Draft Order laid before the Assembly under Article 10(2) of the Financial Provisions (Northern Ireland) Order 1993 for approval

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2016 No. 000

GOVERNMENT TRADING FUNDS

The Driver and Vehicle Agency Trading Fund Order (Northern Ireland) 2016

Made - - - -	*2016*
Coming into operation -	*1st April 2016*

The Driver & Vehicle Testing Agency Trading Fund Order (Northern Ireland) 1996(**a**) ("the principal order") established, with effect from 1st April 1996, a trading fund ("the fund") under the Financial Provisions (Northern Ireland) Order 1993(**b**) ("the 1993 Order").

The Crown assets and liabilities described in general terms in Schedule 2 to the principal order were appropriated as assets and liabilities of the fund.

On 1st April 2007 the Driver and Vehicle Testing Agency ("DVTA") merged with Driver and Vehicle Licensing Northern Ireland ("DVLNI") to form a single agency known as the Driver and Vehicle Agency ("DVA").

Following this merger, it appears to the Department of the Environment ("the Department") that the principal order should be varied by extending the funded operations to include all of the operations of the DVA. The Department has, in accordance with Articles 3(2) and 10(4) of the 1993 Order, taken such steps as appear to it to be appropriate to give such persons as appear to it to be appropriate an opportunity to make representations to it and has laid a report before the Assembly about the representations received and its conclusions.

The Department has, in accordance with Articles 4(1) and (2) and 11 of the 1993 Order, with the concurrence of the Department of Finance and Personnel, determined that the Crown assets and liabilities set out in Schedule 2 to this Order are properly attributable to the additional funded operations and are suitable to be appropriated to the fund.

The Department has, in accordance with Article 4(3) of the 1993 Order, and in accordance with directions given by the Department of Finance and Personnel, determined the values and amounts of such assets and liabilities.

(**a**) S.R. 1996 No. 32
(**b**) S.I. 1993 No. 1252 (N.I. 5); the relevant amending Order is S.I. 1995 No. 2991 (N.I. 16)

The Department of the Environment, in exercise of the powers conferred on it by Articles 3, 4(1), (2) and (8), 4A and 10(2) and (4) of the Financial Provisions (Northern Ireland) Order 1993 and of every other power enabling it in that behalf, and in accordance with Article 11 of that Order with the concurrence of the Department of Finance and Personnel, makes the following Order:

Citation and commencement

1. This Order may be cited as the Driver and Vehicle Agency Trading Fund Order (Northern Ireland) 2016 and comes into operation on 1st April 2016.

Interpretation

2. In this Order—

"additional assets and liabilities" means the Crown assets and liabilities which are described in Schedule 2 to this Order and are properly attributable to the additional funded operations;

"additional funded operations" means those funded operations of the Driver and Vehicle Agency which are described in Schedule 1 to this Order which do not fall within the scope of the funded operations described in Schedule 1 to the principal order;

"Driver and Vehicle Agency" means the part of the Department of the Environment known as the Driver and Vehicle Agency;

"the fund" means the trading fund established by the principal order; and

"the principal order" means the Driver and Vehicle Testing Agency Trading Fund Order (Northern Ireland) 1996.

Variation of principal order

3. The principal order shall be varied in accordance with Articles 4 to 7.

Extension of funded operations

4. In Schedule 1 to the principal order for paragraphs 1 to 5 substitute paragraphs 1 to 6 of Schedule 1 to this Order.

Appropriation of assets and liabilities to the fund

5. The additional assets and liabilities shall be appropriated as assets and liabilities of the fund.

Public dividend capital

6. 50% of the amount by which the value of the additional assets exceeds the amount of the additional liabilities less the amount of revaluation reserve associated with those additional assets, shall be treated as additional public dividend capital of the fund.

Name of fund

7. The fund shall be known as the Driver and Vehicle Agency Trading Fund.

Sealed with the Official Seal of the Department of the Environment on 2016



Name
A senior officer of the
Department of the Environment

The Department of Finance and Personnel concurs in the making of this Order.

Sealed with the Official Seal of the Department of Finance and Personnel on 2016



Name
A senior officer of the
Department of Finance and Personnel

SCHEDULE 1

Articles 2 and 4

FUNDED OPERATIONS

1. The—

(a) inspection, examination, testing and weighing of vehicles, their parts, accessories, equipment and loads;

(b) supervision and licensing of drivers and motorcyclists;

(c) administration of the Register of Approved Driving Instructors;

(d) Register of Approved Motorcycle Instructors; and

(e) driving records.

2. The enforcement of laws relating to, or connected with, vehicles in so far as such enforcement does not fall within paragraph 1.

3. The licensing and regulation of passenger carrying operators, vehicles and drivers.

4. The provision of authority required for carrying on activities relating to vehicles and authorisation to drive, in so far as such provision does not fall within paragraph 1 or 2.

5. The promotion of road and vehicle safety and of environmental protection in connection with vehicles and vehicle drivers in so far as such promotion does not fall within paragraph 1, 2 or 4.

6. The carrying out of operations incidental, conducive or otherwise ancillary to the conduct of the operations described above.

SCHEDULE 2

Articles 2 and 5

ADDITIONAL ASSETS

Assets as at 1st April 2016 attributable to the additional funded operations being—

(a) land and buildings;

(b) equipment, vehicles, fixtures, furniture, fittings and computer hardware and software;

(c) intangible assets, including intellectual property; and

(d) current assets (net of current liabilities).

ADDITIONAL LIABILITIES

Liabilities as at 1st April 2016 attributable to the additional funded operations being provisions.

EXPLANATORY NOTE

(This note is not part of the Order)

The Driver & Vehicle Testing Agency Trading Fund was established in 1996 with effect from 1st April 1996.

This Order provides for the extension of that fund to include the additional operations of the Driver and Vehicle Agency (DVA) which are not included under the fund and for the appropriation to the fund of additional assets and liabilities related to those additional operations.

The estimated value of those additional assets and liabilities as at 1st April 2016 is as set out in the table below.

	£M
Additional Assets	
(a) land and buildings;	2.8
(b) equipment, vehicles, fixtures, furniture, fittings and computer hardware and software;	0.2
(c) intangible assets, including intellectual property; and	3.6
(d) current assets (net of current liabilities).	1.2
Additional Liabilities provisions.	(0.4)
Total Net Assets	7.4

The fund as extended will be the trading fund of the Driver and Vehicle Agency, an Agency of the Department of the Environment.

The fund, as extended, will be known as the Driver and Vehicle Agency Trading Fund.

An Explanatory Memorandum has been produced and is available from Road Safety and Vehicle Regulation Division, Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or online at http://www.legislation.gov.uk/nisr.

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