MINISTRIES

ORDER* IN COUNCIL DATED 4TH APRIL, 1955, MADE UNDER SECTION 4 OF THE MINISTRIES ACT (NORTHERN IRELAND), 1944, WITH RESPECT TO THE MINISTRY OF COMMERCE AND THE MINISTRY OF HOME AFFAIRS.

1955. No. 61 [C]

By the Governor in the Privy Council of Northern Ireland

WAKEHURST

Whereas by section four of the Ministries Act (Northern Ireland), 1944 (in this Order referred to as " the Act ") it is provided that the Governor of Northern Ireland may, from time to time, by Order in Council assign to any department, or transfer to any department from any other department, such functions as appear to the said Governor to be appropriate for such assignment or transfer; that each department shall have and may exercise such functions as may be specified by such an Order in Council; that such an Order in Council may make such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the Act, including provisions for such matters as are mentioned in sub-section (2) of section four of the Act; and that any Order in Council made under the said section may be varied or revoked by a subsequent Order in Council so made:

And whereas by sub-section (5) of the said section four it is provided that the said Governor shall not be recommended to make an Order in Council under the said section four (other than an Order in Council made for the purposes of section one or section two of the Act) until a draft thereof has lain before each House of Parliament for the statutory period, and that if either House of Parliament within that period resolves that no further proceedings be taken in relation thereto no further proceedings shall be so taken, but without prejudice to the preparation of a fresh draft:

And whereas it is expedient that provision as hereafter appearing in this Order should be made in relation to certain purposes other than purposes of section one or section two of the Act, and, accordingly, this Order was laid in draft before each House of Parliament for the statutory period, and neither House of Parliament during that period passed any resolution in relation thereto:

Now, Therefore, I, John de Vere, Baron Wakehurst, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in exercise of the powers conferred upon me by section four of the Act do hereby order as follows:—

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* A draft of this Order was laid before each House of Parliament on 1st February, 1955, for the statutory period.

General

1.—(1) This Order may be cited as the Ministries (Transfer of Functions) Order, 1955.

(2) In this Order the following expressions have the meanings hereby assigned to them, that is to say:—

"day of transfer" means the day on which this Order is made;

"Ministry" includes a Minister;

"transferor" and "transferee" respectively mean, in relation to any of the functions transferred, the Ministry from and the Ministry to which the functions are transferred.

(3) This Order shall have effect subject to the provisions of any Order in Council which may hereafter be made under section four of the Act.

Functions of the Ministry of Home Affairs

2.—(1) The functions exerciseable immediately before the day of transfer by the Ministry of Commerce under or for the purposes of the enactments set out in Part I of the Schedule to this Order shall be, and are hereby, transferred as from that day to the Ministry of Home Affairs:

Provided that the functions exerciseable immediately before that day by the Ministry of Commerce under or for the purposes of the enactments set out in Part II of the said Schedule shall not be transferred by virtue of this Order.

(2) Subject to the proviso to paragraph (1) of this Article, references to the Ministry of Commerce, where they occur in the enactments set out in Part I of the Schedule to this Order shall, as from the day of transfer, be construed as references to the Ministry of Home Affairs.

3.—(1) The Notification entitled "Assignment of Functions to Departments" issued by the Lord Lieutenant of Ireland on the seventh day of June, 1921, and altered by subsequent enactments, shall, so far as it relates to the Ministry of Commerce and the Ministry of Home Affairs, have effect subject to the provisions of this Order.

(2) The Ministries (Transfer of Functions) (No. 1) Order, 1944, as amended by the Ministries (Transfer of Functions) (No. 2) Order, 1944, and the Ministries (Transfer of Functions) (No. 3) Order, 1944, shall have effect subject to the provisions of this Order.

Transfer of Functions, Property, Rights and Liabilities

4.—(1) The following provisions of this Article shall apply in relation to the functions transferred by this Order.