

2003 No. 2922

MINISTERS OF THE CROWN

**The Transfer of Functions (European Parliamentary Pay and Pensions)
Order 2003**

<i>Made</i> - - - -	<i>13th November 2003</i>
<i>Laid before Parliament</i>	<i>20th November 2003</i>
<i>Coming into force</i> - -	<i>16th December 2003</i>

At the Court at Buckingham Palace, the 13th day of November 2003

Present,

The Queen's Most Excellent Majesty in Council

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

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Transfer of Functions (European Parliamentary Pay and Pensions) Order 2003.

(2) This Order shall come into force on 16th December 2003.

(3) In this Order “the Leader of the House of Commons” means the Minister of the Crown who is for the time being designated as Leader of the House of Commons by the Prime Minister and First Lord of the Treasury.

Transfer of functions relating to European Parliamentary pay and pensions

2.—(1) The functions of the Lord President of the Council under —

- (a) the European Parliament (Pay and Pensions) Act 1979(b), and
- (b) any order made under that Act,

are hereby transferred to the Leader of the House of Commons.

(2) The words “Leader of the House of Commons” shall be substituted for the words “Lord President of the Council” wherever they occur in the provisions mentioned in paragraph (1).

(a) 1975 c.26.

(b) 1979 c. 50; the citation of this Act has been amended in accordance with section 3 of the European Communities Act 1986 (c. 58). Relevant amendments were made by the Transfer of Functions (European Parliamentary Pay and Pensions) Order 1995 (S.I. 1995/2995).

(3) In section 8(1) of the European Parliament (Pay and Pensions) Act 1979, after the definition of “electoral region” there shall be inserted —

“ “the Leader of the House of Commons” means the Minister of the Crown who is for the time being designated as Leader of the House of Commons by the Prime Minister and First Lord of the Treasury.”

Supplementary

3.—(1) Any enactment, instrument, contract or other document passed or made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes of or in consequence of the transfers effected by this Order, as if any reference to (and any reference which is to be read as a reference to) the Lord President of the Council were a reference to the Leader of the House of Commons.

(2) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to the Lord President of the Council before the coming into force of this Order; and anything which, at the time of coming into force of this Order, is in process of being done by or in relation to the Lord President of the Council may, if it relates to the functions transferred by this Order, be continued by or in relation to the Leader of the House of Commons.

(3) Any appointment made or other thing done (or having effect as if made or done) by the Lord President of the Council for the purpose of a function transferred by this Order, if in force at the coming into force of this Order, shall have effect, so far as required for continuing its effect after the coming into force of this Order, as if made or done by the Leader of the House of Commons.

A.K. Galloway
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2(1) of this Order transfers to the Leader of the House of Commons the functions of the Lord President of the Council under the European Parliament (Pay and Pensions) Act 1979 and any order made under that Act. Those functions relate to allowances, grants and pensions payable to or in respect of representatives and former representatives to the European Parliament who have been elected for constituencies in the United Kingdom. Articles 2(2), 2(3) and 3 of this Order contain provisions which are consequential on, or supplementary to, this transfer.

STATUTORY INSTRUMENTS

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Order 2003

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