STATUTORY RULES OF NORTHERN IRELAND

2007 No. 354

AGRICULTURE

Pig Production Development Committee (Winding Up) Order (Northern Ireland) 2007

Made - - - - 9th August 2007

Affirmed by resolution of the Assembly on 12th November 2007

Coming into operation in accordance with Article 1

The Department of Agriculture and Rural Development (**a**) makes the following Order on the recommendation of the Committee and in exercise of the powers conferred by section 11(1) of the Pig Production Development Act (Northern Ireland) 1964 (**b**):

Citation, commencement and interpretation

1. This Order may be cited as the Pig Production Development Committee (Winding Up) Order (Northern Ireland) 2007 and shall come into operation on the day after it is affirmed by resolution of the Assembly.

2. In this Order;

"the Act" means the Pig Production Development Act (Northern Ireland) 1964;

"the Committee" shall be construed in accordance with Article 3;

"the Department" means the Department of Agriculture and Rural Development;

"the dissolution date" shall be construed in accordance with Article 3;

"the Fund" is the Pig Production Development Fund as established by the Act.

Dissolution of the Committee

3. The Pig Production Development Committee (" the Committee") is dissolved with effect from 31 March 2008 ("the dissolution date").

Winding Up of the Committee

4.—(1) The Committee shall be wound up in accordance with the provisions of this Order.

(2) Between the coming into force of this Order and the dissolution date, the Committee shall so far as is practicable discharge all its liabilities.

(**a**) Formerly the Department of Agriculture for Northern Ireland, *see* Article 3(4) of S.I. 1999/283 (N.I. 1)
(**b**) 1964 c.25 (N.I.) as amended by S.I. 1977/1245 (N.I. 12) Art. 17(2) and S.I. 1994/1891 (N.I. 6) Art. 7

Transfer of assets

5. On the dissolution date, any moneys standing to the credit of the Fund and any other assets held by or on behalf of the Committee shall be transferred to Pig ReGen Limited for the benefit of persons engaged in the production of pigs.

Legal proceedings

6. Any legal proceedings to which the Committee is a party immediately before the dissolution date shall be continued after that date by or in relation to Pig ReGen Limited in its own name.

Contracts etc

7. Every contract, agreement, deed, bond, instrument or document made by the Committee before the dissolution date and still in effect at that date which relates to property, rights or obligations of the Committee shall continue in effect but subject to the following modifications so far as they are applicable—

(a) if the Committee is a party thereto, Pig ReGen Limited shall be substituted as that party;

(b) for a reference (however worded and whether express or implied) to the Committee there shall, as respects anything falling to be done or occurring after that time, be substituted or referenced to Pig ReGen Limited;

(c) for a reference (however worded and whether express or implied) to the chairman or any member or members of the Committee there shall be substituted as respects anything done or falling to be done or occurring on or after the dissolution date a reference to such officer or officers as Pig ReGen Limited shall appoint for the purpose; and

(d) for a reference to the office or place of business of the Committee there shall be substituted a reference to the office or place of business of Pig ReGen Limited.

Records

8. Without prejudice to the generality of section 11(1) of the Act all records of the Committee shall transfer to and vest in Pig ReGen Limited on the dissolution date.

Report and accounts

9. Pig ReGen Limited shall, not later than three months after the dissolution date, prepare for the Department a report and accounts in such form and containing such information as the Department may direct on the performance of the Committee's functions during the financial year commencing 1 April 2007 and ending on 31 March 2008.

Creditors

10.—(1) Every creditor shall, within three months of the dissolution date, notify Pig ReGen Limited of each of his debts or claims against the Committee remaining unsatisfied immediately before that date and shall give Pig ReGen Limited such further information relating thereto as it may reasonably require.

(2) Paragraph (1) shall not apply to any debt or claim which is the subject of legal proceedings which have commenced prior to the dissolution date.

(3) Every creditor shall state in the notification given to Pig ReGen Limited in accordance with paragraph (1) the amount of the debt or claim or, where the debt or claim is subject to contingency or is unliquidated or bears no specific value, shall include in it as far as possible a just estimate of the debt or claim.

(4) Pig ReGen Limited may admit or reject such debt or claim notified to it in accordance with paragraph (1) and shall notify the creditor in writing whether he admits or rejects in whole or in part and, if he rejects it, shall state in a notification the grounds of the rejection.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 9 August 2007.

L.S.

Norman Fulton
A senior officer of the Department of Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order makes provision for the dissolution of the Pig Production Development Committee (Article 3), for the transfer of its assets to Pig ReGen Limited and for dealing with the property, rights and liabilities of the Committee in connection with its dissolution.

Article 4 deals with the discharge of the Committee's liabilities during the winding up period and Article 5 deals with the transfer of its assets.

Article 6 deals with legal proceedings to which the Committee is a party prior to the dissolution date and Article 7 with contracts or agreements made by the Committee which are still in force at the time of dissolution. Article 8 deals with the transfer of the Committee's records.

Article 9 provides for the Committee's final report and accounts and Article 10 specifies the actions to be taken by creditors of the Committee.

Published and printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly

Dd. N3439. C2. 11/07. Gp. 130. 14567.