1969 No. 1067

MINISTERS OF THE CROWN

The Transfer of Functions (Safety of Reservoirs) Order 1969

Made - - - -	31*st July* 1969
Laid before Parliament	*6th August* 1969
Coming into Operation	1*st September* 1969

At the Court at Arundel Park, the 31st day of July 1969

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 1 of the Ministers of the Crown (Transfer of Functions) Act 1946(**a**) and section 4 of the Ministers of the Crown Act 1964(**b**) is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Safety of Reservoirs) Order 1969.

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

(3) This Order shall come into operation on 1st September 1969.

Transfer of functions and consequential amendments

2.—(1) The functions which immediately before the coming into force of this Order are exercisable by the Secretary of State (or by the Secretary of State in conjunction with any Minister of the Crown) under the Reservoirs (Safety Provisions) Act 1930(**d**),—

(*a*) in the case of his functions under section 2(8) (appointment of referees) shall be exercisable concurrently by the Secretary of State and the Minister of Housing and Local Government; and

(*b*) in any other case are hereby transferred to the Secretary of State and the Minister of Housing and Local Government jointly.

(2) Accordingly in the provisions of that Act mentioned in the Schedule to this Order there shall be made the amendments provided for by that Schedule (but so that those amendments shall not affect the continuance in force of any rules or regulations made under the Act until revoked by virtue of the Act as so amended).

(a) 9 & 10 Geo. 6. c. 31. (b) 1964 c. 98. (c) 52 & 53 Vict. c. 63.
(d) 1930 c. 51.

Supplemental

3.—(1) This Order shall not affect the validity of anything done by or in relation to the Secretary of State before the coming into operation of this Order; and anything which, at the time of the coming into operation of this Order, is in process of being done by or in relation to the Secretary of State may, if it relates to the functions transferred by this Order, be continued by or in relation to the Secretary of State and the Minister of Housing and Local Government jointly or by or in relation to that Minister, as may be appropriate.

(2) Any appointment made or other thing done by the Secretary of State for the purpose of functions transferred by this Order shall, if in force at the coming into operation of this Order, have effect as if made or done by the Secretary of State and the Minister of Housing and Local Government jointly in so far as that is required for continuing its effect after the coming into operation of this Order.

W. G. Agnew.

SCHEDULE

Consequential Amendments

1. In section 2 of the Reservoirs (Safety Provisions) Act 1930 after the words " the Secretary of State " there shall be inserted, in subsection (8), the words " or the Minister of Housing and Local Government " and, in subsection (9), the words " and the Minister of Housing and Local Government acting jointly ".

2. In section 8 of that Act, for the words " the Secretary of State so determines " in subsection (1) there shall be substituted the words " the Secretary of State and the Minister of Housing and Local Government so determine "; after the words " the Secretary of State " in subsections (2) and (3) there shall be inserted the words " and the Minister of Housing and Local Government "; and subsection (4) shall be omitted.

3. In section 10(1) of that Act for the definition of " prescribed " there shall be substituted—

" The expression ' prescribed ' means prescribed by regulations made by the Secretary of State and the Minister of Housing and Local Government acting jointly ".

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order in Council enables either the Secretary of State or the Minister of Housing and Local Government to exercise the power under section 2(8) of the Reservoirs (Safety Provisions) Act 1930 to appoint a referee. This power has been exercisable in the past only by the Secretary of State. The other powers of the Secretary of State under that Act (whether exercisable by him alone or by him in conjunction with other ministers) are transferred to the Secretary of State and the Minister of Housing and Local Government jointly.