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STATUTORY INSTRUMENTS

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**2009 No. 703**

**CONSTITUTIONAL LAW  
DEVOLUTION, WALES**

**The Welsh Ministers (Transfer of Functions) Order 2009**

*Made - - - - 18th March 2009*

*Coming into force - - 1st April 2009*

At the Court at Buckingham Palace, the 18th day of March 2009

Present,

The Queen's Most Excellent Majesty in Council

This Order is made by Her Majesty in Council in exercise of the powers conferred upon Her by section 58 of, and paragraph 2 of Schedule 4 to, the Government of Wales Act 2006<sup>(1)</sup>.

In accordance with section 58(4) of that Act a draft of this Order was—

- (a) laid before, and approved by resolution of, each House of Parliament; and
- (b) approved by the Welsh Ministers.

Accordingly, Her Majesty, by and with the advice of Her Privy Council, makes the following Order:

**Citation and commencement**

- 1.—(1) This Order may be cited as the Welsh Ministers (Transfer of Functions) Order 2009.
- (2) This Order shall come into force on 1st April 2009.

**Transfer of Functions**

2. Functions under section 47 of the Prison Act 1952<sup>(2)</sup> in relation to education, training and libraries are, so far as exercisable in relation to Wales, transferred to the Welsh Ministers.

**Transfer of property, rights and liabilities – exception**

3. The provisions of paragraph 1(1) of Schedule 4 to the Government of Wales Act 2006 do not apply to any documentary or electronic records to which a Minister of the Crown is entitled at the

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(1) 2006 c.32.

(2) 1952 c.52.

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**Status:** This is the original version (as it was originally made).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

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coming into force of this Order, in connection with any function exercisable by the Minister which is transferred by this Order.

*Judith Simpson*  
Clerk of the Privy Council

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## EXPLANATORY NOTE

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

This Order is made under section 58 of, and paragraph 2 of Schedule 4 to, the Government of Wales Act 2006 (c.32) and comes into force on 1st April 2009.

This Order provides for certain functions under the Prison Act 1952 (c.52) (“the 1952 Act”) to be transferred to the Welsh Ministers.

Article 3 excludes the transfer to the Welsh Ministers of documentary or electronic records connected with functions included in this Order, which would otherwise take place by operation of paragraph 1 of Schedule 4 to the Government of Wales Act 2006.