
STATUTORY INSTRUMENTS

2012 No. 2590

**The Transfer of Functions (Secretary of State
for Culture, Media and Sport) Order 2012**

Supplementary

5.—(1) Anything (including legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to the Secretary of State for Culture, Olympics, Media and Sport may be continued by or in relation to the Secretary of State for Culture, Media and Sport.

(2) Anything done (or having effect as if done) by or in relation to the Secretary of State for Culture, Olympics, Media and Sport has effect, so far as is necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Secretary of State for Culture, Media and Sport.

(3) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as is necessary for the purposes of or in consequence of—

- (a) the transfer or entrusting to the Secretary of State for Culture, Media and Sport of any COMS function, or
- (b) the transfer of anything by article 4,

as if references to (and references which are to be read as references to) the Secretary of State for Culture, Olympics, Media and Sport were or included references to the Secretary of State for Culture, Media and Sport.

(4) Documents or forms printed for use in connection with any COMS function may be used in connection with that function even though they contain (or are to be read as containing) references to the Secretary of State for Culture, Olympics, Media and Sport.

(5) For the purposes of the use of any such documents or forms after the coming into force of this Order, those references are to be read as references to the Secretary of State for Culture, Media and Sport.

(6) In paragraphs (1) to (5) references to a Secretary of State include references to the department or an officer of that Secretary of State.

(7) A certificate signed by the Secretary of State for Culture, Media and Sport that an instrument purporting to be made or issued by the Secretary of State for Culture, Olympics, Media and Sport was so made or issued is conclusive evidence of that fact.

(8) The Documentary Evidence Act 1868(1) applies in relation to the Secretary of State for Culture, Media and Sport—

- (a) as if references to regulations and orders included references to any document, and
- (b) as if the officers mentioned in column 2 of the Schedule included any officer authorised to act on behalf of the Secretary of State.