1968. No. 85 **[NC]**

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

ERSKINE OF RERRICK

Whereas section 2 of the Northern Ireland (Miscellaneous Provisions) Act 1945(**a**), as amended by section 13 of the Northern Ireland Act 1947(**b**), provides that if it appears to the Governor of Northern Ireland that, in consequence of functions having been transferred by or under an Act of the Parliament of Northern Ireland from one authority or person to another, it is expedient that functions conferred on the one by or under an Act of the Parliament of the United Kingdom (being functions that cannot be transferred by or under an Act of the Parliament of Northern Ireland) should be transferred to the other, he may, by Order in Council made with the consent of the Secretary of State, provide for the transfer of the functions so conferred accordingly:

And whereas the said section further provides that any such Order in Council may contain such consequential, incidental and supplemental provisions as appear to the Governor of Northern Ireland to be necessary or expedient for the purposes of the Order (including provisions amending any Act of the Parliament of the United Kingdom, or instrument issued under any such Act):

And whereas provision having been made by section 75(2) of the Transport Act (Northern Ireland) 1967(**c**) for the transfer of certain functions of the Transport Tribunal for Northern Ireland to the Ministry of Development, it is expedient also to make the provision hereafter appearing in this Order:

Now, therefore, I, John Maxwell, Baron Erskine of Rerrick, Knight Grand Cross of the Most Excellent Order of the British Empire, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland and with the consent of the undersigned Secretary of State, in exercise of the powers conferred upon me by the said section 2, do hereby order as follows:—

1. This Order may be cited as the Northern Ireland (Transfer of Transport Functions) Order 1968 and shall come into operation on the 1st day of April 1968.

(**a**) 8 & 9 Geo. 6. c. 12.
(**b**) 1947 c. 37.
(**c**) 1967. c. 37 (N.I.).

2. The functions exercisable immediately before the coming into operation of this Order by the Transport Tribunal for Northern Ireland under or for the purposes of sections 35 to 38, 44 and 45 of the Post Office Act 1953(**d**) are hereby transferred to the Ministry of Development.

3. Accordingly in section 88(2) of the Post Office Act 1953 (which defines certain expressions for the purpose of the application of that Act to Northern Ireland) the definition of "Transport Tribunal" shall be omitted and at the end of section 88 there shall be inserted the following subsection:—

"(5) Any reference in this Act (except in section 29) to the Transport Tribunal shall be construed as a reference to the Ministry of Development."

4. Anything commenced before the coming into operation of this Order in relation to the said Transport Tribunal may, so far as it concerns the functions specified in Article 2 of this Order, be carried on and completed by the Ministry of Development.

Given at Government House, Hillsborough, this 22nd day of March 1968.

J. D. Chichester-Clark

W. K. Fitzsimmons

R. W. B. McConnell

I hereby consent to the foregoing Order.

James Callaghan,

One of Her Majesty's Principal Secretaries of State

Dated this 28th day of March 1968.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order transfers to the Ministry of Development certain functions in relation to the Post Office exercisable by the Transport Tribunal for Northern Ireland under an enactment of the Parliament of Westminster (the Post Office Act 1953). The transfer of these functions is consequential upon the abolition of the Transport Tribunal for Northern Ireland under the Transport Act (Northern Ireland) 1967.

(**d**) 1953 c. 36.