1973. No. 357 **[C]**

LOCAL GOVERNMENT

Dissolution of the New Town Commissions

ORDER, DATED 26TH SEPTEMBER 1973, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTIONS 131(3), 133(1) AND 134 OF THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972.

The Ministry of Development on behalf of the Secretary of State and in exercise of the powers conferred on it by sections 131(3), 133(1) and 134 of the Local Government Act (Northern Ireland) 1972(**a**) and of every other power enabling it in that behalf hereby makes the following Order:—

Citation

1. This Order may be cited as the Local Government (Dissolution of the New Town Commissions) Order (Northern Ireland) 1973.

Interpretation

2. In this Order—

"the Commissions" means the Craigavon Development Commission, the Antrim and Ballymena Development Commission and the Londonderry Development Commission;

"development functions" has the meaning assigned to it by section 7(1)(*a*) of the New Towns Act (Northern Ireland) 1965(**b**).

"new town commission" has the meaning assigned to it by section 7(1) of the New Towns Act (Northern Ireland) 1965.

Dissolution of the Commissions

3. The day on which the Commissions will cease to exercise development functions and be dissolved shall be the 1st October 1973.

Transfer of functions

4. The development functions exercisable immediately before 1st October 1973 by the Commissions or by an officer of any of the Commissions shall be, and are hereby, transferred on that date—

(*a*) where they are industrial development functions, to the Ministry of Commerce, and

(*b*) where they are development functions other than industrial development functions, to the Ministry of Development.

Transfer of assets and liabilities

5.—(1) Subject to Article 6 every asset (other than any asset referred to in paragraph (2)) either held by a Commission or to which a Commission was entitled immediately before 1st October 1973 for the purposes of any development function which is transferred by Article 4 to a government department and every liability attaching to a Commission in connection with

(a) 1972. c. 9 (N.I.). (b) 1965. c. 13 (N.I.).

any such function shall on 1st October 1973 by virtue of this Order be transferred to and shall vest in or attach to that government department without the necessity of any conveyance, deed of transfer, assignment, notice or other instrument.

(2) The property held immediately before 1st October 1973—

(*a*) by Craigavon Development Commission known as Craigavon House, Bachelors Walk, Portadown, and

(*b*) by Londonderry Development Commission at Rectory Field, Limavady Road, Londonderry, and appropriated for the purposes of the Chief Architect Planners offices and for the purposes of the new office block presently under construction together with the rights of way to Limavady Road,

and every right and liability attaching to those respective Commissions in connection with that property shall on 1st October 1973 by virtue of this Order be transferred to and shall vest in or attach to the Ministry of Finance without the necessity of any conveyance, deed or transfer, assignment, notice or other instrument.

Transfer of balances

6. For the purposes of the transfer of assets and liabilities under Article 5(1)—

(*a*) the sums due to the Ministry by each of the Commissions immediately before 1st October 1973 on account of advances shall be allocated at that date between the government departments to whom the development functions are transferred by Article 4 in proportion to the written down value of the assets which were acquired in connection with each function up to and including 30th September 1973; and

(*b*) the accumulated balances outstanding on the general revenue accounts of the Commissions as shown in the audited balance sheets of the Commissions as at 30th September 1973 shall be allocated on 1st October 1973 between the government departments to whom the development functions are transferred by Article 4 in proportion to the written down value of the assets acquired in connection with each function up to and including 30th September 1973; and

(*c*) any bank or cash balances held by the Commissions as shown in the audited balance sheets of the Commissions as at 30th September 1973 shall be transferred to the Ministry of Finance as from 1st October 1973.

Transitional provisions

7.—(1) In the construction and for the purposes of any judgment, decree, order, award, deed, contract, bond, agreement, regulation, rule, certificate or other document made before 1st October 1973 and related to a function transferred by Article 4 any reference which is or is to be construed as a reference to a Commission shall, so far only as may be necessary for the purpose or in consequence of the transfer be construed as a reference to the government department to whom the function concerned is transferred by Article 4.