
STATUTORY INSTRUMENTS

1995 No. 2995

MINISTERS OF THE CROWN

**The Transfer of Functions (European
Parliamentary Pay and Pensions) Order 1995**

Made - - - - 23rd November 1995
Laid before Parliament 5th December 1995
Coming into force - - 27th December 1995

At the Court at Buckingham Palace, the 23rd day of November 1995

Present,

The Queen's Most Excellent Majesty in Council

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

Citation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (European Parliamentary Pay and Pensions) Order 1995.

(2) This Order shall come into force on 27th December 1995.

Transfer of functions relating to European Parliamentary pay and pensions

2.—(1) The functions of the Secretary of State under—

- (a) the European Parliament (Pay and Pensions) Act 1979(2), and
- (b) any order made under that Act,

are hereby transferred to the Lord President of the Council.

(2) Subject to paragraphs (4) and (5), the words “Lord President of the Council” shall be substituted for the words “Secretary of State” wherever they occur in the provisions mentioned in paragraph (1).

(1) 1975 c. 26.

(2) 1979 c. 50; the citation of this Act has been amended in accordance with section 3 of the European Communities Act 1986 (c. 58).

(3) In section 6 of the European Parliament (Pay and Pensions) Act 1979, the words “At any time after he has made an order under section 4” are hereby repealed.

(4) Paragraph (2) shall not apply to article 25(6) of the European Parliamentary (United Kingdom Representatives) Pensions (Consolidation and Amendment) Order 1994⁽³⁾.

(5) Paragraph (2) shall not apply to article 5(2) of the European Parliamentary (United Kingdom Representatives) Pensions (Additional Voluntary Contributions Scheme) (No. 2) Order 1995⁽⁴⁾; but in article 5(2) for “if the Secretary of State has appointed more than one financial institution” there shall be substituted “if more than one financial institution has been appointed”.

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 the Secretary of State were a reference to the Lord President of the Council.

(2) This Order does not affect the validity of anything done by or in relation to the Secretary of State 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 Secretary of State may, if it relates to the functions transferred by this Order, be continued by or in relation to the Lord President of the Council.

(3) Any appointment made or other thing done by the Secretary of State 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 Lord President of the Council.

N. H. Nicholls
Clerk of the Privy Council

⁽³⁾ S.I.1994/1662.

⁽⁴⁾ S.I. 1995/739.

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2(1) of this Order transfers to the Lord President of the Council the functions of the Secretary of State 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) to (5) and 3 of this Order contain provisions which are consequential on, or supplementary to, this transfer.