
STATUTORY INSTRUMENTS

1970 No. 1681

The Secretary of State for the Environment Order 1970

Consequential and supplemental

5.—(1) The provisions of Schedule 3 to this Order shall have effect for the purpose of making consequential amendments in the enactments there mentioned or otherwise adapting them to the provisions of this Order.

(2) Subject to the provisions of Schedule 3 to this Order, where in connection with any functions of the Minister of Housing and Local Government transferred by this Order any enactment or instrument provides for anything to be done by or in relation to both that Minister and a Secretary of State, it shall be read as providing for it to be done by or in relation to both the Secretary of State for the time being discharging those functions and such other Secretary of State (if any) as may be concerned; and similarly with things to be done by or in relation to both the Minister of Public Building and Works or Minister of Transport and a Secretary of State.

(3) The enactments mentioned in Schedule 4 to this Order are hereby repealed to the extent specified in column 2 of the Schedule; but, without prejudice to the operation in relation to this repeal of any provision of the Interpretation Act 1889,—

- (a) the repeal by this Order of any enactment effecting or relating to any transfer of functions, property, rights or liabilities shall not affect any transfer made before the coming into operation of this Order nor the operation in connection therewith of any provision made by or under that enactment; and
- (b) the repeal by this Order of any enactment relating to evidence shall not affect the operation of that enactment in relation to documents made or issued before the coming into operation of this Order.

6.—(1) This Order shall not affect the validity of anything done by or in relation to any existing Minister before the coming into operation of this Order; and anything which at the coming into operation of this Order is in process of being done by or in relation to an existing Minister, including in particular any legal proceedings to which an existing Minister is a party, may be continued by or in relation to the Secretary of State for the Environment.

(2) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by an existing Minister, or having effect as if so given, imposed or made, shall, if in force at the coming into operation of this Order, have effect as if given, imposed or made by the Secretary of State for the Environment in so far as that is required for continuing its effect after the coming into operation of this Order.

(3) Subject to any express amendment or repeal made by this Order any enactment, instrument or contract passed or made before the coming into operation of this Order shall have effect, so far as may be necessary for the purpose or in consequence of the transfers effected by this Order, as if any reference to an existing Minister or to a department or officer of his (including any reference which is to be construed as such a reference) were or included a reference to a Secretary of State (or to the Secretary of State for the Environment) or to his department or an officer of his, as the context may require.

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(4) Documents or forms printed or duplicated for use in connection with any functions transferred by this Order may be so used notwithstanding that they contain references to an existing Minister, and those references shall be construed as reference to the Secretary of State for the Environment; and similarly with references to the department or an officer of an existing Minister.

(5) Where any instrument in force at the coming into operation of this Order requires a sign to be exhibited which embodies the name of an existing Ministry, nothing in this Order shall be taken to affect that requirement, but signs complying with that instrument as in force before the coming into operation of this Order shall continue to be used until provision is made to the contrary.

(6) In this Article “existing Minister” means the Minister of Housing and Local Government, the Minister of Public Building and Works or the Minister of Transport, and “existing Ministry” has a corresponding meaning.