
STATUTORY INSTRUMENTS

2010 No. 1837

The Lord President of the Council Order 2010

Functions of the Secretary of State to be exercisable concurrently with the Lord President

3.—(1) The Secretary of State’s functions under the following enactments, and any instrument having effect under any of those enactments, are to be exercisable concurrently with the Lord President(1)—

- (a) the Representation of the People Act 1983(2), excluding sections 10ZA, 54 and 161 and rules 3(3) and 51(6) in Schedule 1;
- (b) the Representation of the People Act 1985(3), excluding sections 6 to 10;
- (c) the Parliamentary Constituencies Act 1986(4);
- (d) section 17A of the Greater London Authority Act 1999(5);
- (e) the Representation of the People Act 2000(6);
- (f) sections 44 and 45 of the Local Government Act 2000(7);
- (g) the European Parliamentary Elections Act 2002(8);
- (h) the European Parliament (Representation) Act 2003(9);
- (i) the Electoral Administration Act 2006(10), excluding section 63;
- (j) the Political Parties and Elections Act 2009(11), excluding sections 9(9) to (11) and 19(5) to (7).

(2) The functions covered by paragraph (1) include any functions under any provision not yet in force at the time this Order is made (and in paragraph (1)(a) to (j) a reference to an enactment includes a reference to the enactment as amended by any provision of an enactment or instrument passed or made before that time even though the amending provision is not yet in force at that time).

(3) In the following paragraphs “relevant function” means a function covered by paragraph (1) so far as—

- (a) at the time this Order is made, it is entrusted to the Secretary of State for Justice, and
- (b) at the coming into force of this Order, it becomes entrusted to the Lord President from the Secretary of State for Justice by virtue of a decision taken before this Order is made.

(1) Provision relating to these functions that is relevant to this Order was made by [S.I. 2002/2626](#), art. 11(1) and [S.I. 2003/1887](#), art. 4.

(2) 1983 c. 2.

(3) 1985 c. 50.

(4) 1986 c. 56.

(5) 1999 c. 29.

(6) 2000 c. 2.

(7) 2000 c. 22.

(8) 2002 c. 24.

(9) 2003 c. 7.

(10) 2006 c. 22.

(11) 2009 c. 12.

(4) There are transferred to the Lord President all property, rights and liabilities to which the Secretary of State for Justice is entitled or subject at the coming into force of this Order in connection with any relevant function.

(5) Anything (including legal proceedings) 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 Justice may, so far as it relates to any relevant function or anything transferred by paragraph (4), be continued by or in relation to the Lord President.

(6) Anything done (or having effect as if done) by or in relation to the Secretary of State for Justice in connection with any relevant function or anything transferred by paragraph (4) has effect, so far as necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Lord President.

(7) Documents or forms printed for use in connection with any relevant function may be used in connection with the exercise of that function by the Lord President even though they contain, or are to be read as containing, references to the Secretary of State for Justice; and for the purposes of the use of any such documents or forms in connection with the exercise of that function by the Lord President, those references are to be read as references to the Lord President.

(8) So far as necessary for the purposes of or in consequence of paragraph (1) or (4) or the entrusting to the Lord President of any relevant function, any enactment or instrument passed or made before the coming into force of this Order has effect as if references to (and references which are to be read as references to)—

- (a) the Secretary of State (but not a particular Secretary of State), or
- (b) the Secretary of State for Justice,

were or included references to the Lord President.

(9) In paragraphs (5) to (8)—

- (a) references to the Secretary of State or the Secretary of State for Justice include references to the department or an officer of the Secretary of State or that Secretary of State, and
- (b) references to the Lord President are to be read as including references to the Cabinet Office or an officer in the Cabinet Office accordingly.