
STATUTORY INSTRUMENTS

2010 No. 1836

The Secretary of State for Education Order 2010

Other supplemental provision relating to the Secretary of State for Education

5.—(1) For the purposes of this article a function is a relevant function so far as—

- (a) it is transferred by article 4(1), or
- (b) it is within paragraph (2).

(2) A function is within this paragraph if—

- (a) immediately before 12th May 2010 it was entrusted to the Secretary of State for Children, Schools and Families, and
- (b) before the making of this Order it has been entrusted to the Secretary of State for Education.

(3) 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 the Secretary of State for Children, Schools and Families may, so far as it relates to a relevant function or anything transferred by article 4(2), be continued by or in relation to the Secretary of State for Education.

(4) Anything done (or having effect as if done) by or in relation to the Secretary of State for Children, Schools and Families in connection with a relevant function or anything transferred by article 4(2) 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 Education.

(5) Documents or forms printed for use in connection with a relevant function may be used in connection with that function even though they contain, or are to be read as containing, references to the Secretary of State for Children, Schools and Families; and 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 Education.

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

- (a) the transfer or entrusting to the Secretary of State for Education of any relevant function, or
- (b) the transfer of anything by article 4(2),

as if references to (and references which are to be read as references to) the Secretary of State for Children, Schools and Families were or included references to the Secretary of State for Education.

(7) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to the Secretary of State for Children, Schools and Families before the coming into force of this Order.

(8) In paragraphs (3) to (7) references to the Secretary of State for Children, Schools and Families include references to the department or an officer of the Secretary of State for Children, Schools and Families; and references to the Secretary of State for Education are to be read accordingly.