
STATUTORY INSTRUMENTS

2016 No. 992

The Secretaries of State for Business, Energy and Industrial Strategy, for International Trade and for Exiting the European Union and the Transfer of Functions (Education and Skills) Order 2016

Supplementary provision in relation to the Secretary of State for Education

11.—(1) For the purposes of this article, a function is a “relevant education or skills function” so far as—

- (a) it is transferred by article 10, or
- (b) it was entrusted to the Secretary of State for Business, Innovation and Skills immediately before 13th July 2016 and has, before the making of this Order, been entrusted to the Secretary of State for Education.

(2) Paragraph (1)(b) does not apply to an education or training (adult detention) function (as defined by article 12(1)).

(3) There are transferred to the Secretary of State for Education all property, rights and liabilities to which the Secretary of State for Business, Innovation and Skills is entitled or subject at the coming into force of this Order in connection with a relevant education or skills function.

(4) 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 Business, Innovation and Skills may, so far as it relates to a relevant education or skills function or anything transferred by paragraph (3), be continued by or in relation to the Secretary of State for Education.

(5) Anything done (or having effect as if done) by or in relation to the Secretary of State for Business, Innovation and Skills in connection with a relevant education or skills function or anything transferred by paragraph (3) has effect, so far as 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 Education.

(6) Documents or forms printed for use in connection with a relevant education or skills 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 Business, Innovation and Skills; and 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 Education.

(7) 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 Education of a relevant education or skills function, or
- (b) the transfer of anything by paragraph (3),

as if references to (and references which are to be read as references to) the Secretary of State for Business, Innovation and Skills were or included references to the Secretary of State for Education.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) In paragraphs (4) to (7), references to the Secretary of State for Business, Innovation and Skills include references to the department or an officer of the Secretary of State for Business, Innovation and Skills; and references to the Secretary of State for Education are to be read accordingly.