Changes to legislation: *Industrial Development Act (Northern Ireland) 2002 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

2002 CHAPTER 1

Invest Northern Ireland

1.—(1) There shall be a body corporate to be known as Invest Northern Ireland (in this Act referred to as "INI").

(2) Schedule 1 (which makes provision about INI) shall have effect.

Functions of INI

2.—(1) INI shall exercise the functions which immediately before the appointed day were functions of the Department under—

(a) Articles 7 to 11 and 13 of the Industrial Development Order; and

(b) Article 3 of the Energy Efficiency (Northern Ireland) Order 1999 (NI 3).

(2) Subsection (1)(a) is subject to—

(a) any amendment of the Industrial Development Order which is made by section 5 or Schedule 3 and affects the functions in question; and

(b) section 6 (temporary saving for certain functions of Department under that Order in relation to gas and electricity undertakings).

(3) INI shall also advise the Department generally on the formulation of its industrial development policy.

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

(5) Before giving any directions under subsection (4), the Department shall consult INI.

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Dissolution of IDB, LEDU and IRTU and abolition of certain functions of Tourist Board

3.—(1) On the appointed day the IDB is dissolved.

(2) On the appointed day LEDU is dissolved.

(3) On the appointed day the Department shall cease to maintain within the Department—

(a) the Executive of the IDB; and

(b) IRTU.

(4) On the appointed day—

(a) the functions of the Tourist Board in connection with the provision of financial assistance under Article 11 of the Tourism (Northern Ireland) Order 1992 (NI 3) for the purposes of providing or improving tourist accommodation are abolished; and

(b) accordingly, in Article 11(1)(c)(iii) of that Order the words "tourist accommodation or" shall cease to have effect.

(5) Schedule 2 (which makes provision for the transfer to INI of the property, rights, liabilities and staff of LEDU, certain property, rights, liabilities and staff of the Tourist Board and certain property, rights and liabilities of the Department and contains other transitional provisions) shall have effect.

Interpretation

4.—(1) In this Act—

"the appointed day" means the day appointed under section 7(1);

"the Department" means the Department of Enterprise, Trade and Investment;

"the Industrial Development Order" means the Industrial Development (Northern Ireland) Order 1982 (NI 15);

"the IDB" means the Industrial Development Board for Northern Ireland;

"INI" has the meaning given by section 1(1);

"IRTU" means that part of the Department known as the Industrial Research and Technology Unit;

"LEDU" means the Local Enterprise Development Unit (being a company limited by guarantee [F1]. . .);

"the Tourist Board" means the Northern Ireland Tourist Board.

(2) This Act shall be construed as one with the Industrial Development Order.

(3) Any power of giving directions or making determinations conferred by any provision of this Act or the Industrial Development Order includes power to vary or revoke any direction or determination given or made under that provision.

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F1 S. 4(1): words in definition of "LEDU" omitted (1.10.2009) by virtue of Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 2(1), **Sch. 1 para. 202** (with art. 10)

Amendments and repeals

Subs. (1)—Amendments

(2) Article 7(6) of the Industrial Development Order (which restricts the giving of financial assistance by way of the acquisition of shares or stock in a company) shall cease to have effect.

(3) In Article 7(7) of that Order (additional interest chargeable where instalment of principal or interest on loan in arrears) for "instalment" (where it twice occurs) substitute "amount".

Subs. (4)—Repeals

[F2]Temporary saving for certain functions of Department under Industrial Development Order in relation to gas and electricity undertakings

6.—(1) Nothing in this Act affects the functions of the Department under Article 7, 8 or 9 of the Industrial Development Order in so far as they are exercisable in relation to—

(a) the undertaking of the holder of a licence or exemption under Part II of the Electricity (Northern Ireland) Order 1992 (NI 1); or

(b) the undertaking of the holder of a licence or exemption under Part II of the Gas (Northern Ireland) Order 1996 (NI 2).

(2) This section shall cease to have effect on the expiration of the period of three years beginning with the appointed day.

F2 prosp. rep. by 2003 NI 6

Commencement

7.—(1) The preceding provisions of this Act shall come into operation on such day as the Department may by order appoint[F3].

(2) An order under subsection (1) may contain such transitional provisions and savings as the Department thinks necessary or expedient.

F3 fully exercised by SR 2002/134

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Short title

8. This Act may be cited as the Industrial Development Act (Northern Ireland) 2002.

Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to :

- s. 3(4) repealed by 2011 c. 3 (N.I.) s. 4(3)
- Sch. 1 para. 19 repealed by 2016 c. 4 (N.I.) Sch. 9 (Amendment could not be applied. The relevant affected text is not available on legislation.gov.uk)