
STATUTORY INSTRUMENTS

1995 No. 2986

The Transfer of Functions (Education and Employment) Order 1995

Employment (trade and industry) functions

7.—(1) In this article “the employment (trade and industry) functions” means the functions which were entrusted to the Secretary of State for Employment immediately before July 1995 and which have, before the making of this Order, been entrusted to the Secretary of State for Trade and Industry.

(2) All property, rights and liabilities to which the Secretary of State for Employment is entitled or subject at the coming into force of this Order in connection with the employment (trade and industry) functions are hereby transferred to the Secretary of State for Trade and Industry.

(3) Any contract, offer, warrant or other thing which—

(a) has been, or has effect as if, made, issued or done by or in relation to the Secretary of State for Employment in connection with the employment (trade and industry) functions or anything transferred by paragraph (2), and

(b) is in force at the coming into force of this Order,

shall have effect as if made, issued or done by or in relation to the Secretary of State for Trade and Industry.

(4) Without prejudice to paragraph (3), anything (including any 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 Employment may, so far as it relates to—

(a) any of the employment (trade and industry) functions, or

(b) anything to which paragraph (2) or (3) relates,

be continued by or in relation to the Secretary of State for Trade and Industry.

(5) Subject to article 11, any enactment or instrument passed or made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes of or in consequence of the entrusting to the Secretary of State for Trade and Industry of the employment (trade and industry) functions, as if any reference to the Secretary of State for Employment, to the Department of Employment or to an officer of the Secretary of State for Employment (including any reference which is to be construed as such a reference) were a reference to the Secretary of State for Trade and Industry, to the Department of Trade and Industry or, as the case may be, to an officer of the Secretary of State for Trade and Industry.

(6) Documents or forms printed for use in connection with any of the employment (trade and industry) functions may be used in connection with those functions notwithstanding that they contain, or are to be construed as containing, references to the Secretary of State for Employment; and for the purposes of the use of any such documents or forms after the coming into force of this Order, those references shall be construed as references to the Secretary of State for Trade and Industry.