



Deregulation and Contracting Out Act 1994

1994 CHAPTER 40

PART II

CONTRACTING OUT

Provisions for facilitating contracting out

74 Powers of certain office-holders.

- (1) In so far as an office-holder to whom this section applies does not already have power to do so, he may authorise an officer of his to exercise any function of his which is conferred by or under any enactment.
- (2) Subject to subsection (3) below, anything done or omitted to be done by an officer so authorised in, or in connection with, the exercise or purported exercise of the function shall be treated for all purposes as done or omitted to be done by the office-holder in his capacity as such.
- (3) Subsection (2) above shall not apply for the purposes of any criminal proceedings brought in respect of anything done or omitted to be done as mentioned in that subsection.
- (4) The office-holders to whom this section applies are—
 - [^{F1}(a) the registrar of companies for England and Wales, Scotland or Northern Ireland;]
 - (b) the official receiver attached to any court;
 - (c) the Comptroller-General of Patents, Designs and Trade Marks;
 - (d) the Public Trustee;
 - [^{F2}(e) a traffic commissioner;]
 - (f) the registrar of approved driving instructors;
 - (g) the Registrar General of Births, Deaths and Marriages for Scotland;

Changes to legislation: There are currently no known outstanding effects for the
Deregulation and Contracting Out Act 1994, Section 74. (See end of Document for details)

- (h) the Keeper of the Registers of Scotland; and
- (i) the Keeper of the Records of Scotland.

Textual Amendments

- F1** S. 74(4)(a) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 148(2)** (with art. 10)
- F2** S. 74(4)(e) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)

Modifications etc. (not altering text)

- C1** S. 74(4)(a) applied (3.12.1998) by [1998 c. 48, ss. 23, 25\(3\)](#), **Sch. 3 para. 4**

Changes to legislation:

There are currently no known outstanding effects for the Deregulation and Contracting Out Act 1994, Section 74.