
STATUTORY INSTRUMENTS

1982 No. 846 (N.I. 11)

NORTHERN IRELAND

The Departments (No. 2) (Northern Ireland) Order 1982

Laid before Parliament in draft

Made

23rd June 1982

Coming into Operation in accordance with Article 1

ARRANGEMENT OF ORDER

Article

1. Title and commencement.
2. Interpretation.
3. Renaming of Department of Manpower Services.
4. Dissolution of Department of Commerce.
5. References in enactments, etc.
6. Transfer of assets and liabilities.
7. Amendments and repeals.

SCHEDULES:

Schedule 1—Amendments.

Schedule 2—Repeals.

At the Court at Buckingham Palace, the 23rd day of June 1982

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 Departments (No. 2) (Northern Ireland) Order 1982 and shall come into operation on such day or days as the Head of the Department of Manpower Services may by order appoint.

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.

(a) 1974 c. 28. (b) 1954 c. 33 (N.I.).

(2) In this Order—

“appointed day” in relation to any provision of this Order, means the day appointed under Article 1 for the coming into operation of that provision;

“Department” includes the Head of a Department;

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

Renaming of Department of Manpower Services

3. The Department of Manpower Services is renamed the Department of Economic Development.

Dissolution of Department of Commerce

4.—(1) The functions which, immediately before the appointed day, are exercisable by the Department of Commerce are hereby transferred to the Department of Economic Development.

(2) The Department of Commerce is hereby dissolved.

References in enactments, etc.

5.—(1) In the construction and for the purposes of any statutory 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 Department of Commerce shall be construed as a reference to the Department of Economic Development.

(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 Commerce 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 Department of Economic Development.

(3) Anything commenced before the appointed day by or under the authority of the Department of Commerce may be carried on or completed by or under the authority of the Department of Economic Development.

(4) Where, at the appointed day, any legal proceeding is pending to which the Department of Commerce is a party, the Department of Economic Development shall be substituted in the proceeding for the Department of Commerce, and the proceeding shall not abate by reason of the substitution.

Transfer of assets and liabilities

6.—(1) All property, rights and liabilities held, enjoyed or incurred immediately before the appointed day by the Department of Commerce are hereby transferred to the Department of Economic Development and accordingly, by virtue of this Order and without any further conveyance, transfer or assignment—

(a) that property, real or personal, shall vest in the Department of Economic Development;

(b) those rights shall be enjoyed by the Department of Economic Development;

(c) those liabilities shall become liabilities of the Department of Economic Development.

(2) A certificate by the Department of Economic Development, that any property specified in the certificate, or any such interest in or right over any such property as may be specified, or any right or liability so specified, is by virtue of paragraph (1) for the time being vested in it, shall be conclusive evidence for all purposes of that fact.

Amendments and repeals

7.—(1) The enactments set out in Schedule 1 shall have effect subject to the amendments specified in that Schedule.

(2) The enactments set out in Schedule 2 are hereby repealed to the extent specified in column 3 of that Schedule.

N. E. Leigh,

Clerk of the Privy Council.

SCHEDULES

Article 7(1). SCHEDULE 1

AMENDMENTS

The Factories Act (Northern Ireland) 1965 (c.20)

1. In section 174(2), (3), (4) and (6) for “the Ministries” substitute “the Ministry”.

The Mines Act (Northern Ireland) 1969 (c. 6)

2. In section 160(1) for “appoint” substitute “appoints”.

Article 7(2). SCHEDULE 2

REPEALS

Chapter or Number	Short Title	Extent of Repeal
1965 c. 2.	The Trade Union (Amalgamations, etc.) Act (Northern Ireland) 1965.	In section 7(1) the words “with the concurrence of the Ministry of Commerce”.
1965 c. 20.	The Factories Act (Northern Ireland) 1965.	In section 174, subsection (6A) and in subsection (7) the definition of “the Ministries”.
1969 c. 6.	The Mines Act (Northern Ireland) 1969.	In section 160(1) the words “and the Minister of Health and Social Services”. In Schedule 4, in Part II, paragraph 19(2).
S.I. 1978/1042 (N.I. 12).	The Companies (Northern Ireland) Order 1978.	In Article 45, in paragraph (1)(g), the words “of Manpower Services”; in paragraph (5) the words “by the Department of Manpower Services” and “of Manpower Services”.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order effects changes in two Northern Ireland Departments. Article 3 renames the Department of Manpower Services as the Department of Economic Development. Article 4 transfers to that Department the functions of the Department of Commerce, which it dissolves.