



Government of Wales Act 1998

1998 CHAPTER 38

PART II

ASSEMBLY FUNCTIONS

Transfer of Ministerial functions to Assembly

22 Transfer of Ministerial functions

- (1) Her Majesty may by Order in Council—
 - (a) provide for the transfer to the Assembly of any function so far as exercisable by a Minister of the Crown in relation to Wales,
 - (b) direct that any function so far as so exercisable shall be exercisable by the Assembly concurrently with the Minister of the Crown, or
 - (c) direct that any function so far as exercisable by a Minister of the Crown in relation to Wales shall be exercisable by the Minister only with the agreement of, or after consultation with, the Assembly.
- (2) The Secretary of State shall, before the first ordinary election, lay before each House of Parliament the draft of an Order in Council under this section making provision for the transfer of such functions in each of the fields specified in Schedule 2 as the Secretary of State considers appropriate.
- (3) An Order in Council under this section may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions in the form of amendments or repeals of enactments).
- (4) No recommendation shall be made to Her Majesty in Council to make an Order in Council under this section—
 - (a) unless a draft of the statutory instrument containing the Order in Council has been laid before, and approved by a resolution of, each House of Parliament, and

Status: This is the original version (as it was originally enacted).

- (b) in the case of an Order in Council varying or revoking a previous Order in Council, unless such a draft has also been laid before, and approved by a resolution of, the Assembly.
- (5) Schedule 3 (which makes further provision about the transfer etc. of functions by Order in Council under this section) has effect.