
STATUTORY INSTRUMENTS

2020 No. 176

The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020

Citation and commencement

1.—(1) This Order may be cited as the Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020.

(2) Subject to paragraph (3), this Order shall come into force on the day after the day on which it is made.

(3) Article 7 comes into force on the day after that on which the other provisions of this Order come into force.

Interpretation

2. In this Order—

“Commissioner” means a Public Works Loan Commissioner⁽¹⁾;

“the transfer date” means the day on which this Order (other than as provided in article 1(3)) comes into force.

Abolition of the Public Works Loan Commissioners

3. The office of Public Works Loan Commissioner is abolished.

Transfer of functions

4. The functions of the Commissioners are transferred to the Treasury.

Transfers of property, rights and liabilities

5.—(1) The person who immediately before the transfer date is appointed as the secretary of the Commissioners is to be treated, on and after the transfer date, as if the person had been appointed as the Public Works Loans Secretary under section 6(1) of the Public Works Loans Act 1875⁽²⁾.

(2) All land which the Commissioners own, have the benefit of, or are entitled to immediately before the transfer date is transferred to and vested in the Public Works Loans Secretary.

(3) All property, interests, rights and liabilities which the Commissioners own, have the benefit of, are entitled to, or are subject immediately before the transfer date, other than any land that is transferred to the Public Works Loans Secretary pursuant to paragraph (2) above, are transferred to and vested in the Treasury.

⁽¹⁾ The Public Works Loan Commissioners were established by section 4 of the Public Works Loans Act 1875.

⁽²⁾ 1875 c.89.

Final report

- 6.—(1) As soon as reasonably practicable after the transfer date, the Treasury must make a report (“the final report”) setting out the details in paragraph (2) for the period which—
- (a) began immediately after the end of the last period for which the Commissioners made a report under section 5(3) of the Public Works Loans Act 1875, and
 - (b) ended immediately before the transfer date.
- (2) The final report must contain details of—
- (a) any money issued to the Commissioners;
 - (b) any loans granted by the Commissioners;
 - (c) the execution of the duties of the Commissioners;
 - (d) any difference that may have arisen between the Commissioners and any public department respecting the grant of any loan or the construction of any Act relating to the loans by the Commissioners; and
 - (e) any other particulars as the Treasury may think fit.
- (3) The Treasury must lay a copy of the final report before Parliament.

Repeal of reference to the Commissioners in the Public Bodies Act 2011

7. In Schedule 1 to the Act, omit “Public Works Loan Commissioners”(3).

Consequential provisions

8. Schedule 1 (which makes consequential amendments to primary legislation) and Schedule 2 (which makes consequential amendments to secondary legislation) have effect.

Supplementary

- 9.—(1) Nothing in this Order affects the validity of anything done (or having effect as if done) by or in relation to the Commissioners before the transfer date.
- (2) Anything (including legal proceedings) which immediately before the transfer date is in the process of being done by or in relation to the Commissioners may be continued on or after the transfer date by or in relation to the Treasury.
- (3) Anything done (or having effect as if done) by or in relation to the Commissioners has effect, so far as is necessary for continuing its effect on or after the transfer date, as if done by or in relation to the Treasury.
- (4) Subject to the express provision made in Schedules 1 and 2 and so far as necessary or appropriate for the purposes of or in consequence of articles 4 or 5—
- (a) a reference to the Commissioners in an enactment, instrument or other document—
 - (i) where such reference is in respect of land, is to be treated as a reference to the Public Works Loans Secretary, and
 - (ii) in all other cases is to be treated as a reference to the Treasury;
 - (b) a reference to the secretary to the Commissioners in an enactment, instrument or other document is to be treated as a reference to the Public Works Loans Secretary; and
 - (c) a reference to the Public Works Loan Board is to be treated as a reference to the Treasury.

(3) Public Works Loan Commissioners were inserted into Schedule 1 of the Public Bodies Act 2011 by section 54 of the Infrastructure Act 2015 c.7.

24th February 2020

David Rutley
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Two of the Lords Commissioners of Her
Majesty's Treasury