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AN BILLE UM BORD NA gCAPALL (DÍSCAOILEADH), 1988  
BORD NA gCAPALL (DISSOLUTION) BILL, 1988

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*Mar a ritheadh ag dhá Theach an Oireachtais  
As passed by both Houses of the Oireachtas*

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ARRANGEMENT OF SECTIONS

Section

1. Definitions.
2. Dissolution of Board.
3. Payment of assets of Board.
4. Final accounts, etc.
5. Repeal.
6. Expenses.
7. Short title.

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ACTS REFERRED TO

Finance Act, 1895  
Horse Industry Act, 1970

1895, c. 16  
1970, No. 19



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AN BILLE UM BORD NA gCAPALL (DÍSCAOILEADH), 1988  
BORD NA gCAPALL (DISSOLUTION) BILL, 1988

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# BILL

*entitled*

AN ACT TO PROVIDE FOR THE DISSOLUTION OF BORD 5  
NA gCAPALL AND THE REPEAL OF THE HORSE  
INDUSTRY ACT, 1970, AND TO PROVIDE FOR OTHER  
MATTERS CONNECTED WITH THE MATTERS  
AFORESAID.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS: 10

Definitions.

1.—In this Act—

“the Board” means Bord na gCapall;

“the Minister” means the Minister for Agriculture and Food.

Dissolution of  
Board.

2.—(1) The Board is hereby dissolved.

(2) All property, whether real or personal (including choses-in- 15  
action), which immediately before the commencement of this Act was  
vested in or belonged to or was held in trust or subject to conditions  
for the Board and all rights, powers and privileges relating to or  
connected with any such property, shall, on such commencement,  
without any conveyance or assignment but subject where necessary 20  
to transfer in the books of any bank, corporation or company, become  
and be vested in or the property of or held in trust or subject to  
conditions for (as the case may require) the Minister, and the Minister  
may, subject to this section, sell, lease or otherwise dispose of or keep 25  
such property.

(3) All property transferred by this section which immediately  
before the commencement of this Act was standing in the books of  
any bank or was registered in the books of any bank, corporation or  
company in the name of the Board shall, upon the request of the  
Minister made at any time on or after such commencement, be 30  
transferred in those books by the bank, corporation or company into  
the name of the Minister.

(4) Every chose-in-action transferred by this section may, on or  
after the commencement of this Act, be sued upon, recovered, or 35  
enforced by and in the name of the Minister and it shall not be  
necessary for the Minister to give notice to the person bound in any  
such chose-in-action of the transfer effected by this section.

5 (5) Every debt and other liability (including unliquidated liabilities arising from torts or breaches of contract) which immediately before the commencement of this Act was owing and unpaid or had been incurred and was undischarged by the Board shall, on such commencement, become and be the debt or liability of the Minister and shall be paid or discharged by and may be recovered from and enforced against the Minister accordingly.

10 (6) Every contract which was entered into and was in force immediately before the commencement of this Act between the Board and any person shall continue in force on and after such commencement, but it shall be construed and have effect as if the Minister were substituted therein for the Board and shall be enforceable by or against the Minister accordingly.

15 (7) Where, immediately before the commencement of this Act, any legal proceedings were pending to which the Board was a party, in so far as the proceedings relate to the Board the Minister shall be substituted for the Board as a party thereto and if necessary the name of the Minister shall be substituted for that of the Board and the proceedings shall not abate by reason of any such substitution.

20 (8) Section 12 of the Finance Act, 1895, shall not apply to the vesting in the Minister of the property or rights transferred by this section.

25 3.—Any moneys, and any proceeds of the realisation by the Minister of any other assets, of the Board remaining after the discharge thereof by the Minister of any debts and other liabilities of the Board shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance may direct. Payment of assets of Board.

30 4.—(1) (a) As soon as may be after the debts and other liabilities of the Board have been discharged, the Minister shall cause to be prepared an account of all moneys received or expended by the Board in respect of each year in the period beginning with the year 1987 and ending with the year in which the aforesaid debts and other liabilities are discharged. Final accounts, etc.

35 (b) The Minister shall cause to be prepared a report of the proceedings of the Board in respect of each year in the period aforesaid.

40 (2) The accounts caused to be prepared under subsection (1) (a) of this section shall be submitted as soon as may be by the Minister to the Comptroller and Auditor General for audit.

(3) The Minister shall cause to be laid before each House of the Oireachtas as soon as may be copies of—

45 (a) the accounts audited under subsection (1) (a) of this section, together with the reports of the Comptroller and Auditor General thereon, and

(b) the reports referred to in subsection (1) (b) of this section.

Repeal.                   5.—The Horse Industry Act, 1970, is hereby repealed.

Expenses.               6.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Short title.             7.—This Act may be cited as the Bord na gCapall (Dissolution) 5 Act, 1989.



AN BILLE UM BORD NA gCAPALL  
(DÍSCAOILEADH), 1988

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**BILLE**

*dá ngairtear*

Acht do dhéanamh socrú chun Bord na gCapall a dhíscaoileadh agus chun an tAcht um Thionscal na gCapall, 1970, a aisghairm, agus do dhéanamh socrú i dtaobh nithe eile a bhaincann leis na nithe réamhráite.

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*Ritheadh ag dhá Theach an Oireachtais,  
3 Bealtaine, 1989*

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BAILE ÁTHA CLIATH:  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais,  
Teach Sun Alliance, Sráid Theach Laighean, Baile Átha Cliath  
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BORD NA gCAPALL (DISSOLUTION)  
BILL, 1988

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**BILL**

*entitled*

An Act to provide for the dissolution of Bord na gCapall and the repeal of the Horse Industry Act, 1970, and to provide for other matters connected with the matters aforesaid.

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*Passed by both Houses of the Oireachtas,  
3rd May, 1989*

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