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STATUTORY INSTRUMENTS

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**2010 No. 1836**

**The Secretary of State for Education Order 2010**

**Incorporation of the Secretary of State for Education**

3.—(1) The person who at the coming into force of this Order is the Secretary of State for Education and any successor to that person is by that name a corporation sole.

(2) The corporate seal of the Secretary of State for Education—

- (a) is to be authenticated by the signature of a Secretary of State or a person authorised by a Secretary of State to act in that behalf, and
- (b) is to be officially and judicially noticed.

(3) Every document purporting to be an instrument made or issued by the Secretary of State for Education and to be—

- (a) sealed with the corporate seal of that Secretary of State authenticated in the manner provided for by paragraph (2), or
- (b) signed or executed by a person authorised by a Secretary of State to act in that behalf,

is to be received in evidence and to be deemed to be so made or issued without further proof, unless the contrary is shown.

(4) A certificate signed by the Secretary of State for Education that an instrument purporting to be made or issued by—

- (a) the Secretary of State for Education, or
- (b) the Secretary of State for Children, Schools and Families,

was so made or issued is conclusive evidence of that fact.

(5) The Documentary Evidence Act 1868(1) applies in relation to the Secretary of State for Education—

- (a) as if references to regulations and orders included references to any document, and
- (b) as if the officers mentioned in column 2 of the Schedule to that Act included any officer authorised to act on behalf of the Secretary of State.