
STATUTORY INSTRUMENTS

2001 No. 3500

The Transfer of Functions (Miscellaneous) Order 2001

Functions passing from Home Secretary to Lord Chancellor: supplemental

- 4.—(1) This article applies to a function which—
- (a) relates to a matter within paragraph (2),
 - (b) was entrusted to the Secretary of State for the Home Department immediately before 7th June 2001, and
 - (c) has been entrusted to the Lord Chancellor before the making of this Order or is transferred to him by article 3 and Schedule 1.
- (2) The matters mentioned in paragraph (1)(a) are—
- (a) the Monarchy,
 - (b) titles,
 - (c) ceremonial matters,
 - (d) the relationship between the administration of any of the Channel Islands or of the Isle of Man and the Crown or a Minister of the Crown,
 - (e) human rights,
 - (f) bodies or organisations established or incorporated by Royal Charter,
 - (g) appointments,
 - (h) ecclesiastical matters,
 - (i) marriage,
 - (j) access to information (including, in particular, the subject matter of the Data Protection Act 1998⁽¹⁾ and the Freedom of Information Act 2000⁽²⁾), and
 - (k) buildings and structures in London.
- (3) A transfer by this Order of a function to which this article applies shall not affect the validity of anything done by or in relation to the Secretary of State for the Home Department before the coming into force of this Order.
- (4) So far as is necessary in consequence of the entrusting or transfer to the Lord Chancellor of a function to which this article applies, an enactment or instrument passed or made before this Order comes into force shall have effect as if—
- (a) a reference to the Secretary of State or the Secretary of State for the Home Department were a reference to the Lord Chancellor,
 - (b) a reference to the Home Department (or the “Home Office”) were a reference to the Lord Chancellor’s Department, and
 - (c) a reference to an officer of the Home Department (or the “Home Office”) were a reference to an officer of the Lord Chancellor’s Department.

(1) 1998 c. 29.

(2) 2000 c. 36.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) Anything done by or in relation to the Secretary of State for the Home Department in connection with a function to which this article applies shall, so far as necessary for continuing its effect after the coming into force of this Order, have effect as if done by or in relation to the Lord Chancellor.

(6) Anything which is in the process of being done by or in relation to the Secretary of State for the Home Department when this Order comes into force may, if it relates to a function to which this article applies, be continued by or in relation to the Lord Chancellor.

(7) Legal proceedings to which the Secretary of State for the Home Department is party at the coming into force of this Order in relation to a function to which this article applies may be continued by or against the Lord Chancellor.

(8) Any property right or liability to which the Secretary of State for the Home Department is entitled or subject immediately before the coming into force of this Order in connection with a function to which this article applies is hereby transferred to the Lord Chancellor.