

**1974 No. 691****MINISTERS OF THE CROWN****The Ministry of Posts and Telecommunications  
(Dissolution) Order 1974***Laid before Parliament in draft**Made - - - - 10th April 1974**Coming into Operation 17th April 1974*

At the Court at Windsor Castle, the 10th day of April 1974

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament in pursuance of section 3(1) of the Ministers of the Crown (Transfer of Functions) Act 1946(a), and each House has presented an Address to Her Majesty praying that the Order be made:

Now, therefore, Her Majesty, in pursuance of section 1 of the Ministers of the Crown (Transfer of Functions) Act 1946(a) is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

*Citation, interpretation and commencement*

1.—(1) This Order may be cited as the Ministry of Posts and Telecommunications (Dissolution) Order 1974.

(2) In this Order “ Minister ” means the Minister of Posts and Telecommunications.

(3) The Interpretation Act 1889(b) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(4) Any reference in this Order to an enactment or instrument is a reference to that enactment or instrument as amended or extended by or under any other enactment or instrument; and in this Order “ instrument ” includes the judgment, decree or order of any court or tribunal.

(5) This Order shall come into operation 7 days after the date on which it is made.

*Transfer of functions, and dissolution of Ministry*

2. The Ministry of Posts and Telecommunications is hereby dissolved and all the functions of the Minister are hereby transferred to the Secretary of State.

---

(a) 1946 c. 31.

(b) 1889 c. 63.

*Supplementary*

3.—(1) This Order shall not affect the validity of anything done by or in relation to the Minister 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 that Minister may be continued by or in relation to the Secretary of State.

(2) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by the Minister, 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, in so far as that is required for continuing its effect after the coming into operation of this Order.

(3) Subject to any specific provision made by this Order, 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 transfer of functions effected by this Order, as if any reference to the Minister or to his department or an officer of his (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.

(4) Documents or forms printed or duplicated for use in connection with any functions of the Minister transferred by this Order may be so used notwithstanding that they contain references to the Minister, and those references shall be construed as references to the Secretary of State; and similarly with references to the department or an officer of the Minister.

4.—(1) The enactments specified in the Schedule to this Order are hereby repealed to the extent specified in the third column thereof; but nothing in the repeals made in section 2 of the Post Office Act 1969(a) shall be taken to prejudice the transfer of functions effected by the foregoing provisions of this Order.

(2) Subject to the provisions of the Schedule 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 and the 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.

(3) In section 40(3) of the Land Drainage Act 1930(b) for the reference to the Postmaster-General there shall be substituted a reference to the Post Office.

*W. G. Agnew.*

SCHEDULE  
ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Schedule 2 the words "Minister of Posts and Telecommunications".
1967 c. 13.	The Parliamentary Commissioner Act 1967.	In Schedule 2 the words "Ministry of Posts and Telecommunications".
1969 c. 48.	The Post Office Act 1969.	Section 2, except subsection (6).
1972 c. 3.	The Ministerial and other Salaries Act 1972.	In Schedule 1, in Part II, the words "Minister of Posts and Telecommunications".
1973 c. 9.	The Counter-Inflation Act 1973.	In section 21(1), in the definition of "the Minister", the words "or the Minister of Posts and Telecommunications".
1973 c. 41.	The Fair Trading Act 1973.	In section 51(3), the words "and the Minister of Posts and Telecommunications".

EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order provides for the dissolution of the Ministry of Posts and Telecommunications and the transfer to the Secretary of State of all functions of the Minister. As an incidental matter it also corrects (Article 4(3)) a statutory reference to the Postmaster-General which should have been amended when the Post Office Act 1969 (c. 48) abolished that Office. Without the amendment made by Article 4(3) the effect of the Order would, in relation to section 40(3) of the Land Drainage Act 1930 (c. 44), be uncertain.

SI 1974/691  
ISBN 0-11-040691-5

