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STATUTORY INSTRUMENTS

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**1989 No. 495**

**MINISTERS OF THE CROWN**

**The Transfer of Functions (Transport Tribunal) Order 1989**

<i>Made</i>	- - - -	<i>15th March 1989</i>
<i>Laid before Parliament</i>		<i>23rd March 1989</i>
<i>Coming into force</i>	- -	<i>13th April 1989</i>

At the Court at Buckingham Palace, the 15th day of March 1989

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 1 of the Ministers of the Crown Act 1975<sup>(1)</sup>, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

**Citation and commencement**

- 1.—(1) This Order may be cited as the Transfer of Functions (Transport Tribunal) Order 1989.  
(2) This Order shall come into force on 13th April 1989.

**Transfer of functions**

2.—(1) The functions of the Secretary of State under paragraphs 5 to 7, 10, 11, 14 and 16 of Schedule 4 to the Transport Act 1985<sup>(2)</sup> (certain powers, proceedings and other matters relating to the Transport Tribunal) are hereby transferred to the Lord Chancellor.

(2) In those paragraphs, for the words“Secretary of State”, wherever they occur, there shall be substituted the words“Lord Chancellor”.

(3) In paragraph 15 of that Schedule (consultation with Lord Advocate), for the words“this Schedule” there shall be substituted the words“paragraph 2 or 3 above”.

**Supplementary**

3.—(1) Any instrument made before the coming into force 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 references to the Secretary of State were references to the Lord Chancellor.

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(1) 1975 c. 26.

(2) 1985 c. 67.

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(2) This Order does not affect the validity of anything done by or in relation to the Secretary of State before the coming into force of this Order; and anything which at the time of the coming into force of this Order is in process of being done by or in relation to the Secretary of State may, if it relates to a function transferred by this Order, be continued by or in relation to the Lord Chancellor.

(3) Where any rule made or other thing done by the Secretary of State under any such provision of Schedule 4 to the Transport Act 1985 as is mentioned in article 2 above is in force or effective at the coming into force of this Order, that rule or other thing shall have effect, so far as required for continuing its effect after the coming into force of this Order, as if made or done by the Lord Chancellor.

*G. I. de Deney*  
Clerk of the Privy Council

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order transfers those functions relating to the Transport Tribunal previously exercised by the Secretary of State for Transport which are specified in article 2(1) to the Lord Chancellor.