
STATUTORY INSTRUMENTS

2008 No. 1034

The Transfer of Functions (Miscellaneous) Order 2008

Supplemental—

11.—(1) In this article “the transferee” means—

- (a) the Secretary of State, in relation to anything transferred by article 3, 6 or 7;
- (b) the Secretary of State for Environment, Food and Rural Affairs, in relation to anything transferred by article 8;
- (c) the Secretary of State for Transport, in relation to anything transferred to that Secretary of State by article 5 or 9;
- (d) the Secretary of State for Communities and Local Government, in relation to anything transferred to that Secretary of State by article 4, 5 or 10.

(2) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to the First Secretary of State before the coming into force of this Order.

(3) Anything done by or in relation to the First Secretary of State in connection with anything transferred by this Order has effect, so far as necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the transferee.

(4) Anything (including legal proceedings) which is in the process of being done by or in relation to the First Secretary of State when this Order comes into force may, if it relates to functions transferred by this Order, be continued by or in relation to the transferee.

(5) So far as is necessary for the purposes of or in consequence of any of articles 3 to 10, an enactment or instrument passed or made before this Order comes into force has effect as if—

- (a) a reference to the First Secretary of State were a reference to the transferee,
- (b) a reference to the Office of the Deputy Prime Minister were a reference to the Department of the transferee, and
- (c) a reference to an officer of the First Secretary of State were a reference to an officer of the transferee.

(6) The references to which paragraph (5) applies include references that are to be construed as references to the First Secretary of State, the Office of the Deputy Prime Minister or an officer of the First Secretary of State.