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STATUTORY INSTRUMENTS

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**1976 No. 424 (N.I. 6)**

**NORTHERN IRELAND**

**The Department of Housing, Local Government and Planning  
(Dissolution) (Northern Ireland) Order 1976**

*Laid before Parliament in draft*

*Made* 17th March 1976

*Coming into operation* 1st April 1976

At the Court at Buckingham Palace, the 17th day of March 1976

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. This Order may be cited as the Department of Housing, Local Government and Planning (Dissolution) (Northern Ireland) Order 1976 and shall come into operation on 1st April 1976.

*Interpretation*

2.—(1) The Interpretation Act (Northern Ireland) 1954 (b) shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“statutory provision” has the meaning assigned to it by section 1 (f) of the Interpretation Act (Northern Ireland) 1954; and

“transfer date” means the date on which this Order comes into operation.

*Dissolution of Department of Housing, Local Government and Planning*

3.—(1) All functions which immediately before the transfer date are exercisable by the Department of Housing, Local Government and Planning or by the Head of that Department shall, as from that date, be exercisable res-

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(a) 1974 c. 28.

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

pectively by the Department of the Environment and the Head of that Department.

(2) All assets and liabilities to which the Department of Housing, Local Government and Planning is entitled or subject immediately before the transfer date shall on that date be transferred to the Department of the Environment and accordingly, as from that date, by virtue of this Order and without any further conveyance, transfer or assignment those assets shall vest in, and those liabilities shall become liabilities of, the Department of the Environment.

(3) The Department of Housing, Local Government and Planning shall be dissolved on the transfer date.

*References in enactments etc.*

4.—(1) In the construction and for the purposes of any statutory provision, judgement, 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 Housing, Local Government and Planning 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.

(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 Housing, Local Government and Planning 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 Housing, Local Government and Planning 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 proceeding is pending to which the Department of Housing, Local Government and Planning is a party, the Department of the Environment shall be substituted in the proceeding for the Department of Housing, Local Government and Planning, and the proceeding shall not abate by reason of the substitution.

(5) In this Article "Department" includes the Head of the Department.

*Repeal and revocation of enactments*

5. In section 5 of the Administrative Provisions Act (Northern Ireland) 1925 (a) the words "The expression 'Ministry of Housing, Local Government and Planning' shall mean the Ministry of Housing, Local Government and Planning for Northern Ireland" are hereby repealed and Article 7 (2) of the Departments (Transfer of Functions) Order (Northern Ireland) 1973 (b) is hereby revoked.

*N. E. Leigh*

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(a) 15 & 16 Geo. 5 c. 3 (N.I.).

(b) S.R. & O. (N.I.) 1973 No. 504.

EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order provides for the dissolution of the Department of Housing, Local Government and Planning and for the transfer of its functions, assets and liabilities and the functions of the Head of that Department to the Department of the Environment or its Head.

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