
STATUTORY INSTRUMENTS

1970 No. 1537

The Secretary of State for Trade and Industry Order 1970

Supplemental

6.—(1) The enactments mentioned in Schedule 2 to this Order shall have effect subject to the modifications provided for by that Schedule.

(2) Subject to the provisions of Schedule 2 to this Order, where in connection with any functions transferred by this Order any enactment or instrument provides for anything to be done by or in relation to both the Minister of Technology and a Secretary of State, it shall be read as providing for it to be done by or in relation to both the Secretary of State for the time being discharging those functions and such other Secretary of State (if any) as may be concerned; and similarly with things to be done by or in relation to both the Board of Trade or the President of the Board and a Secretary of State, in so far as they are done by or in relation to a Secretary of State instead of the Board or President.

7.—(1) All property, rights and liabilities to which immediately before the coming into operation of this Order the Minister of Technology is entitled or subject in connection with the functions of the Minister transferred to the Secretary of State by Article 2(2) above are hereby transferred to the Secretary of State for Trade and Industry; and this provision shall apply to property, rights and liabilities to which the Minister is then entitled or subject in connection with functions transferred by Article 2(2), notwithstanding that he is entitled or subject thereto by reason of the exercise of powers that are to be retained by him in accordance with Article 2(2)(a) and (b).

(2) This Order shall not affect the validity of anything done by or in relation to the Minister of Technology before the coming into operation of this Order; and anything which at the coming into operation of this Order is in process of being done by or in relation to the Board of Trade, the President of the Board of Trade or the Minister of Technology (including in particular any legal proceedings to which any of them is a party) may, if it relates to any functions, property, rights or liabilities transferred by this Order, be continued by or in relation to the Secretary of State for Trade and Industry.

(3) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by the Minister of Technology in connection with functions transferred by this Order, or having effect as if so given, imposed or made, shall, if in force at the coming into operation of this Order, have effect as if given, imposed or made by the Secretary of State for Trade and Industry in so far as that is required for continuing its effect after the coming into operation of this Order.

(4) Subject to Article 6 above, any enactment, instrument or contract passed or made before the coming into operation of this Order shall have effect, so far as may be necessary for the purpose or in consequence of the transfers effected by this Order, as if any reference to the Board of Trade, the President of the Board of Trade or the Minister of Technology or to the department or an officer of the Board or of that Minister (including any reference which is to be construed as such a reference) were or included a reference to the Secretary of State or to his Department or an officer of his, as the context may require.

(5) Documents or forms printed or duplicated for use in connection with any functions of the Minister of Technology transferred by this Order may be so used notwithstanding that they contain

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references to that Minister or, in connection with functions previously transferred to him from the Board of Trade, to the Board, and those references shall be construed as references to the Secretary of State for Trade and Industry; and similarly with references to the department or an officer of that Minister or of the Board.