
EXPLANATORY NOTE

(This note is not part of the Order)

This Order in Council, made under the Ministers of the Crown Act 1975, constitutes the Secretary of State for Education and Employment a corporation sole with a corporate seal.

The Order transfers to the Secretary of State for Education and Employment the functions of the Secretary of State for Education listed in article 3(2). The functions of the Secretary of State for Wales relating to education and the remainder of the functions of the Secretary of State for Education are transferred to the Secretary of State. The transfer of the education functions of the Secretary of State for Wales to the Secretary of State will still permit them to be exercised by the Secretary of State for Wales. The transfer of the functions of the Secretary of State for Education to the Secretary of State will permit them to be exercised by the Secretary of State for Education and Employment.

All property, rights and liabilities of the Secretary of State for Education are transferred to the Secretary of State for Education and Employment.

The Order transfers to the Secretary of State for Trade and Industry all the property, rights and liabilities of the Secretary of State for Employment in connection with the functions formerly entrusted to the Secretary of State for Employment and now entrusted to the Secretary of State for Trade and Industry, namely his functions in respect of—

- (1) Responsibility for redundancy payments and for payments to employees on the insolvency of their employer.
- (2) Policy on industrial relations, including pay and disputes, and advice on public holidays.
- (3) Administration and enforcement of employment agency legislation.
- (4) Policy on employment rights and trade union legislation.
- (5) Administration of industrial tribunals and the Employment Appeal Tribunal.
- (6) Responsibility for the Advisory, Conciliation and Arbitration Service (ACAS) and for the Office of Manpower Economics.

The Order also makes provisions consequential upon the transfer of those functions.

The Order makes provisions consequential upon the transfer to the Secretary of State for the Environment of health and safety functions formerly entrusted to the Secretary of State for Employment.

The Order makes provisions consequential upon the transfer to the Chancellor of the Exchequer of functions relating to employment statistics and labour market surveys formerly entrusted to the Secretary of State for Employment.

The Order transfers to the Secretary of State for Education and Employment all the property, rights and liabilities of the Secretary of State for Employment in connection with the remaining functions formerly entrusted to the Secretary of State for Employment and now entrusted to the Secretary of State for Education and Employment and makes provisions consequential upon the transfer of those functions.