
STATUTORY INSTRUMENTS

1991 No. 188

MINISTERS OF THE CROWN

**The Transfer of Functions (Minister for the
Civil Service and Treasury) Order 1991**

<i>Made</i>	- - - -	<i>5th February 1991</i>
<i>Laid before Parliament</i>		<i>13th February 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

At the Court at Buckingham Palace, the 5th day of February 1991

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 1 of the Ministers of the Crown Act 1975(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1991.

(2) In this Order—

“instrument” (without prejudice to the generality of that expression) includes in particular Royal Warrants, Orders in Council, Orders by Her Majesty, orders, rules, regulations, minutes, agreements and other documents;

“the Minister” means the Minister for the Civil Service.

(3) This Order shall come into force on 1st April 1991.

Transfer of functions from the Minister to the Treasury

2. There are hereby transferred to the Treasury such functions as are at the commencement of this Order exercisable by the Minister with respect to the prescribing, in relation to appointments to situations in the civil service of the State, of qualifications relating to aptitude or potential.

Transfer of functions from the Treasury to the Minister

3. There are hereby transferred to the Minister such functions as are at the commencement of this Order exercisable by the Treasury with respect to the prescribing, in relation to appointments to situations in the civil service of the State, of qualifications relating to health, character or nationality.

Supplementary provisions

4.—(1) This Order shall not affect the validity of anything done by or in relation to the Minister or the Treasury before its commencement; and anything which at the commencement of this Order is in process of being done by or in relation to the Minister or the Treasury may, if it relates to any of the functions transferred by this Order from one of them to the other, be continued by or in relation to the other.

(2) Anything done by the Minister or the Treasury for the purposes of any of the functions transferred by this Order from one of them to the other shall, if in force at the commencement of this Order, continue in force and have effect as if similarly done by the other.

(3) Any instrument made before the commencement of this Order shall have effect—

- (a) so far as necessary for the purposes of, or in consequence of, the transfer of functions effected by article 2 as if any reference to the Minister or an officer of the Minister (including any reference which is to be construed as such a reference) were a reference to the Treasury or an officer of the Treasury;
- (b) so far as necessary for the purposes of, or in consequence of, the transfer of functions effected by article 3 as if any reference to the Treasury or an officer of the Treasury (including any reference which is to be construed as such a reference) were a reference to the Minister or an officer of the Minister.

G. I. de Deney
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order in Council transfers between the Treasury and the Minister for the Civil Service certain functions with respect to prescribing qualifications in relation to appointments to situations in the civil service.

Article 2 transfers to the Treasury the functions of the Minister with respect to prescribing qualifications relating to aptitude or potential.

Article 3 transfers to the Minister the functions of the Treasury with respect to prescribing qualifications relating to health, character or nationality.

Article 4 contains supplementary provisions.