
STATUTORY INSTRUMENTS

1989 No. 992

The Transfer of Functions (Economic Statistics) Order 1989

Citation, interpretation and commencement

- 1.—(1) This Order may be cited as the Transfer of Functions (Economic Statistics) Order 1989.
- (2) In this Order—
- “the 1947 Act” means the Statistics of Trade Act 1947(1);
 - “the Chancellor” means the Chancellor of the Exchequer;
 - “the former Trade and Industry functions” means the functions transferred to the Chancellor by articles 2 and 3 below;
 - “the transferred CSO” means the Central Statistical Office of the Chancellor of the Exchequer.
- (3) This Order shall come into force on 31st July 1989.

Functions under the 1947 Act

2.—(1) There are hereby transferred to the Chancellor, so as to be exercisable by him concurrently with the Board of Trade and the Secretary of State, those functions of the Secretary of State under sections 2, 3, 6, 7, 8, 9(2) and (3), 10, 11 and 17(2) of the 1947 Act which, by virtue of articles 2(1) (a) and 7(4) of the Secretary of State for Trade and Industry Order 1970(2), are exercisable by the Secretary of State concurrently with the Board of Trade.

(2) There are hereby transferred to the Chancellor, so as to be exercisable by him concurrently with the Secretary of State, the functions exercisable under that Act by the Secretary of State as a competent authority, within the meaning of that Act.

Collection of information under certain petroleum licences

3.—(1) The functions of any Minister of the Crown under the information provision of a licence which incorporates any of the relevant model clauses are hereby transferred to the Chancellor, so as to be exercisable by him concurrently with that Minister.

(2) Any such licence shall have effect after the coming into force of this Order as if any reference in the information provision to a Minister of the Crown (including any reference which is to be construed as such a reference) included a reference to the Chancellor.

(3) The variation of any provision of a licence by paragraph (2) above is without prejudice to any power to delete or further vary that provision by an instrument under seal executed by the Secretary of State and the licensee.

- (4) For the purposes of this article—
- (a) the “relevant model clauses” are the provisions specified in Schedule 1 to this Order; and
 - (b) the “information provision” of a licence which incorporates a relevant model clause is the provision corresponding to that clause.

(1) 1947 c. 39.
(2) S.I. 1970/1537.

Central Statistical Office

4. There are hereby transferred to the Chancellor the functions of any Minister of the Crown which are carried out by the Central Statistical Office.

Retail prices index and family expenditure survey

5.—(1) There are hereby transferred to the Chancellor those functions of the Secretary of State for Employment which relate to the compilation, maintenance and publication of any general index of retail prices and the family expenditure survey.

(2) Subject to the amendments made by Schedule 2 to this Order, any reference (however expressed) in any enactment, instrument, contract or other document to—

- (a) any general index of retail prices compiled, maintained or published by the Department of Employment,
- (b) any index compiled, maintained or published by that Department in substitution for such an index, or
- (c) the family expenditure survey published by that Department,

shall be construed, as respects compilation, maintenance or publication of any such index or survey after the coming into force of this Order, as a reference to the corresponding index or any substituted index or the corresponding survey, as the case may be, compiled, maintained or published by the transferred CSO.

Consequential provisions

6.—(1) The Documentary Evidence Act 1868⁽³⁾ shall apply to the transferred CSO—

- (a) as if that Office were a government department included in the first column of the Schedule to that Act;
- (b) as if the Chancellor or any person authorised to act on his behalf were mentioned in relation to that Office in the second column of that Schedule; and
- (c) as if the regulations referred to in that Act included any document issued by that Office.

(2) In Schedule 2 to the Parliamentary Commissioner Act 1967⁽⁴⁾ (bodies subject to investigation) there shall be inserted at the appropriate place—

“The Central Statistical Office of the Chancellor of the Exchequer.”

(3) The 1947 Act shall have effect after the coming into force of this Order—

- (a) with the insertion in section 17(3) (competent authorities) of the words “the Chancellor of the Exchequer” immediately before the words “a Secretary of State”; and
- (b) as if any other reference to the Secretary of State (including any reference which is to be construed as such a reference) were or included a reference to the Chancellor, as the context may require.

(4) Schedule 2 to this Order, which contains consequential amendments, shall have effect.

Supplemental

7.—(1) All rights and liabilities to which, immediately before the coming into force of this Order, the Secretary of State for Trade and Industry is entitled or subject in connection with the former Trade and Industry functions are hereby transferred to the Chancellor.

(3) 1868 c. 37.

(4) 1967 c. 13; Schedule 2 was substituted by the Parliamentary and Health Service Commissioners Act 1987 (c. 39), Schedule 1.

(2) This Order shall not affect the validity of anything done by or in relation to the Secretary of State for Trade and Industry before the coming into force of this Order; and anything which, at the coming into force of this Order, is in the process of being done by or in relation to the Secretary of State for Trade and Industry (including, in particular, any legal proceedings to which that Minister is a party) may, if it relates to any of the former Trade and Industry functions, be continued by or in relation to the Chancellor.

(3) Any directions given and any arrangements or appointments, or requests for information, made by the Secretary of State for Trade and Industry before the coming into force of this Order, or having effect as if so given or made, shall, if in force at the coming into force of this Order, have effect as if given or made by the Chancellor, in so far as that is required for continuing their effect after the coming into force of this Order.

(4) Subject to the amendments made by Schedule 2 to this Order, any instrument or contract made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes or in consequence of the transfers effected by article 2 or 3 above, as if any reference to the Secretary of State for Trade and Industry or to the department or an officer of that Minister (including any reference which is to be construed as such a reference) were or included a reference to the Chancellor or the transferred CSO or an officer of the Chancellor's, as the context may require.

(5) Documents or forms printed or duplicated for use in connection with any of the former Trade and Industry functions may be so used notwithstanding that they contain references to the Secretary of State for Trade and Industry or his department or an officer of his; and those references shall be construed as references to the Chancellor or the transferred CSO or an officer of the Chancellor's, as the context may require.

(6) Subject to the amendments made by Schedule 2 to this Order, any reference in any instrument, contract or other document (including any such document or form as is referred to in paragraph (5) above) to the Business Statistics Office of the Department of Trade and Industry or to the Central Statistical Office (including any reference which is to be construed as such a reference) shall be construed after the coming into force of this Order as a reference to the transferred CSO.

(7) Paragraphs (1) to (6) above shall apply in relation to any such Minister as is mentioned in article 4 above as they apply in relation to the Secretary of State for Trade and Industry, but taking—

- (a) references to the former Trade and Industry functions as references to the functions transferred under article 4 above; and
- (b) the reference in paragraph (4) to the transfers effected by article 2 or 3 above as a reference to the transfer effected by article 4 above.

G.I. de Deney
Clerk of the Privy Council