
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 Skills and the Secretary of State for Work and Pensions as corporations sole (articles 3 and 4). Those articles also provide for the authentication of the corporate seals, the making of instruments by those Secretaries of State and related matters.

Article 6 transfers to the Secretary of State for Education and Skills all the property, rights and liabilities of the Secretary of State for Education and Employment in connection with the functions formerly entrusted to the Secretary of State for Education and Employment and now entrusted to the Secretary of State for Education and Skills. These functions relate to education.

Article 8 transfers to the Secretary of State for Work and Pensions all the property, rights and liabilities of the Secretary of State for Education and Employment in connection with the functions formerly entrusted to the Secretary of State for Education and Employment and now entrusted to the Secretary of State for Work and Pensions. These functions relate to employment.

Article 9 transfers to the Secretary of State for Work and Pensions all the property, rights and liabilities of the Secretary of State for Social Security in connection with the functions formerly entrusted to the Secretary of State for Social Security and now entrusted to the Secretary of State for Work and Pensions. These functions relate to social security, including child support. They do not include the functions relating to war pensions that have been entrusted to the Secretary of State for Defence.

Article 10 transfers to the Secretary of State for the Home Department all the property, rights and liabilities of the Secretary of State for Education and Employment in connection with the functions formerly entrusted to the Secretary of State for Education and Employment and now entrusted to the Secretary of State for the Home Department. These functions relate to the grant of work permits for immigration purposes.

Each of Articles 6, 8, 9 and 10 also contains consequential provisions relating to the entrusting of the functions in question to the Secretary of State to whom they are now entrusted.

Articles 5, 7 and 11 deal with functions under the miscellaneous enactments specified in them. Article 5 transfers to the Secretary of State for Education and Skills the functions of the Secretary of State for Education and Employment under the enactments mentioned in that Article. Article 7 transfers to the Secretary of State functions under section 1(2)(d) of the Trading Representations (Disabled Persons) Act 1958 (with a view to the exercise of these functions by the Secretary of State for Work and Pensions), while article 11 transfers to the Secretary of State certain functions under the Greater London Council (General Powers) Act 1975 (with a view to the exercise of these functions by the Secretary of State for Transport, Local Government and the Regions).

Nothing in this Order alters the functions of the National Assembly for Wales.