
STATUTORY INSTRUMENTS

2016 No. 992

The Secretaries of State for Business, Energy and Industrial Strategy, for International Trade and for Exiting the European Union and the Transfer of Functions (Education and Skills) Order 2016

Functions passing to the Secretary of State for Justice: supplementary

12.—(1) For the purposes of this article, a function is an “education or training (adult detention) function” so far as—

- (a) the function was entrusted to the Secretary of State for Business, Innovation and Skills immediately before 13th July 2016,
- (b) at any time after that date, but before the making of this Order, the function was entrusted to the Secretary of State for Education, and
- (c) the function has, since the date it was entrusted to the Secretary of State for Education but before the making of this Order, been entrusted to the Secretary of State for Justice.

(2) There are transferred to the Secretary of State for Justice all property, rights and liabilities to which the Secretary of State for Business, Innovation and Skills or the Secretary of State for Education is entitled or subject at the coming into force of this Order in connection with an education or training (adult detention) function.

(3) 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 Business, Innovation and Skills may, so far as it relates to an education or training (adult detention) function or anything transferred by paragraph (2), be continued by or in relation to the Secretary of State for Justice.

(4) Anything done (or having effect as if done) by or in relation to the Secretary of State for Business, Innovation and Skills in connection with an education or training (adult detention) function or anything transferred by paragraph (2) 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 Secretary of State for Justice.

(5) Documents or forms printed for use in connection with an education or training (adult detention) function may be used in connection with that function even though they contain, or are to be read as containing, references to the Secretary of State for Business, Innovation and Skills; and for the purposes of the use of any such documents or forms after the coming into force of this Order, those references are to be read as references to the Secretary of State for Justice.

(6) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as is necessary for the purposes of or in consequence of—

- (a) the entrusting to the Secretary of State for Justice of an education or training (adult detention) function, or
- (b) the transfer of anything by paragraph (2),

as if references to (and references which are to be read as references to) the Secretary of State for Business, Innovation and Skills were or included references to the Secretary of State for Justice.

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

(7) In paragraphs (3) to (6), references to the Secretary of State for Business, Innovation and Skills include references to the department of or an officer of the Secretary of State for Business, Innovation and Skills; and references to the Secretary of State for Justice are to be read accordingly.

(8) References in paragraphs (3) to (7) to the Secretary of State for Business, Innovation and Skills are to be read, in relation to the period during which an education or training (adult detention) function was entrusted to the Secretary of State for Education, as if they were or included references to the Secretary of State for Education.