
STATUTORY INSTRUMENTS

2009 No. 2748

MINISTERS OF THE CROWN

**The Secretary of State for Business,
Innovation and Skills Order 2009**

<i>Made</i>	- - - -	<i>15th October 2009</i>
<i>Laid before Parliament</i>		<i>22nd October 2009</i>
<i>Coming into force</i>	- -	<i>13th November 2009</i>

At the Court at Buckingham Palace, the 15th day of October 2009

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by sections 1 and 2 of the Ministers of the Crown Act 1975(1), is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1.—(1) This Order may be cited as the Secretary of State for Business, Innovation and Skills Order 2009.

(2) This Order comes into force on 13th November 2009.

Interpretation

2.—(1) In this Order “instrument” includes, in particular, Royal Charters, Royal Warrants, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, licences, authorisations, consents, approvals, contracts and other agreements, memoranda and articles of association, certificates, deeds and other documents.

(2) In this Order a reference to a function of a Minister is to be read, in the case of a function which is exercisable by the Minister jointly with another person or is otherwise shared by the Minister, as a reference to the Minister's share of the function.

(3) For the purposes of this Order, a function is a “former BERR function” so far as—

(a) it is transferred by article 4(1), or

(1) 1975 c. 26; section 1 was amended by section 20 of the Constitutional Reform Act 2005 (c. 4).

- (b) it was entrusted to the Secretary of State for Business, Enterprise and Regulatory Reform immediately before 5 June 2009 and has before the making of this Order been entrusted to the Secretary of State for Business, Innovation and Skills.
- (4) For the purposes of this Order, a function is a “former IUS function” so far as—
 - (a) it is transferred by article 4(2), or
 - (b) it was entrusted to the Secretary of State for Innovation, Universities and Skills immediately before 5 June 2009 and has before the making of this Order been entrusted to the Secretary of State for Business, Innovation and Skills.

Incorporation of the Secretary of State for Business, Innovation and Skills

3.—(1) The person who at the coming into force of this Order is the Secretary of State for Business, Innovation and Skills and any successor to that person is by that name a corporation sole.

- (2) The corporate seal of the Secretary of State for Business, Innovation and Skills—
 - (a) is to be authenticated by the signature of a Secretary of State or a person authorised by a Secretary of State to act in that behalf, and
 - (b) is to be officially and judicially noticed.

(3) Every document purporting to be an instrument made or issued by the Secretary of State for Business, Innovation and Skills and to be—

- (a) sealed with the corporate seal of that Secretary of State authenticated in the manner provided by paragraph (2), or
- (b) signed or executed by a person authorised by a Secretary of State to act in that behalf,

is to be received in evidence and to be deemed to be so made or issued without further proof, unless the contrary is shown.

(4) A certificate signed by the Secretary of State for Business, Innovation and Skills that an instrument purporting to be made or issued by—

- (a) the Secretary of State for Business, Innovation and Skills,
- (b) the Secretary of State for Business, Enterprise and Regulatory Reform,
- (c) the Secretary of State for Innovation, Universities and Skills, or
- (d) the Secretary of State for Trade and Industry,

was so made or issued is conclusive evidence of that fact.

(5) The Documentary Evidence Act 1868(2) applies in relation to the Secretary of State for Business, Innovation and Skills—

- (a) as if references to regulations and orders included references to any document, and
- (b) as if the officers mentioned in column 2 of the Schedule included any officer authorised to act on behalf of the Secretary of State.

Transfers of functions

4.—(1) The functions of the Secretary of State for Business, Enterprise and Regulatory Reform are transferred to the Secretary of State for Business, Innovation and Skills.

(2) The functions of the Secretary of State for Innovation, Universities and Skills are transferred to the Secretary of State for Business, Innovation and Skills.

Transfers of property, rights and liabilities

5.—(1) There are transferred to the Secretary of State for Business, Innovation and Skills all property, rights and liabilities to which the Secretary of State for Business, Enterprise and Regulatory Reform is entitled or subject at the coming into force of this Order.

(2) There are transferred to the Secretary of State for Business, Innovation and Skills all property, rights and liabilities to which the Secretary of State for Innovation, Universities and Skills is entitled or subject at the coming into force of this Order.

Other supplemental provision

6.—(1) Anything (including legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to—

- (a) the Secretary of State for Business, Enterprise and Regulatory Reform, or
- (b) the Secretary of State for Innovation, Universities and Skills,

may be continued by or in relation to the Secretary of State for Business, Innovation and Skills.

(2) Anything done (or having effect as if done) by or in relation to—

- (a) the Secretary of State for Business, Enterprise and Regulatory Reform, or
- (b) the Secretary of State for Innovation, Universities and Skills,

has effect, so far as necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Secretary of State for Business, Innovation and Skills.

(3) Documents or forms printed for use in connection with a former BERR function or a former IUS function may be used in connection with that function even though they contain, or are to be read as containing, references to the transferor.

(4) For the purposes of the use of any such documents or forms after the coming into force of this Order, those references are to be read as references to the Secretary of State for Business, Innovation and Skills.

(5) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as is necessary for the purposes of or in consequence of—

- (a) the transfer or entrusting to the Secretary of State for Business, Innovation and Skills of any former BERR function or former IUS function, or
- (b) the transfer of anything by article 5,

as if references to (and references which are to be read as references to) the transferor were or included references to the Secretary of State for Business, Innovation and Skills.

(6) In this article “transferor” means—

- (a) in relation to a former BERR function or anything transferred by article 5(1), the Secretary of State for Business, Enterprise and Regulatory Reform, and
- (b) in relation to a former IUS function or anything transferred by article 5(2), the Secretary of State for Innovation, Universities and Skills.

(7) In paragraphs (1) to (5) references to—

- (a) the Secretary of State for Business, Enterprise and Regulatory Reform,
- (b) the Secretary of State for Innovation, Universities and Skills, or
- (c) the transferor,

include references to the department or an officer of the Secretary of State in question, and references to the Secretary of State for Business, Innovation and Skills are to be read accordingly.

Supplemental: validity of things done before coming into force of Order

7.—(1) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to—

- (a) the Secretary of State for Business, Enterprise and Regulatory Reform, or
- (b) the Secretary of State for Innovation, Universities and Skills,

before the coming into force of this Order.

(2) In paragraph (1) a reference to a Secretary of State includes a reference to the department or an officer of that Secretary of State.

Consequential amendments

8. The primary and secondary legislation referred to in the headings in Parts 1 and 2 of the Schedule is amended as set out under the headings.

Judith Simpson
Clerk of the Privy Council

SCHEDULE

Article 8

CONSEQUENTIAL AMENDMENTS

PART 1

PRIMARY LEGISLATION

Parliamentary Commissioner Act 1967 (c. 13)

1. In Schedule 2(3) omit “Department for Business, Enterprise and Regulatory Reform” and “Department for Innovation, Universities and Skills”.

Coinage Act 1971 (c. 24)

2.—(1) In section 6(3)(4) for “the Department for Innovation, Universities and Skills” substitute “the Department for Business, Innovation and Skills”.

(2) In section 8(2)(d)(5) for “the Department for Innovation, Universities and Skills” substitute “the Department for Business, Innovation and Skills”.

Police and Criminal Evidence Act 1984 (c. 60)

3. In section 114A(2)(a)(6) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”.

Weights and Measures Act 1985 (c. 72)

4.—(1) In section 3(1) and (5)(7) for “Department for Innovation, Universities and Skills standards” substitute “Department for Business, Innovation and Skills standards”.

(2) In section 94(1)(8) for “Department for Innovation, Universities and Skills standards” substitute “Department for Business, Innovation and Skills standards”.

(3) In paragraph (e) of Part 5 of Schedule 2(9) for “the Department for Innovation, Universities and Skills” substitute “the Department for Business, Innovation and Skills”.

Regional Development Agencies Act 1998 (c. 45)

5. In paragraphs 9(8)(b) and 11(10)(b) of Schedule 6(10) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”.

(3) Schedule 2 was substituted by [S.I. 2008/3115](#), Sched. and amended by [S.I. 2009/1754](#), art. 2. Other amendments have been made to Schedule 2 which are not relevant to this Order.

(4) Section 6(3) was amended by [S.I. 2007/3224](#), Sched.

(5) Section 8 was amended by [S.I. 2007/3224](#), Sched.

(6) Section 114A was inserted by section 85 of the Criminal Justice and Police Act 2001 (c. 16) and amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to section 114A which are not relevant to this Order.

(7) Section 3 was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to section 3 which are not relevant to this Order.

(8) Section 94(1) was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to section 94(1) which are not relevant to this Order.

(9) Part 5 of Schedule 2 was amended by [S.I. 2007/3224](#), Sched.

(10) Schedule 6 was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to Schedule 6 which are not relevant to this Order.

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Regulation of Investigatory Powers Act 2000 (c. 23)

6. In Schedule 1(11)—
 - (a) before paragraph 9A insert—

“9ZB. The Department for Business, Innovation and Skills.”, and
 - (b) omit paragraph 9ZA (Department for Business, Enterprise and Regulatory Reform).

Domestic Violence, Crime and Victims Act 2004 (c. 28)

7. In Schedule 9(12)—
 - (a) at the beginning of the list of government departments insert—

“1WA. The Department for Business, Innovation and Skills.”,
 - (b) omit paragraph 1XA (Department for Business, Enterprise and Regulatory Reform), and
 - (c) omit paragraph 3A (Department for Innovation, Universities and Skills).

Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19)

8. In Schedule 1(13)—
 - (a) insert in the appropriate place “Department for Business, Innovation and Skills”,
 - (b) omit the entry for the Department for Business, Enterprise and Regulatory Reform, and
 - (c) omit the entry for the Department for Innovation, Universities and Skills.

Housing and Regeneration Act 2008 (c. 17)

9. In the following provisions of Schedule 4, for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”—
 - (a) paragraph 8(4)(b),
 - (b) paragraph 15(2)(b), and
 - (c) paragraph 40(1)(b).

Crossrail Act 2008 (c. 18)

10. In paragraph 6(3) of Part 4 of Schedule 17(14), for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”.

(11) Schedule 1 was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to Schedule 1 which are not relevant to this Order.

(12) Schedule 9 was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to Schedule 9 which are not relevant to this Order.

(13) Schedule 1 was amended by [S.I. 2008/396](#), art. 2. Other amendments have been made to Schedule 1 which are not relevant to this Order.

(14) Schedule 17 was amended by [S.I. 2009/229](#), Sched. 2.

PART 2

SECONDARY LEGISLATION

Deeds of Arrangement Fees Order 1984 (S.I. 1984/887)

11. In article 3(2)(15) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Insolvency Rules 1986 (S.I. 1986/1925)

12. In rule 13.13(2)(16) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Court Funds Rules 1987 (S.I. 1987/821)

13. In rule 55(i)(17) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Companies House Trading Fund Order 1991 (S.I. 1991/1795)

14.—(1) At the end of article 3(18) insert—

“From the coming into force of the Secretary of State for Business, Innovation and Skills Order 2009, the fund is to be for the operations of that part of the Department for Business, Innovation and Skills known as the Companies House Executive Agency so far as those operations correspond to those described in Schedule 1 to this Order or to the additional funded operations.”

(2) In article 4(19) for “for Business, Enterprise and Regulatory Reform” substitute “for Business, Innovation and Skills”.

Patent Office Trading Fund Order 1991 (S.I. 1991/1796)

15.—(1) At the end of article 2(20) insert—

“From the coming into force of the Secretary of State for Business, Innovation and Skills Order 2009, the fund is to be for the operations of that part of the Department for Business, Innovation and Skills known as the Patent Office so far as those operations correspond to those described in Schedule 1 to this Order.”

(2) In article 3(21) for “for Innovation, Universities and Skills” substitute “for Business, Innovation and Skills”.

Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) Order 1994 (S.I. 1994/1438)

16. In the Schedule(22) for “The Secretary of State for Business, Enterprise and Regulatory Reform” substitute “The Secretary of State for Business, Innovation and Skills”.

(15) Article 3 was amended by [S.I. 2007/3224](#), Sched.

(16) Rule 13.13(2) was amended by [S.I. 2007/3224](#), Sched.

(17) Rule 55 was amended by [S.I. 2007/3224](#), Sched.

(18) Article 3 was amended by [S.I. 2007/3224](#), Sched. and [S.I. 2009/2622](#), art. 2(3).

(19) Article 4 was amended by [S.I. 2007/3224](#), Sched.

(20) Article 2 was amended by [S.I. 2007/3224](#), Sched.

(21) Article 3 was amended by [S.I. 2007/3224](#), Sched.

(22) The Schedule was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to the Schedule which are not relevant to this Order.

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Insolvency Regulations 1994 (S.I. 1994/2507)

17. In regulation 3(3)(23) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Trial of the Pyx Order 1998 (S.I. 1998/1764)

18. In articles 4(4)(24) and 15(2)(25) for “the Department for Innovation, Universities and Skills” substitute “the Department for Business, Innovation and Skills”.

Building Societies (Business Names) Regulations 1998 (S.I. 1998/3186)

19. In column (2) of the Schedule(26) for “Department for Innovation, Universities and Skills” substitute “Department for Business, Innovation and Skills”.

Public Interest Disclosure (Prescribed Persons) Order 1999 (S.I. 1999/1549)

20. In the first column of the Schedule(27) for “Secretary of State for Business, Enterprise and Regulatory Reform” substitute “Secretary of State for Business, Innovation and Skills”.

Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001 (S.I. 2001/1701)

21. In regulation 12(28) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”.

Railway Administration Order Rules 2001 (S.I. 2001/3352)

22. In rule 1.2(1)(29), in the definition of “the Department”, for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Police and Criminal Evidence Act 1984 (Department of Trade and Industry Investigations) Order 2002 (S.I. 2002/2326)

23.—(1) In article 2(30)—

- (a) for “BERR investigator” substitute “BIS investigator” (in both places),
- (b) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”, and
- (c) for “BERR investigation” substitute “BIS investigation”.

(2) In article 3(1)(b)(31) and in the heading to article 3 for “BERR investigations” substitute “BIS investigations”.

(23) Regulation 3(3) was amended by S.I. 2007/3224, Sched.

(24) Article 4(4) was amended by S.I. 2007/3224, Sched.

(25) Article 15(2) was amended by S.I. 2007/3224, Sched. Other amendments have been made to article 15 which are not relevant to this Order.

(26) The Schedule was amended by S.I. 2002/1397, Sched. and S.I. 2007/3224, Sched. Other amendments have been made to the Schedule which are not relevant to this Order.

(27) The Schedule was substituted by S.I. 2003/1993, Sched. and amended by S.I. 2007/3224, Sched. Other amendments have been made to the Schedule which are not relevant to this Order.

(28) Regulation 12 was amended by S.I. 2007/3224, Sched.

(29) Rule 1.2(1) was amended by S.I. 2007/3224, Sched.

(30) Article 2 was amended by S.I. 2007/3224, Sched. Other amendments have been made to article 2 which are not relevant to this Order.

(31) Article 3 was amended by S.I. 2007/3224, Sched.

(3) In article 4(32)—

- (a) for “BERR investigator” substitute “BIS investigator” (in each place), and
- (b) in paragraph (5)(b), (c) and (d) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”.

Community Investment Tax Relief (Accreditation of Community Development Finance Institutions) Regulations 2003 (S.I. 2003/96)

24. In each of the following provisions(33) for “Department for Business, Enterprise and Regulatory Reform” substitute “Department for Business, Innovation and Skills”—

- (a) regulation 2,
- (b) regulation 7(4),
- (c) regulation 13(1) and (4),
- (d) regulation 15(2)(b)(ii), and
- (e) regulation 16(3)(b).

Land Registration Rules 2003 (S.I. 2003/1417)

25.—(1) In the following provisions (in each place) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”—

- (a) form CIT in Schedule 1(34), and
- (b) column 1 of Schedule 5(35).

(2) Forms of the kind mentioned in paragraph (1)(a) may be used after the coming into force of this Order even though they contain, or are to be read as containing, references to the Secretary of State for Business, Enterprise and Regulatory Reform, and those references are to be read as references to the Secretary of State for Business, Innovation and Skills.

Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) Order 2004 (S.I. 2004/1034)

26. In article 2(2)(36) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”.

Measuring Instruments (EEC Requirements) (Fees) Regulations 2004 (S.I. 2004/1300)

27. In paragraph (b) of Schedule 1(37) for “the Department for Innovation, Universities and Skills” substitute “the Department for Business, Innovation and Skills”.

(32) Article 4 was amended by [S.I. 2007/3224](#), Sched.

(33) The provisions listed were amended by [S.I. 2008/383](#).

(34) Schedule 1 was substituted by [S.I. 2008/1919](#), Sched. 2.

(35) Schedule 5 was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to Schedule 5 which are not relevant to this Order.

(36) Article 2(2) was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to article 2 which are not relevant to this Order.

(37) Schedule 1 was amended by [S.I. 2007/3224](#), Sched. Other amendments have been made to Schedule 1 which are not relevant to this Order.

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Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 (S.I. 2004/1861)

28. In rule 61(4)(b) in Schedule 1(38) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Gangmasters (Licensing Authority) Regulations 2005 (S.I. 2005/448)

29. In Schedule 2(39) for “Secretary of State for Business, Enterprise and Regulatory Reform” substitute “Secretary of State for Business, Innovation and Skills”.

Damages (Government and Health Service Bodies) Order 2005 (S.I. 2005/474)

30. In Part 1 of the Schedule(40)—

- (a) omit “Department for Business, Enterprise and Regulatory Reform” and “Department for Innovation, Universities and Skills”, and
- (b) at the end insert—
“Department for Business, Innovation and Skills”.

Insolvency Practitioners Regulations 2005 (S.I. 2005/524)

31. In regulation 5(41), in paragraph (c) of the definition of “insolvency work experience”, for “or of the Department for Business, Enterprise and Regulatory Reform” substitute “, of the Department for Business, Enterprise and Regulatory Reform or of the Department for Business, Innovation and Skills”.

Energy Administration Rules 2005 (S.I. 2005/2483)

32. In rule 186(2)(42) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005 (S.I. 2005/2966)

33. In Schedule 2(43)—

- (a) omit “The Secretary of State for Business, Enterprise and Regulatory Reform” and “The Secretary of State for Innovation, Universities and Skills”, and
- (b) insert in the appropriate place “The Secretary of State for Business, Innovation and Skills”.

Accession (Immigration and Worker Authorisation) Regulations 2006 (S.I. 2006/3317)

34. In Schedule 1(44), in the column 2 entry relating to “Teacher or language assistant”, for “the Department for Innovation, Universities and Skills” substitute “the Department for Business, Innovation and Skills”.

(38) Rule 61(4)(b) was amended by S.I. 2007/3224, Sched. Other amendments have been made to rule 61 which are not relevant to this Order.

(39) Schedule 2 was amended by S.I. 2007/3224, Sched.

(40) Part 1 of the Schedule was amended by S.I. 2007/3224, Sched. Other amendments have been made to the Schedule which are not relevant to this Order.

(41) Regulation 5 was amended by S.I. 2007/3224, Sched.

(42) Rule 186 was amended by S.I. 2007/3224, Sched.

(43) Schedule 2 was amended by S.I. 2007/3224, Sched. Other amendments have been made to Schedule 2 which are not relevant to this Order.

(44) Schedule 1 was amended by S.I. 2007/3224, Sched.

Regulation of Investigatory Powers (Authorisations Extending to Scotland) Order 2007 (S.I. 2007/934)

35. In column 1 of the Schedule⁽⁴⁵⁾ for “The Department for Business, Enterprise and Regulatory Reform” substitute “The Department for Business, Innovation and Skills”.

Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2007 (S.I. 2007/2501)

36. In article 11(g)⁽⁴⁶⁾ for “the Department of Trade and Industry” substitute “the Department for Business, Innovation and Skills”.

Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2008 (S.I. 2008/1737)

37. In article 11(g) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

Export Control Order 2008 (S.I. 2008/3231)

38. In articles 33(5) and 44 for “Department for Business, Enterprise and Regulatory Reform” substitute “Department for Business, Innovation and Skills”.

Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2009 (S.I. 2009/975)

39. In Schedule 1 (in each place)—

- (a) for “the Secretary of State for Business, Enterprise and Regulatory Reform” substitute “the Secretary of State for Business, Innovation and Skills”, and
- (b) for “the Department for Business, Enterprise and Regulatory Reform” substitute “the Department for Business, Innovation and Skills”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order in Council is made under sections 1 and 2 of the Ministers of the Crown Act 1975. It makes provision in connection with the establishment of the Department for Business, Innovation and Skills.

The responsibilities entrusted to the Secretary of State for Business, Innovation and Skills were described in a press notice issued by the Prime Minister’s Office on 5 June 2009, which was referred to in the Prime Minister’s written statement to Parliament dated 18 June 2009: see Hansard (House of Commons) 18 June 2009 at column 452W, available at www.parliament.uk.

⁽⁴⁵⁾ The Schedule was amended by S.I. 2007/3224, Sched.

⁽⁴⁶⁾ By virtue of S.I. 2007/3224 art. 12(7) and (8) the reference in article 11(g) to the Department of Trade and Industry is to be treated as a reference to the Department for Business, Enterprise and Regulatory Reform.

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Article 3 provides for the incorporation of the Secretary of State for Business, Innovation and Skills as a corporation sole and provides for the authentication of the corporate seal and the execution and certification of documents.

Article 4 transfers to the Secretary of State for Business, Innovation and Skills the functions of the Secretary of State for Business, Enterprise and Regulatory Reform and the Secretary of State for Innovation, Universities and Skills.

Articles 5 transfers to the Secretary of State for Business, Innovation and Skills the property, rights and liabilities of the Secretary of State for Business, Enterprise and Regulatory Reform and the Secretary of State for Innovation, Universities and Skills. Articles 6 and 7 make other supplementary provision.

Article 8 and the Schedule to the Order make consequential amendments to Acts of Parliament and subordinate legislation.

Nothing in this Order alters the functions of the Welsh Ministers, the Scottish Ministers or the devolved authorities in Northern Ireland.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.