

*Draft Order in Council laid before Parliament under section 86(6) of the Northern Ireland Act 1998,
for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

2001 No.

NORTHERN IRELAND

Northern Ireland Act 1998 (Transfer of Functions) Order 2001

Made - - - -

Coming into force in accordance with Article 1

At the Court at , the day of 2001

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 upon Her by section 86 of the Northern Ireland Act 1998(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Northern Ireland Act 1998 (Transfer of Functions) Order 2001 and shall come into force on the day on which the abolition of the Intervention Board takes effect.

(2) In this Order—

“the Department” means the Department of Agriculture and Rural Development;

“the Intervention Board” means the Intervention Board for Agricultural Produce established under section 6(1) of the European Communities Act 1972(2);

“the operative date” means the day on which this Order comes into force; and

“the transferor” means the Secretary of State for Northern Ireland.

Transfer of functions

2. All functions which—

(1) 1998 c. 47.

(2) 1972 c. 68.

- (a) at any time prior to the abolition of the Intervention Board were exercisable by the Board in relation to Northern Ireland on behalf of the transferor, and
 - (b) immediately before the operative date are exercisable by the transferor,
- shall on the operative date be transferred to the Department.

Transitional and consequential provisions

3.—(1) Anything (including any legal proceedings) which, immediately before the operative date, is in the process of being done by or in relation to the transferor may, so far as it relates to any function transferred by this Order, be continued by or in relation to the Department.

(2) Anything done by or in relation to the transferor for the purposes of or in connection with any function transferred by this Order shall, if in force immediately before the operative date, have effect as if done by or in relation to the Department in so far as that is required for continuing its effect on or after the operative date.

(3) This Order shall not affect the validity of anything done by the transferor before the operative date.

(4) Any enactment, instrument, agreement (whether or not in writing), or other document, which was made before the operative date, shall have effect, so far as may be necessary for the purposes of or in consequence of any transfer of functions by this Order, as if any references to the transferor were references to the Department.

Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers from the Secretary of State for Northern Ireland to the Department of Agriculture and Rural Development all the non-statutory functions with which the Intervention Board for Agricultural Produce was charged in relation to Northern Ireland prior to the abolition of that Board. These are mainly functions in relation to the Common Agricultural Policy of the European Union. Article 3 of the Order contains some transitional and consequential provisions.

The Intervention Board for Agricultural Produce (Abolition) Regulations 2001 (S.I. 2001/[]) provide for the Intervention Board to be abolished on the day after they are made.