
STATUTORY INSTRUMENTS

1985 No. 1778

**The Transfer of Functions (Tourism
and Small Businesses) Order 1985**

Supplemental

4.—(1) This Order shall not affect the validity of anything done by or in relation to the Secretary of State for Trade and Industry before the coming into operation of the Order.

(2) Anything which at the coming into operation of this Order is in the process of being done by or in relation to the Secretary of State for Trade and Industry or his Department (including in particular any legal proceedings) may, if it relates—

- (a) to any of the functions transferred by Article 2(1) above; or
- (b) to any of the tourism and small businesses functions or any property, rights or liabilities transferred by Article 2(2) above,

be continued by or in relation to the relevant Minister or, as the case may be, the Department of Employment.

(3) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by the Secretary of State for Trade and Industry or the Board of Trade in connection with—

- (a) any of the functions transferred by Article 2(1) above; or
- (b) any of the tourism and small businesses functions or any property, rights or liabilities transferred by Article 2(2) above,

and any authorisation, requirement or appointment which has effect as if so given, imposed or made shall have effect, so far as may be necessary for continuing its effect, as if given, imposed or made by the relevant Minister.

(4) Subject to Article 3(2) above, any instrument or contract made before the coming into force of this Order shall have effect, so far as may be necessary for the purpose or in consequence of—

- (a) the transfer of functions effected by Article 2(1) above; or
- (b) the transfer of any of the tourism and small businesses functions or the transfer by Article 2(2) above of any property, rights or liabilities,

as if any reference to the Secretary of State for Trade and Industry or to his Department or to any officer of his (including a reference which is to be construed as such a reference) were a reference to the relevant Minister or to the Department of Employment or to an officer of the Secretary of State for Employment, as the case may be.

(5) In this Article “the relevant Minister” —

- (a) in relation to any of the functions transferred by Article 2(1) above, means the Secretary of State; and
- (b) in relation to any of the tourism and small businesses functions or any property, rights or liabilities transferred by Article 2(2) above, means the Secretary of State for Employment.