
STATUTORY INSTRUMENTS

1996 No. 273

**The Transfer of Functions (Registration
and Statistics) Order 1996**

Citation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Registration and Statistics) Order 1996.

(2) This Order shall come into force on 1st April 1996.

Interpretation

2. In this Order “instrument”, without prejudice to the generality of that expression, includes in particular Royal Charters, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, directions, schemes, bye-laws, awards, contracts and other agreements, memoranda and articles of association, warrants, certificates and other documents.

Transfer of functions

3.—(1) The functions of the Secretary of State under the enactments listed in Schedule 1 to this Order are hereby transferred to the Chancellor of the Exchequer.

(2) The function of the Secretary of State for Health under section 9 of the Births and Deaths Registration Act 1926(1) (removal of bodies from England: regulations) is hereby transferred to the Chancellor of the Exchequer.

Supplemental

4.—(1) All rights and liabilities to which the Secretary of State for Health is entitled or subject immediately before the coming into force of this Order in connection with any function transferred by this Order are hereby transferred to the Chancellor of the Exchequer.

(2) This Order shall not—~~not~~ affect the validity of anything done by or in relation to the Secretary of State for Health before the coming into force of this Order; and anything which, at the coming into force of this Order, is in the process of being done by or in relation to the Secretary of State for Health may, if it relates to functions, rights or liabilities transferred by this Order, be continued by or in relation to the Chancellor of the Exchequer.

(3) Any legal proceedings to which the Secretary of State for Health is a party at the coming into force of this Order may, if they relate to functions, rights or liabilities transferred by this Order, be continued by or against the Chancellor of the Exchequer.

(4) Any approval, consent or direction given, or other thing done, by the Secretary of State for Health in the—~~exercise~~ exercise of any function transferred by this Order (or having effect as if so given or

(1) 1926 c. 48; the function under section 9 was transferred from the Minister of Health to the Secretary of State for Social Services by the Secretary of State for Social Services Order 1968 (S.I. 1968/1699), art. 5(3) and Sched., Part 1, and to the Secretary of State for Health by the Transfer of Functions (Health and Social Security) Order 1988 (S.I. 1988/1843), art. 2(1) and Sched. 2, Part I.

done) shall, if in force at the coming into force of this Order, continue in force and have effect as if similarly given or done by the Chancellor of the Exchequer.

Consequential amendments, &c.

5.—(1) The enactments mentioned in Schedule 2 to this Order shall have effect with the amendments specified in that Schedule.

(2) Subject to the amendments made by Schedule 2 to this Order, any enactment or instrument passed or made before the coming into force of this Order shall have effect, so far as necessary for the purpose of or in consequence of article 3, as if for any reference to the Secretary of State or the Secretary of State for Health (including any reference which is to be construed as such a reference) there were substituted a reference to the Chancellor of the Exchequer.

(3) Any reference in any instrument to the Central Statistical Office of the Chancellor of the Exchequer or the Office of Population Censuses and Surveys (including any reference which is to be construed as such a reference) shall be construed after the coming into force of this Order (so far as the context permits) as a reference to the Office for National Statistics.

(4) Documents or forms printed or duplicated for use in connection with any function transferred by this Order may be used notwithstanding that they contain (or are to be construed as containing) references to the Secretary of State, the Secretary of State for Health, the Department of Health, an officer of that Department, the Central Statistical Office of the Chancellor of the Exchequer, an officer of that Office, the Office of Population Censuses and Surveys or an officer of that Office; and those references shall be construed as references to the Chancellor of the Exchequer, the Office for National Statistics or an officer of that Office, as the context may require.

(5) The Documentary Evidence Act 1868(2) shall apply in relation to the Office for National Statistics—

- (a) as if that Office were a government department included in the first column of the Schedule to that Act;
- (b) as if the Chancellor of the Exchequer or any person authorised to act on his behalf were mentioned in relation to that Office in the second column of that Schedule; and
- (c) as if the regulations referred to in that Act included any document issued by that Office.

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