
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 78

Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) Regulations (Northern Ireland) 2000

Transitional provisions and savings

- 13.—**(1) The transfer to the Agency of any transferred function shall not affect—
- (a) the validity of anything done, or having effect as if done, by or on behalf of the Department of Agriculture and Rural Development before the coming into operation of the provision by or under which the function is transferred;
 - (b) the power of the Department of Agriculture and Rural Development to act on behalf of the Agency in carrying out its functions;
 - (c) the power of the Department of Agriculture and Rural Development to act as competent authority for the purposes of—
 - (i) article 14 of Council Regulation (EC) No. 820/97 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products⁽¹⁾; and
 - (ii) article 3 of Commission Regulation (EC) No. 1141/97 laying down detailed rules for the application of Council Regulation (EC) No. 820/97 as regards the labelling of beef and beef products⁽²⁾; or
 - (d) the power of the Department of Agriculture and Rural Development to join with the Department of Health, Social Services and Public Safety⁽³⁾ in making Regulations under the Food Safety (Northern Ireland) Order 1991 in relation to—
 - (i) residues of veterinary products (as defined in section 29(2) of the 1999 Act) in food or food sources; and
 - (ii) charges for inspection in relation to such residues.
- (2) Anything (including legal proceedings or anything in connection with legal proceedings) which at the coming into operation of these Regulations is in the process of being done by or in relation to the Department of Agriculture and Rural Development, so far as it relates to a transferred function, may be continued by or in relation to the Agency.
- (3) Anything (including legal proceedings or anything in connection with legal proceedings) done or having effect as if done before the coming into operation of these Regulations by or in relation to the Department of Agriculture and Rural Development, so far as it relates to a transferred function, shall have effect as if done by or in relation to the Agency.
- (4) In so far as any existing Regulations or Orders made or having effect as if made by the Department of Agriculture and Rural Development under the Food Safety (Northern Ireland) Order 1991, including any Regulations or Orders made or having effect as if made under that Order by that Department acting jointly with the Department of Health, Social Services and Public Safety, are in

⁽¹⁾ O.J. No. L117, 7.5.97, p. 1

⁽²⁾ O.J. No. L165, 24.6.97, p. 7

⁽³⁾ Formerly the Department of Health and Social Services; *see* Article 3(6) of S.I.1999/283 (N.I. 1)

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force at the coming into operation of these Regulations, the powers of the Department of Agriculture and Rural Development to revoke, amend or re-make the Regulations or Orders shall be exercisable, in the same manner and subject to the same conditions, by the Department of Health, Social Services and Public Safety.

(5) Where any property, right or liability of a Northern Ireland Department is transferred to the Agency by virtue of a scheme made under section 41 of the 1999 Act—

- (a) if the authority making the scheme certifies that the property, right or liability has been transferred to the Agency by virtue of subsection (4) of that section, on a day appointed by the scheme for the transfer of the property, right or liability, the certificate shall be conclusive evidence for all purposes of any fact stated in it with respect to the effect of that subsection in relation to the transfer; and
- (b) paragraphs (3) and (4) shall not apply on and after that day to the property, right or liability transferred.