

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Minerals (Miscellaneous Provisions) Act (Northern Ireland) 1959, FIRST SCHEDULE. (See end of Document for details)

SCHEDULES

FIRST SCHEDULE

Sections 1 and 6 (2).

PROVISIONS CONSEQUENTIAL ON TRANSFER OF FUNCTIONS UNDER SUB-SECTION (2) OF SECTION ONE AND SUB-SECTION (1) OF SECTION SIX

- 1 In the construction and for the purposes of any enactment, judgment, decree, order, award, deed, contract, regulation, bye-law, certificate or other document passed or made before the commencement of this Act, any reference to, or which is to be construed as a reference to, the transferor shall, so far only as may be necessary for the purpose or in consequence of the transfer, be construed as a reference to the Ministry.
- 2 The transfer shall not affect any order, regulation, rule, appointment, direction, approval, requirement or authorisation made or given or other thing done by the transferor before the commencement of this Act, but any such matter shall, if in force immediately before such commencement, 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 Ministry.
- 3 Anything commenced before the commencement of this Act, by or under the authority of the transferor from which the functions were transferred may, so far as it relates to any functions transferred, be carried on or completed by or under the authority of the Ministry.
- 4 Where at the commencement of this Act any legal proceeding has reference to any of the functions transferred, the Ministry shall be substituted in the proceeding for the transferor and the proceedings shall not abate by reason of the substitution.
- 5 All property, rights and liabilities held, enjoyed or incurred before the commencement of this Act by the transferor in connection with such functions shall be transferred to the Ministry as from the commencement of this Act; and, accordingly, as from such commencement by virtue of this Act and without any further conveyance, transfer, assignment or other instrument whatsoever—
 - (a) the said property, real or personal, shall vest in the Ministry;
 - (b) the said rights shall be enjoyed by the Ministry; and
 - (c) the said liabilities shall become liabilities of the Ministry.
- 6 In this Schedule “transferor” means—
 - (a) in relation to functions transferred to the Ministry under sub-section (2) of section one, the department of the Government of Northern Ireland from which such functions were transferred; and
 - (b) in relation to functions transferred to the Ministry under sub-section (1) of section six, the Ministry of Finance.

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