulation, rule, appointment, direction, instruction, approval, requirement or authorisation made or given or other thing done by the Department of Economic Development before the transfer date, but any such matter shall, if in force immediately before that date, 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 Department of the Environment.

(3) Anything commenced before the transfer date by or under the authority of the Department of Economic Development may, so far as it relates to any function transferred by this Order, be carried on or completed by or under the authority of the Department of the Environment.

(4) Where, at the transfer date, any legal proceeding is pending to which the Department of Economic Development is a party and the proceeding relates to any of the functions transferred by this Order, the Department of the Environment shall be substituted in the proceeding for the Department of Economic Development, and the proceeding shall not abate by reason of the substitution.

Transfer of assets and liabilities

5. On the transfer date all property, rights and liabilities held, enjoyed or incurred immediately before that date by the Department of Economic Development in connection with the functions transferred to the Department of the Environment shall be transferred to, and by virtue of this Order vest in, the Department of the Environment.

Marjorie Mowlam
One of Her Majesty's Principal Secretaries of
State

Dated this 22nd day of August 1997.

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EXPLANATORY NOTE

(This note is not part of the Order.)

This Order transfers to the Department of the Environment the functions of the Department of Economic Development under Article 17 of the Social Security (Northern Ireland) Order 1990 which relate to the payment of grants for the improvement of energy efficiency in certain dwellings.