

2020 No. 942

MINISTERS OF THE CROWN

**The Transfer of Functions (Secretary of State for Foreign,
Commonwealth and Development Affairs) Order 2020**

<i>Made</i>	- - - -	<i>2nd September 2020</i>
<i>Laid before Parliament</i>		<i>9th September 2020</i>
<i>Coming into force</i>	- -	<i>30th September 2020</i>

At the Court at Balmoral, the 2nd day of September 2020

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(a), 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 Transfer of Functions (Secretary of State for Foreign, Commonwealth and Development Affairs) Order 2020.

(2) This Order comes into force on 30th September 2020.

Interpretation

2. In this Order—

“former FCO function” means any function so far as—

- (a) it is transferred from the Secretary of State for Foreign and Commonwealth Affairs by Article 4(1), or
- (b) it was entrusted to the Secretary of State for Foreign and Commonwealth Affairs immediately before 2nd September 2020 and has before the making of this Order been entrusted to the Secretary of State for Foreign, Commonwealth and Development Affairs;

“former DFID function” means any function so far as—

- (a) it is transferred from the Secretary of State for International Development by Article 4(2), or
- (b) it was entrusted to the Secretary of State for International Development immediately before 2nd September 2020 and has before the making of this Order been entrusted to the Secretary of State for Foreign, Commonwealth and Development Affairs;

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

“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.

Incorporation of the Secretary of State for Foreign, Commonwealth and Development Affairs

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

(2) The corporate seal of the Secretary of State for Foreign, Commonwealth and Development Affairs—

- (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 Foreign, Commonwealth and Development Affairs and to be—

- (a) sealed with the corporate seal of that Secretary of State authenticated in the manner provided for by paragraph (2), and
- (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 Foreign, Commonwealth and Development Affairs that an instrument purporting to be made or issued by—

- (a) the Secretary of State for Foreign, Commonwealth and Development Affairs,
- (b) the Secretary of State for Foreign and Commonwealth Affairs, or
- (c) the Secretary of State for International Development,

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

(5) The Documentary Evidence Act 1868^(a) applies in relation to the Secretary of State for Foreign, Commonwealth and Development Affairs—

- (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.

Transfer of functions

4.—(1) The functions of the Secretary of State for Foreign and Commonwealth Affairs are transferred to the Secretary of State for Foreign, Commonwealth and Development Affairs.

(2) The functions of the Secretary of State for International Development are transferred to the Secretary of State for Foreign, Commonwealth and Development Affairs, subject to paragraph (3).

(3) The functions of the Secretary of State for International Development under the Police Pensions Regulations 2015^(b) are transferred to the Secretary of State.

(a) 1868 c. 37.
(b) S.I. 2015/445.

Transfer of property, rights and liabilities

5.—(1) There are transferred to the Secretary of State for Foreign, Commonwealth and Development Affairs all property, rights and liabilities to which the Secretary of State for Foreign and Commonwealth Affairs is entitled or subject at the coming into force of this Order.

(2) There are transferred to the Secretary of State for Foreign, Commonwealth and Development Affairs all property, rights and liabilities to which the Secretary of State for International Development is entitled or subject at the coming into force of this Order.

Immovable property outside the United Kingdom and contracts etc governed by foreign law

6.—(1) The person from time to time holding office as the Secretary of State for Foreign, Commonwealth and Development Affairs is, by virtue of that office—

- (a) to be Secretary of State for Foreign and Commonwealth Affairs so long as—
 - (i) any immovable property outside the United Kingdom remains vested in that Secretary of State, or
 - (ii) that Secretary of State is a party to a contract or other agreement governed by the law of a country or territory outside the United Kingdom,
- (b) to be Secretary of State for International Development so long as—
 - (i) any such property remains vested in that Secretary of State, or
 - (ii) that Secretary of State is a party to any such contract or other agreement,
- (c) to be Secretary of State for the Environment, Transport and the Regions^(a) so long as any such property remains vested in that Secretary of State,
- (d) to be Secretary of State for the Environment so long as any such property remains vested in that Secretary of State,
- (e) to be Minister of Public Building and Works so long as any such property remains vested in that Minister, and
- (f) to be First Commissioner of Works so long as the Commissioners of Works have not been dissolved by Order in Council under the Minister of Works Act 1942^(b).

(2) Section 5(1) to (3) and (5) of the Minister of Works Act 1942 (as set out with adaptations in Schedule 2 to the Secretary of State for the Environment Order 1970^(c)) continues to apply to the Secretary of State for Foreign, Commonwealth and Development Affairs as Minister of Public Building and Works.

(3) Article 17 of the Transfer of Functions (Transport, Local Government and the Regions) Order 2002^(d) is revoked.

Supplementary

7.—(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 Foreign and Commonwealth Affairs, or
- (b) the Secretary of State for International Development,

may be continued by or in relation to the Secretary of State for Foreign, Commonwealth and Development Affairs.

(a) By virtue of article 17(1) of S.I. 2002/2626, the person from time to time holding office as the Secretary of State for Foreign and Commonwealth Affairs also, by virtue of that office, held office as each of the Ministers listed in article 6(1)(c) to (e) of this Order so long as any immovable property outside the United Kingdom remained vested in that Minister. Article 17(1) also provided that the person held office as First Commissioner of Works so long as the Commissioners of Works had not been dissolved by Order in Council under the Minister of Works Act 1942.

(b) 1942 c. 23.

(c) S.I. 1970/1681.

(d) S.I. 2002/2626.

- (2) Anything done (or having effect as if done) by or in relation to—
- (a) the Secretary of State for Foreign and Commonwealth Affairs, or
 - (b) the Secretary of State for International Development,

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 Foreign, Commonwealth and Development Affairs.

(3) 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 Foreign, Commonwealth and Development Affairs of any former FCO function or former DFID 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 Foreign, Commonwealth and Development Affairs.

(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 article 4(3), as if references to the Secretary of State for International Development (and references which are to be read as references to the Secretary of State for International Development) were or included references to the Secretary of State.

(5) Documents or forms printed for use in connection with a former FCO function or former DFID function may be used in connection with that function even though they contain, or are to be read as containing, references to the transferor; 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 Foreign, Commonwealth and Development Affairs.

(6) Documents or forms printed for use in connection with a function transferred by article 4(3) 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 International Development; 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.

(7) In paragraphs (1) to (6) references to—

- (a) the Secretary of State for Foreign and Commonwealth Affairs,
- (b) the Secretary of State for International Development, 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 Foreign, Commonwealth and Development Affairs or to the Secretary of State are to be read accordingly.

(8) In this article a reference to anything done by or in relation to the Secretary of State for International Development includes a reference to anything done pursuant to a delegation under section 3(3) of the Overseas Pensions Act 1973^(a) (pensions and superannuation schemes: supplementary).

(9) In this article “transferor” means—

- (a) in relation to a former FCO function or anything transferred by article 5(1), the Secretary of State for Foreign and Commonwealth Affairs, and
- (b) in relation to a former DFID function or anything transferred by article 5(2), the Secretary of State for International Development.

(a) 1973 c. 21.

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

8.—(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 Foreign and Commonwealth Affairs, or
- (b) the Secretary of State for International Development,

before the coming into force of this Order.

(2) In paragraph (1) —

- (a) a reference to a Secretary of State includes a reference to the department or an officer of that Secretary of State, and
- (b) the reference to anything done by or in relation to the Secretary of State for International Development includes a reference to anything done pursuant to a delegation under section 3(3) of the Overseas Pensions Act 1973.

Consequential amendments

9. The Schedule has effect.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULE

CONSEQUENTIAL AMENDMENTS

Article 9

PART 1

Primary Legislation

Sheriff Courts (Scotland) Act 1907 (c. 51)

1. In Rule 5.5 of Schedule 1 to the Sheriff Courts (Scotland) Act 1907(**a**) (service on persons furth of Scotland), in paragraphs (1)(b)(iii)(**b**) and (3)(a)(**c**), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

Imperial War Museum Act 1920 (c. 16)

2. In paragraph (1) of the Schedule to the Imperial War Museum Act 1920(**d**) (Board of Trustees), in the Table, for “The Secretary of State for Foreign and Commonwealth Affairs” substitute “The Secretary of State for Foreign, Commonwealth and Development Affairs”.

(a) Schedule 1 was substituted by S.I. 1993/1956 (S. 223).
(b) Rule 5.5(1)(b)(iii) was amended by S.I. 1996/2445 (S. 190).
(c) Rule 5.5(3)(a) was amended by S.S.I. 2011/193.
(d) Paragraph (1) was substituted by S.I. 1986/2239. Other amendments have been made to paragraph (1) which are not relevant to this Order.

Aliens' Employment Act 1955 (c. 18)

3. In section 1(7)(a) of the Aliens' Employment Act 1955(a) (provision for civil employment of aliens: reserved posts), for "the Foreign and Commonwealth Office" substitute "the Foreign, Commonwealth and Development Office".

Parliamentary Commissioner Act 1967 (c. 13)

4. In Schedule 2 to the Parliamentary Commissioner Act 1967(b) (departments etc subject to investigation)—

- (a) omit "Department for International Development.", and
- (b) for "Foreign and Commonwealth Office." substitute "Foreign, Commonwealth and Development Office."

State Immunity Act 1978 (c. 33)

5. In section 12 of the State Immunity Act 1978 (service of process and judgments in default of appearance), in subsections (1) and (5), for "the Foreign and Commonwealth Office" substitute "the Foreign, Commonwealth and Development Office".

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

6. In Schedule 1 to the Corporate Manslaughter and Corporate Homicide Act 2007 (list of government departments etc)—

- (a) omit "Department for International Development", and
- (b) for "Foreign and Commonwealth Office" substitute "Foreign, Commonwealth and Development Office".

PART 2

Secondary Legislation

State Immunity (Overseas Territories) Order 1979 (S.I. 1979/458)

7. In paragraph 3 of Schedule 2 to the State Immunity (Overseas Territories) Order 1979 (modifications to section 12 of the State Immunity Act 1978 in relation to certain territories), for "the Foreign and Commonwealth Office" substitute "the Foreign, Commonwealth and Development Office".

Rules of the Court of Judicature (Northern Ireland) 1980 (S.R. 1980 No. 346)

- 8.—(1) The Rules of the Court of Judicature (Northern Ireland) 1980(c) are amended as follows.
- (2) In Order 11, rule 6(8) (service of notice of writ abroad), for "the Foreign Office" substitute "the Foreign, Commonwealth and Development Office".
- (3) In Order 13, rule 7A(2)(c)(d) (judgment against a State in default of appearance to writ), for "the Foreign and Commonwealth Office" substitute "the Foreign, Commonwealth and Development Office".

(a) Section 1(7) was inserted by S.I. 2007/617.
(b) Schedule 2 was substituted by S.I. 2011/2986. Other amendments have been made to Schedule 2 which are not relevant to this Order.
(c) The Rules of the Supreme Court (Northern Ireland) 1980 were renamed as the Rules of the Court of Judicature (Northern Ireland) 1980 by paragraph 3(3) and (4) of Part 1 of Schedule 11 to the Constitutional Reform Act 2005 (c. 4).
(d) Rule 7A was inserted by S.R. 1982 No. 217.

(4) In Order 69, rule 2(a)(a) (applications for service of foreign process), for “Her Majesty’s Principal Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

(5) In Order 70, rule 1(1) (obtaining evidence for foreign courts, etc: interpretation), in the definition of “The Secretary of State”, for “Her Majesty’s Principal Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

County Court Rules (Northern Ireland) 1981 (S.R. 1981 No. 225)

9. In Order 12, rule 8(2)(c) of the County Court Rules (Northern Ireland) 1981(b) (judgment against a State in default of notice of intention to defend), for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

Act of Sederunt (Rules of the Court of Session 1994) 1994 (S.I. 1994/1443 (S. 69))

10. In the following provisions of rule 16.2 of Schedule 2 to the Act of Sederunt (Rules of the Court of Session 1994) 1994 (service furth of the United Kingdom), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”—

- (a) paragraph (2)(c),
- (b) the opening words of paragraph (3A)(c), and
- (c) paragraph (3A)(a).

Antarctic Regulations 1995 (S.I. 1995/490)

11. In the following provisions of the Antarctic Regulations 1995, for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”—

- (a) regulation 4(2)(d) (notice of applications for permits under Antarctic Act 1994 to be published on Foreign and Commonwealth Office website), and
- (b) regulation 6(5)(e) (information relating to Comprehensive Environmental Evaluation to be published on Foreign and Commonwealth Office website).

Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513 (S. 47))

12. In rule 23.4(1) of Schedule 2 to the Act of Adjournal (Criminal Procedure Rules) 1996 (transmission of letters of request), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

Civil Procedure Rules 1998 (S.I. 1998/3132)

13.—(1) The Civil Procedure Rules 1998 are amended as follows.

(2) In the following provisions of Part 6(f), for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”—

- (a) rule 6.43(4)(b)(g) (service through foreign governments, judicial authorities and British consular authorities),

(a) Order 69 was substituted by S.R. 1982 No. 217.

(b) Order 12 was substituted by S.R. 1995 No. 151. Other amendments have been made to Order 12 which are not relevant to this Order.

(c) Rule 16.2(3A) was inserted by S.S.I. 2011/190.

(d) Regulation 4(2) was substituted by S.I. 2008/3066.

(e) Regulation 6(5) was amended by S.I. 2008/3066.

(f) Rules 6.43, 6.44, 6.46 and 6.50 in Part 6 were substituted by S.I. 2008/2178.

(g) Rule 6.43(4) was amended by S.I. 2011/88.

(b) rule 6.44(3)(a), (4), (5) and (7)(b)(a) (service of claim form or other document on a State), and

(c) rule 6.46(a) and (b) (undertaking to be responsible for expenses).

(3) In rule 6.50(a)(ii) (request for service), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999 (S.I. 1999/929 (S. 65))

14. In rule 2.12 of the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999 (service on persons furth of Scotland), in paragraphs (1)(b)(iii) and (3)(a)(b), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

Act of Sederunt (Summary Cause Rules) 2002 (S.S.I. 2002/132)

15. In rule 5.7 of the Act of Sederunt (Summary Cause Rules) 2002, in paragraphs (3)(b) and (8)(a)(c), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

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

16. In Part 1 of the Schedule to the Damages (Government and Health Service Bodies) Order 2005 (government bodies designated for the purposes of the Damages Act 1996)—

(a) for “Foreign and Commonwealth Office” substitute “Foreign, Commonwealth and Development Office”, and

(b) omit “Department for International Development”.

FCO Services Trading Fund Order 2008 (S.I. 2008/590)

17.—(1) The FCO Services Trading Fund Order 2008 is amended as follows.

(2) In article 2 (establishment of the fund)—

(a) in paragraph (1)—

(i) for “the FCO Services Trading Fund” substitute “the FCDO Services Trading Fund”,

(ii) for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”, and

(iii) for “FCO services” substitute “FCDO Services”, and

(b) in paragraph (2), for “FCO services” substitute “FCDO Services”.

(3) In article 3 (source of loans), for “The Secretary of State for Foreign and Commonwealth Affairs” substitute “The Secretary of State for Foreign, Commonwealth and Development Affairs”.

(4) In Schedule 1 (funded operations)—

(a) for “FCO services” substitute “FCDO Services”, and

(b) for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

(a) In rule 6.44, paragraphs (3) and (5) were amended by S.I. 2011/88.

(b) Rule 2.12(3)(a) was amended by S.S.I. 2011/193.

(c) Rule 5.7(8)(a) was amended by S.S.I. 2011/193.

Family Procedure Rules 2010 (S.I. 2010/2955 (L. 17))

18. In the following provisions of the Family Procedure Rules 2010, for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”—

- (a) rule 6.46(4)(b) (service through foreign governments, judicial authorities and British consular authorities), and
- (b) rule 6.48(a) and (b) and the heading of that rule (undertaking to be responsible for expenses of Foreign and Commonwealth Office).

Consular Fees Order 2012 (S.I. 2012/798)

19. In Part 1 of Schedule 1(a) to the Consular Fees Order 2012 (table of general consular fees), in row 17 (legal proceedings), column 2, for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

Kimberley Process (Fees) Regulations 2014 (S.I. 2014/1684)

20. In regulation 2(1) of the Kimberley Process (Fees) Regulations 2014 (interpretation), in the definition of “Department”, for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

Referral of Proposed Marriages and Civil Partnerships Regulations 2015 (S.I. 2015/123)

21. In Schedule 1 to the Referral of Proposed Marriages and Civil Partnerships Regulations 2015 (evidence of particular immigration status), in the Table in paragraph 2(1), for “the Foreign and Commonwealth Office” in each place those words occur substitute “the Foreign, Commonwealth and Development Office”.

Proposed Marriages and Civil Partnerships (Conduct of Investigations, etc.) Regulations 2015 (S.I. 2015/397)

22. In the following provisions of the Proposed Marriages and Civil Partnerships (Conduct of Investigations, etc.) Regulations 2015, for “Foreign and Commonwealth Office” substitute “Foreign, Commonwealth and Development Office”—

- (a) in regulation 2(1) (interpretation), the definition of “Home Office premises”,
- (b) regulation 5(2)(c) (arranging an interview), and
- (c) regulation 13(1)(b) (further provision about electronic documents).

Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015 (S.I. 2015/404)

23. In Schedule 1 to the Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015 (evidence of particular immigration status), in the Table in paragraph 2(1), for “the Foreign and Commonwealth Office” in each place those words occur substitute “the Foreign, Commonwealth and Development Office”.

Police Pensions Regulations 2015 (S.I. 2015/445)

24.—(1) The Police Pensions Regulations 2015 are amended as follows.

(2) In regulation 7 (police pension authority), in column 2 of the entry in the table beginning “A person in service as an officer”, omit “or the Secretary of State for International Development”.

(a) Schedule 1 was substituted by S.I. 2016/373.

(3) In regulation 13(3) (scheme managers who must identify a Police Pension Board to assist them), omit sub-paragraph (f).

(4) In regulation 210(2) (pension supervising authority), in column 2 of the entry in the table beginning “A person in service as an officer”, omit “or the Secretary of State for International Development”.

Act of Sederunt (Simple Procedure) 2016 (S.S.I. 2016/200)

25. In the following provisions of Schedule 1 to the Act of Sederunt (Simple Procedure) 2016 (the simple procedure rules), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”—

- (a) rule 19.4(5) and (8) (service on someone who lives in an EU member state), and
- (b) rule 19.5(4) and (8) (service on someone who lives in a Hague Convention country).

Act of Sederunt (Sheriff Court Bankruptcy Rules) 2016 (S.S.I. 2016/313)

26. In paragraph 8(3) of Schedule 3 to the Act of Sederunt (Sheriff Court Bankruptcy Rules) 2016 (consular service), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

Act of Sederunt (Fatal Accident Inquiry Rules) 2017 (S.S.I. 2017/103)

27. In paragraph 15(3) of Schedule 2 to the Act of Sederunt (Fatal Accident Inquiry Rules) 2017 (consular service), for “the Secretary of State for Foreign and Commonwealth Affairs” substitute “the Secretary of State for Foreign, Commonwealth and Development Affairs”.

Court of Protection Rules 2017 (S.I. 2017/1035 (L. 16))

28. In the following provisions of the Court of Protection Rules 2017, for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”—

- (a) rule 6.17(4)(b) (procedure where service is to be through foreign governments, judicial authorities and British consular authorities), and
- (b) rule 6.19(a) and (b) and the heading of that rule (undertaking to be responsible for expenses of Foreign and Commonwealth Office).

Immigration and Nationality (Fees) Regulations 2018 (S.I. 2018/330)

29. In Schedule 1 to the Immigration and Nationality (Fees) Regulations 2018 (applications for entry clearance to enter, and leave to enter, the United Kingdom), in paragraph 2, in Table 5, for “Foreign and Commonwealth Office” in each place those words occur substitute “Foreign, Commonwealth and Development Office”.

Sanctions Review Procedure (EU Exit) Regulations 2018 (S.I. 2018/1269)

30. In regulation 5 of the Sanctions Review Procedure (EU Exit) Regulations 2018 (submission of request)—

- (a) in paragraph (1), for “sanctions.reassessment@fco.gov.uk” substitute “sanctions.reassessment@fcdo.gov.uk”, and
- (b) in paragraph (2), for “Foreign and Commonwealth Office” substitute “Foreign, Commonwealth and Development Office”.

Government Resources and Accounts Act 2000 (Estimates and Accounts) Order 2020 (S.I. 2020/251)

31. In the Schedule to the Government Resources and Accounts Act 2000 (Estimates and Accounts) Order 2020 (designated bodies)—

- (a) in the heading to Part 3, for “Foreign and Commonwealth Office” substitute “Foreign, Commonwealth and Development Office”, and
- (b) in the heading to Part 4, for “Department for International Development” substitute “Foreign, Commonwealth and Development Office”.

Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (S.I. 2020/568)

32. In Part 1 of Schedule 2 to the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 (persons not required to comply with regulation 3 or 4), in paragraph 1(2)(a) and (b), for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (S.I. 2020/574 (W. 132))

33. In Part 1 of Schedule 2 to the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 (persons not required to comply with regulation 4, 5, 7 or 8), in paragraph 1(2)(a) and (b), for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (S.S.I. 2020/169)

34. In Part 1 of Schedule 2 to the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (persons not required to comply with regulation 3 or 6), in paragraph 1(2)(a) and (b), for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 90)

35. In Part 1 of Schedule 2 to the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2020 (persons not required to comply with regulation 3 or 4), in paragraph 1(2)(a) and (b), for “the Foreign and Commonwealth Office” substitute “the Foreign, Commonwealth and Development Office”.

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 Foreign, Commonwealth and Development Office following the merger of the Department for International Development and the Foreign and Commonwealth Office.

The decision to merge the two departments was announced by the Prime Minister on 16 June 2020 and the Secretary of State for the newly established Foreign, Commonwealth and Development Office was appointed on 2 September 2020.

Article 3 provides for the incorporation of the Secretary of State for Foreign, Commonwealth and Development Affairs (“the new Secretary of State”) as a corporation sole, for the authentication of the corporate seal and the execution and certification of documents.

Articles 4 and 5 provide for the transfer of functions and property, rights and liabilities from the Secretary of State for Foreign and Commonwealth Affairs and the Secretary of State for International Development (“the former Secretaries of State”) to the new Secretary of State.

Article 6 makes provision in relation to immovable property outside the United Kingdom and contracts or other agreements governed by the law of a country or territory outside the United Kingdom. In particular, the effect of paragraph (1)(a) and (b) is that the person who for the time being holds the office of the new Secretary of State also holds the offices of the former Secretaries of State for as long as there is immovable property vested in the former Secretaries of State outside the United Kingdom, or they are parties to contracts or other agreements governed by the law of a country or territory outside the United Kingdom.

Article 7 makes supplementary provision in connection with the transfer of functions from the former Secretaries of State to the new Secretary of State, including in relation to legal proceedings, references in enactments and other instruments, and documents and forms.

Article 8 makes provision preserving the validity of anything done by or in relation to the former Secretaries of State before the coming into force of this Order.

Article 9 and the Schedule 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 impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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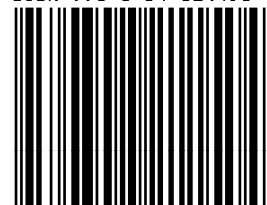
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