1990 No. 295

INDUSTRIAL TRAINING

Industrial Training (Catering Board) (Revocation) Order (Northern Ireland) 1990

Made . . . . . *2nd August 1990*

Coming into operation . . *1st September 1990*

The Department of Economic Development, in exercise of the powers conferred on it by Articles 14(1) and 19(1), (2)(*b*), (7) and (7A) of the Industrial Training (Northern Ireland) Order 1984(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Industrial Training (Catering Board) (Revocation) Order (Northern Ireland) 1990 and shall come into operation on 1st September 1990.

Interpretation

2. In this Order:—

"the Board" means the Catering Industry Training Board established by the Industrial Training (Catering Board) Order (Northern Ireland) 1966(**b**);

"the remaining assets" means any amount by which the assets of the Board may exceed the amount required to meet the liabilities of the Board and the expenses of winding up; and

"revocation day" means the day on which this Order comes into operation.

Winding up of the Board

3.—(1) On revocation day—

(*a*) the Board shall be wound up;

(*b*) all assets and liabilities to which the Board is entitled or subject immediately before that day shall be transferred to the Department, and those assets shall vest in, and those liabilities shall become liabilities of, the Department; and

(*c*) there shall be transferred to the employment of the Department all persons who immediately before that day were employed by the Board.

(**a**) S.I. 1984/1159 (N.I. 9). Article 19 was amended by S.I. 1990/1200 (N.I. 8)
(**b**) S.R. & O. (N.I.) 1966 No. 32 as amended by S.R. & O. (N.I.) 1967 No. 236

(2) A person transferred under paragraph (1) shall not be taken to have been dismissed from his employment by the Board by reason of redundancy and for the purposes of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(**a**) and the Industrial Relations (Northern Ireland) Orders 1976 to 1987, his period of employment by the Board shall count as a period of employment by the Department.

(3) A person transferred under paragraph (1) shall be exempt from the requirement in Article 4(1) of the Civil Service (Northern Ireland) Order 1986 (certificate of qualification to be issued before appointment to civil service).

(4) References in paragraphs (1) and (2) to employment by the Department are references to employment in the civil service of Northern Ireland under or for the purposes of the Department.

(5) The Department shall make arrangements for the winding up of the affairs of the Board.

(6) Without prejudice to the generality of paragraph (5), the Department shall, as far as practicable, discharge the Board's liabilities and the expenses of winding up from the assets of the Board vested in it by this Order.

Application of assets

4.—(1) The Department shall apply or transfer to any person to be applied, the remaining assets for the purpose specified in paragraph (2).

(2) The purpose referred to in paragraph (1) is the encouragement of training for employment.

Incidental, transitional and consequential provisions

5.—(1) Any legal proceedings which, but for this Order, could have been commenced or continued by or in relation to the Board, may be commenced or continued by or in relation to the Department.

(2) Every contract, agreement, licence and authority, whether written or not, and every deed, bond, instrument and document made before revocation day and still in effect at that time which relates to property, rights or obligations of the Board shall continue in effect but subject to the following modifications, so far as they are applicable—

(*a*) if the Board is a party thereto the Department shall be substituted as that party;

(*b*) for a reference (however worded and whether express or implied) to the Board there shall, as respects anything falling to be done or occurring after that time, be substituted a reference to the Department;

(*c*) for a reference (however worded and whether express or implied) to the members or any member, or to any officer or officers of the Board there shall be substituted, as respects anything done or falling to be done or occurring on or after revocation day, a reference to the Department; and

(**a**) 1965 c. 19 (N.I.)

(*d*) for a reference to the office or place of business of the Board there shall be substituted a reference to the office or place of business of the Department.

(3) The Department shall, for the part of the Board's financial year ending on revocation day, cause to be published a final report which shall include a statement of accounts of the Board to that date together with a copy of any report on these accounts made by auditors appointed by the Department.

Revocation

6. The Industrial Training (Catering Board) Order (Northern Ireland) 1966 is hereby revoked.

Sealed with the Official Seal of the Department of Economic Development on 2nd August 1990.

(L.S.) *D. J. Alexander*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the winding up of the Catering Industry Training Board, which was established by the Industrial Training (Catering Board) Order (Northern Ireland) 1966, and for the revocation of that Order with effect from 1st September 1990. The Order also provides for the transfer of the Board's staff to the employment of the Department of Economic Development. Any assets remaining on the completion of the winding up are to be applied for the purpose of encouraging training for employment.