1953 No. 1198

The Transfer of Functions (Ministry of Pensions) Order, 1953

Made - - - -	1*st August*, 1953
Coming into Operation	31*st August*, 1953

At the Court at Buckingham Palace, the 1st day of August, 1953

Present,

The Queen's Most Excellent Majesty in Council

Whereas by section one of the Ministers of the Crown (Transfer of Functions) Act, 1946(a), Her Majesty is empowered by Order in Council to provide for the dissolution of any Government Department and the transfer or distribution of the functions theretofore exercisable by the Minister in charge thereof and to make such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the Order;

And Whereas it is provided by section three of that Act that no Order in Council which provides for the dissolution of a Government Department shall be made under that Act unless, after copies of the draft thereof have been laid before Parliament, each House presents an Address to Her Majesty praying that the Order may be made;

And Whereas copies of the draft of this Order have been laid before Parliament and each House has presented an Address to Her Majesty praying that the Order may be made;

Now, therefore, Her Majesty, in pursuance of the said section one, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

1.—(1) This Order may be cited as the Transfer of Functions (Ministry of Pensions) Order, 1953.

(2) The Interpretation Act, 1889(b), applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) In this Order—

"medical and surgical treatment" includes the supply and repair of artificial limbs and other appliances;

"instrument" (without prejudice to the generality of that expression) includes in particular Royal Warrants, Orders in Council, Orders by Her Majesty, Letters Patent, judgments, decrees, orders, rules, regulations, byelaws, awards, contracts, certificates and other documents.

(4) This Order shall come into operation on the 31st day of August, 1953.

2.—(1) The Ministry of Pensions is hereby dissolved and the functions of the Minister of Pensions are hereby transferred—

(*a*) so far as they relate to medical and surgical treatment and the provision of vehicles in England, Wales, the Channel Islands, the Isle of Man and the Republic of Ireland, and matters incidental thereto, to the Minister of Health;

(a) 9 & 10 Geo. 6. c. 31. (b) 52 & 53 Vict. c. 63.

(*b*) so far as they relate to medical and surgical treatment and the provision of vehicles in Scotland, and matters incidental thereto, to the Secretary of State;

(*c*) save as aforesaid, to the Minister of National Insurance.

(2) With the functions transferred under paragraph (1) of this Article there are also hereby transferred all property, rights and liabilities held or enjoyed by, or incumbent on, the Minister of Pensions in connection with those functions respectively.

3.—(1) The style and title of the Minister of National Insurance is hereby changed to "the Minister of Pensions and National Insurance" and his department shall be known as the Ministry of Pensions and National Insurance:

Provided that nothing in this paragraph shall be taken as invalidating any instrument (whether executed, made or given before or after the coming into operation of this Order) which refers to the said Minister as the Minister of National Insurance or to his department as the Ministry of National Insurance.

(2) The Minister of Pensions and National Insurance may appoint two Parliamentary Secretaries, and sections three and four of the Ministry of National Insurance Act, 1944(**a**), shall, so far as they relate to the Parliamentary Secretary, have effect in relation to each of the Parliamentary Secretaries.

4.—(1) The Minister of Pensions and National Insurance, the Minister of Health and the Secretary of State shall in each year prepare and lay before Parliament a report, or separate reports, of the proceedings of their respective departments so far as those proceedings relate to the functions exercised by them respectively in consequence of the provisions of this Order.

(2) The report or reports so prepared and laid in the first year shall, besides covering the proceedings of the said departments, cover also the proceedings of the Ministry of Pensions between the end of the period covered by the last report of the Minister of Pensions under subsection (2) of section two of the Ministry of Pensions Act, 1916(**b**), and the coming into operation of this Order.

5.—(1) Nothing done by or in relation to the Minister of Pensions which has been completed before the coming into operation of this Order shall be invalidated by the coming into operation thereof.

(2) Anything in process of being done by or in relation to the Minister of Pensions at the time of the coming into operation of this Order (and, in particular, legal proceedings then pending to which the Minister of Pensions is a party) may be continued by or in relation to the Minister of Pensions and National Insurance, the Minister of Health, or the Secretary of State, as the case may require.

(3) Authorities and appointments given or made by the Minister of Pensions shall, on the coming into operation of this Order, continue in force as if made or given by the Minister of Pensions and National Insurance, the Minister of Health, or the Secretary of State, as the case may require:

Provided that nothing in this paragraph shall prevent any authority or appointment being terminated as from the coming into operation of this Order.

(4) Any Act of Parliament or instrument shall, so far as may be necessary for or in consequence of the transfers effected by this Order, have effect as if references to, or which are to be construed as references to, the Minister

(**a**) 7 & 8 Geo. 6. c. 46. (**b**) 6 & 7 Geo. 5. c. 65.

of Pensions, his department or any of his officers were references to, to the department of, or to the corresponding officers of, the Minister of Pensions and National Insurance, the Minister of Health, or the Secretary of State as the case may require.

This paragraph applies to all Acts of Parliament and instruments, whether passed, executed, made or given before or after the making or coming into operation of this Order, except that—

(*a*) it does not apply to Acts of Parliament passed after the coming into operation of this Order; and

(*b*) in relation to Acts of Parliament or instruments passed, executed, made or given after the making of this Order, it has effect subject to any contrary intention which appears from the Act or instrument.

(5) The appropriation accounts relating to Vote 2 of Class VIII in Part 17 of the schedule (B) referred to in the Appropriation Act, 1952(a), and the appropriation accounts relating to any Votes for the year 1953-54 which relate wholly or partly to functions transferred by this Order shall be prepared and rendered by such officers as the Treasury may direct.

6. The enactments specified in the Schedule to this Order shall, to the extent therein specified, cease to have effect.

W. G. Agnew.

SCHEDULE

Enactments Repealed

The Ministry of Pensions Act, 1916
(6 & 7 Geo. 5. c. 65)

Section one, so far as it relates to the appointment of a Minister of Pensions.
Subsection (2) of section two.
Sections five and seven.

The Ministers of the Crown Act, 1937
(1 Edw. 8. and 1 Geo. 6. c. 38)

Paragraph (*c*) of subsection (1) of section one.
Part III of the First Schedule.

The Ministerial Salaries Act, 1946
(9 & 10 Geo. 6. c. 55)

Paragraph (*b*) of subsection (1) of section one.
Subsection (2) of section one.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order in Council, made under the Ministers of the Crown (Transfer of Functions) Act, 1946, makes provision for the amalgamation of the Ministry of Pensions and the Ministry of National Insurance under a Minister to be styled the Minister of Pensions and National Insurance. The Order in Council also provides for certain functions relating to medical and surgical treatment and the provision of appliances, vehicles,

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 38.

etc. hitherto performed by the Minister of Pensions in England, Wales, the Channel Islands, the Isle of Man and the Republic of Ireland to be transferred to the Minister of Health, and in Scotland to the Secretary of State.

The Minister of Pensions and National Insurance is empowered to appoint two Parliamentary Secretaries.

The Order in Council contains other provisions rendered necessary by the transfer of functions, including a provision that the appropriation accounts relating to the Ministry of Pensions referred to in the Appropriation Act, 1952 and any Votes for the year 1953-54 which relate wholly or partly to functions transferred by the Order shall be prepared and rendered by such officers as the Treasury may direct.

1953 No. 734

The Transfer of Functions (Places of Worship Sites) Order, 1953

Made - - - -	30*th April*, 1953
Laid before Parliament	1*st May*, 1953
Coming into Operation	2*nd May*, 1953

At the Court at Windsor Castle, the 30th day of April, 1953

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the Ministers of the Crown (Transfer of Functions) Act, 1946(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

1.—(1) This Order may be cited as the Transfer of Functions (Places of Worship Sites) Order, 1953.

(2) This Order shall come into operation on the second day of May, nineteen hundred and fifty-three.

2. There are hereby transferred to the Minister of Housing and Local Government the functions of the Treasury under section one of the Places of Worship Sites Amendment Act, 1882(b), and accordingly the reference in that section to the Treasury shall be construed as a reference to the Minister of Housing and Local Government.

W. G. Agnew.

EXPLANATORY NOTE

The Places of Worship Sites Act, 1873, and the Places of Worship Sites Amendment Act, 1882, empower certain bodies to grant land, not exceeding one acre, for the building of places of worship or ministers' residences. Municipal corporations are required to obtain the consent, in writing, of the Treasury. This Order in Council substitutes the Minister of Housing and Local Government for the Treasury as the authority whose consent has to be obtained.

(a) 9 & 10 Geo. 6. c. 31. (b) 45 & 46 Vict. c. 21.