
STATUTORY INSTRUMENTS

2011 No. 741

The Transfer of Functions (Media and Telecommunications etc.) Order 2011

Citation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Media and Telecommunications etc.) Order 2011.

(2) This Order comes into force on 13th April 2011.

Interpretation

2.—(1) In this Order “instrument” includes 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) For the purposes of this Order, a function is a “former BIS function” so far as—

(a) it is transferred by article 3, or

(b) it was entrusted to the Secretary of State for Business, Innovation and Skills immediately before 21st December 2010 and has before the making of this Order been entrusted to the Secretary of State for Culture, Olympics, Media and Sport.

Transfers of functions to the Secretary of State for Culture, Olympics, Media and Sport

3. The functions of the Secretary of State for Business, Innovation and Skills under or by virtue of the provisions mentioned in Schedule 1 (functions relating to the operators of electronic communications code networks or to electronic communications apparatus etc.) are transferred to the Secretary of State for Culture, Olympics, Media and Sport.

Transfer of property, rights and liabilities

4. There are transferred to the Secretary of State for Culture, Olympics, Media and Sport all property, rights and liabilities to which the Secretary of State for Business, Innovation and Skills is entitled or subject at the coming into force of this Order in connection with any former BIS function.

Supplementary

5.—(1) 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 Business, Innovation and Skills before the coming into force of this Order.

(2) 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 Business, Innovation and Skills may, so far as it relates to a former BIS function or anything transferred by article 4, be continued by or in relation to the Secretary of State for Culture, Olympics, Media and Sport.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) Anything done (or having effect as if done) by or in relation to the Secretary of State for Business, Innovation and Skills in connection with a former BIS function or anything transferred by article 4 has effect, so far as is 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 Culture, Olympics, Media and Sport.

(4) 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 Culture, Olympics, Media and Sport of any former BIS function, or

(b) the transfer of anything by article 4,

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

(5) In paragraphs (1) to (4) references to the Secretary of State for Business, Innovation and Skills include references to the department or an officer of that Secretary of State, and references to the Secretary of State for Culture, Olympics, Media and Sport are to be read accordingly.

Consequential amendments

6. Schedule 2 has effect.

Judith Simpson
Clerk of the Privy Council