

Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by a resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2013 No. XXXX

PUBLIC BODIES

The Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013

Made - - - - - *[2013]*

Coming into force in accordance with article 1(2) and (3)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 1(1), 6(1) and (5) and 35(2) of the Public Bodies Act 2011(a) (“the Act”).

In accordance with section 8 of the Act, the Secretary of State considers that this Order—

- (a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1); and
- (b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The consent of the Northern Ireland Assembly has, so far as required, been obtained in accordance with section 9(3) of the Act.

The Secretary of State has consulted in accordance with section 10 of the Act.

A draft of this Order, and an explanatory document containing the information required by section 11(2) of the Act, have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3). In accordance with section 11(4) of the Act, the draft of this Order has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

Citation and commencement

1.—(1) This Order may be cited as the Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013.

(2) Subject to paragraph (3), this Order comes into force on the day after the day on which it is made.

(a) 2011 c.24.

(3) Paragraph 10 of Schedule 1 comes into force on the day after that on which the other provisions of this Order come into force.

Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal

2. The Aircraft and Shipbuilding Industries Arbitration Tribunal is abolished.

Amendments consequential etc

3. Schedules 1 and 2 (which make consequential etc provision) have effect.

Date *Name*
Minister of State for Business and Enterprise
Department for Business, Innovation and Skills

SCHEDULE 1 Article 3
CONSEQUENTIAL ETC AMENDMENTS TO PRIMARY
LEGISLATION

House of Commons Disqualification Act 1975 (c.24)

1. In Schedule 1 to the House of Commons Disqualification Act 1975, in Part II (bodies of which all members are disqualified), omit the entry for the Aircraft and Shipbuilding Industries Arbitration Tribunal.

Northern Ireland Assembly Disqualification Act 1975 (c.25)

2. In Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, in Part II (bodies of which all members are disqualified), omit the entry for the Aircraft and Shipbuilding Industries Arbitration Tribunal.

Aircraft and Shipbuilding Industries Act 1977 (c.3)

3.—(1) The Aircraft and Shipbuilding Industries Act 1977 is amended as follows.
(2) Omit sections 42 to 44.
(3) In section 56(1), omit the definition of “stockholders’ representative”.
(4) In Schedule 3 (vesting of assets of undertakings in acquired companies), in paragraph 2(1), omit “or, in default of such agreement, by arbitration under this Act”.
(5) Omit Schedule 7.

Courts and Legal Services Act 1990 (c.41)

4. In Schedule 10 to the Courts and Legal Services Act 1990 (judicial and other appointments), omit paragraph 40.

Tribunals and Inquiries Act 1992 (c.53)

5. In Schedule 1 to the Tribunal and Inquiries Act 1992, in Part 1 (tribunals under direct supervision of the Council), omit the entry (in both columns of the table) for aircraft and shipbuilding industries.

Judicial Pensions and Retirement Act 1993 (c.8)

6.—(1) The Judicial Pensions and Retirement Act 1993 is amended as follows.

(2) In Schedule 5 (list of relevant offices for purposes of retirement provisions), omit the entry for the President of the Aircraft and Shipbuilding Industries Arbitration Tribunal.

(3) In Schedule 6 (retirement dates for certain judicial offices), omit paragraph 47.

(4) In Schedule 7 (transitional provision in respect of retirement dates), omit paragraph 5(5)(xxiii).

Arbitration Act 1996 (c.23)

7. In Schedule 3 to the Arbitration Act 1996, paragraph 32 (which amends Schedule 7 to the Aircraft and Shipbuilding Industries Act 1977) is repealed.

Constitutional Reform Act 2005 (c.4)

8.—(1) The Constitutional Reform Act 2005 is amended as follows.

(2) In Schedule 4 (other functions of the Lord Chancellor etc), in Part 1, omit paragraph 89.

(3) In Schedule 7 (protected functions of the Lord Chancellor), in Part A of paragraph 4, omit the entries for the Aircraft and Shipbuilding Industries Act 1977.

(4) In Schedule 9 (amendments relating to jurisdiction of the Supreme Court), in Part 1, omit paragraph 29.

(5) In Schedule 14 (offices relevant to the composition of the Judicial Appointments Commission), in Part 3, omit the entry (in both columns of the table) for the President of the Aircraft and Shipbuilding Industries Arbitration Tribunal.

Tribunals, Courts and Enforcement Act 2007 (c.15)

9. In Schedule 6 to the Tribunals, Courts and Enforcement Act 2007, in Part 4 (tribunals for the purposes of section 30), omit the entry (in both columns of the table) for the Aircraft and Shipbuilding Industries Arbitration Tribunal.

Public Bodies Act 2011 (c.24)

10. In Schedule 1 to the Public Bodies Act 2011, omit the entry for the Aircraft and Shipbuilding Industries Arbitration Tribunal.

SCHEDULE 2

Article 3

CONSEQUENTIAL AMENDMENTS TO SECONDARY LEGISLATION

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Instruments revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The Aircraft and Shipbuilding Industries Arbitration Tribunal (Scottish Proceedings) Rules 1977	S.I. 1977/1020	The whole Rules.
The Aircraft and Shipbuilding Industries Arbitration Tribunal Rules 1977	S.I. 1977/1022	The whole Rules.
The Transfer of Functions (Lord Advocate and Secretary of State) Order 1999	S.I. 1999/678	In the Schedule (functions transferred from the Lord Advocate to the Secretary of State), “Aircraft and Shipbuilding Industries Act 1977 (c. 3), Schedule 7, paragraph 10;”.
The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999	S.I. 1999/1750	In Schedule 1 (enactments conferring functions transferred to the Scottish Ministers), “The Aircraft and Shipbuilding Industries Act 1977 (c. 3), Schedule 7, paragraph 10.”.
The Enterprise Act 2002 (Disqualification from Office: General) Order 2006	S.I. 2006/1722	In Schedule 2 (amendment or modification of disqualification provisions), in Part 1, paragraph 2.
The Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007	S.I. 2007/2951	In article 2 (list of tribunals), the entry (in both columns of the table) for the Aircraft and Shipbuilding Industries Arbitration Tribunal.
The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010	S.I. 2010/976	In Schedule 18, Part 1, paragraph 9.

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order abolishes the Aircraft and Shipbuilding Industries Arbitration Tribunal established under section 42 of the Aircraft and Shipbuilding Industries Act 1977 (c.3).

Article 3 makes consequential repeals, revocations and amendments of Acts and other instruments specified in Schedules 1 and 2. Article 3 also removes the reference to the Aircraft and Shipbuilding Industries Arbitration Tribunal in Schedule 1 to the Public Bodies Act 2011 (c.24).

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. The explanatory document is published with this Order on www.legislation.gov.uk.

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