

STATUTORY INSTRUMENTS

2016 No. 997

The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016

Transfer of functions from the Minister for the Cabinet Office to the Secretary of State

10.—(1) The functions of the Minister for the Cabinet Office under an Act, a provision of an Act or an instrument listed in paragraph (2) are transferred to the Secretary of State.

(2) The Acts, provisions and instruments referred to in paragraph (1) are—

- (a) sections 2, 3 and 4 of the House to House Collections Act 1939 ^{M1};
- (b) the Charities Act 1992 ^{M2};
- (c) sections 22, 34, 36B and 36E of and Schedule 4A to the National Lottery etc. Act 1993 ^{M3};
- (d) sections 496, 497, 497A, 497AA, 507B and 571 of the Education Act 1996 ^{M4};
- (e) sections 63, 72, 73, 77 and 79 of the Charities Act 2006 ^{M5};
- (f) the Dormant Bank and Building Society Accounts Act 2008 ^{M6};
- (g) the Charities Act 2011 ^{M7};
- (h) the Tax Relief for Social Investments (Accreditation of Social Impact Contractor) Regulations 2014 ^{M8};
- (i) sections 16 and 17 of the Charities (Protection and Social Investment) Act 2016 ^{M9}.

(3) The functions to which paragraph (1) applies include functions under any provision not yet in force at the time this Order is made (and in paragraph (2) a reference to an Act, a provision of an Act or an instrument includes a reference to the Act, provision or instrument as amended by any provision of an enactment or instrument passed or made before that time even though the amending provision is not yet in force at that time).

(4) The function of the Secretary of State under section 5(1) of the Police, Factories, &c. (Miscellaneous Provisions) Act 1916 (regulation of street collections) ^{M10} which is exercisable by the Secretary of State and the Minister for the Cabinet Office concurrently is to cease to be exercisable by the Minister for the Cabinet Office.

Marginal Citations

- M1** 1939 c. 44. The functions under sections 2, 3 and 4 were transferred to the Minister for the Cabinet Office by S.I. 2006/2951, art. 3.
- M2** 1992 c. 41, amended by sections 68 and 69 of the Charities Act 2006. The functions under this Act were transferred to the Minister for the Cabinet Office by S.I. 2006/2951, art. 3.
- M3** 1993 c. 39. Section 22 was amended by section 7 of the National Lottery Act 2006 (c. 23). Sections 36B, 36E and Schedule 4A were inserted by sections 14 and 15 of that Act. The functions under sections 22, 34, 36B and 36E and Schedule 4A were transferred to the Minister for the Cabinet Office by S.I. 2011/739, art. 2. There are other amendments to the 1993 Act not relevant to this Order.

- M4** 1996 c. 56. Section 497A was inserted by section 8 of the [School Standards and Framework Act 1998 \(c. 31\)](#). Section 497AA was inserted by section 61 of the [Education Act 2002 \(c. 32\)](#). Section 507B was inserted by section 6 of the Education and Inspections Act (c. 40). The functions under sections 496, 497, 497A, 497AA, 507B and 571 were transferred to the Minister for the Cabinet Office by [S.I. 2013/1721, art. 2](#). The functions under sections 496, 497, 497A and 497AA were transferred so far as relating to the exercise of any function of a local authority under section 507B. The function under section 571 was transferred so far as relating to guidance under section 507B(12). There are other amendments to the 1996 Act not relevant to this Order.
- M5** 2006 c. 50, amended by section 354 and schedule 7 of the Charities Act 2011 and section 1177 and Schedule 1 of the [Corporation Tax Act 2010 \(c. 4\)](#).
- M6** 2008 c. 31. The functions under this Act were transferred to the Minister for the Cabinet Office by [S.I. 2010/2967, art. 2](#).
- M7** 2011 c. 25, amended by sections 9 and 10 of the [Charities \(Protection and Social Investment\) Act 2016 \(c. 4\)](#).
- M8** [S.I. 2014/3066](#), amended by [S.I. 2015/2051](#).
- M9** 2016 c. 4.
- M10** 1916 c. 31. The function under section 5 was conferred on the Minister for the Cabinet Office by [S.I. 2006/2951, art. 3](#).

Changes to legislation:

There are currently no known outstanding effects for the The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016, Section 10.