

2010 No. 2967

MINISTERS OF THE CROWN

The Transfer of Functions (Dormant Accounts) Order 2010

Made - - - - *15th December 2010*
Laid before Parliament *22nd December 2010*
Coming into force - - *31st January 2011*

At the Court at Buckingham Palace, the 15th day of December 2010

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by section 1 of the Ministers of the Crown Act 1975(a), is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

- 1.—(1) This Order may be cited as the Transfer of Functions (Dormant Accounts) Order 2010.
(2) This Order comes into force on 31st January 2011.

Transfer of functions

2. The functions of the Secretary of State under the Dormant Bank and Building Society Accounts Act 2008(b) are transferred to the Minister for the Cabinet Office.

Consequential amendments etc

- 3.—(1) The Dormant Bank and Building Society Accounts Act 2008 is amended as follows.
(2) In the following provisions, for “Secretary of State” (in each place) substitute “Minister for the Cabinet Office”—
- (a) section 17 (apportionment of dormant account money);
 - (b) the heading before section 22;
 - (c) section 22(2), (4)(e)(iii) and (5) (directions to Big Lottery Fund);
 - (d) section 23(2) and (4) (power to prohibit distribution in certain cases);
 - (e) section 24 (power to add or remove distributors);
 - (f) section 28 (orders);

(a) 1975 c. 26. Section 1 was amended by section 20 of the Constitutional Reform Act 2005 (c. 4).
(b) 2008 c. 31

- (g) Schedule 3 (further provision about the functions of the Big Lottery Fund).
- (3) In section 22(4)(e)(ii) (directions to Big Lottery Fund), for “Secretary of State’s” substitute “Minister for the Cabinet Office’s”.
- (4) In section 23(1) (power to prohibit distribution in certain cases)—
- (a) for “Secretary of State”, in the first place those words appear, substitute “Minister for the Cabinet Office”;
 - (b) for “Secretary of State”, in the second place those words appear, substitute “Minister”.
- (5) In section 26(3) (expenses)—
- (a) for “Secretary of State”, in the first place those words appear, substitute “Minister for the Cabinet Office”;
 - (b) for “Secretary of State”, in the other places those words appear, substitute “Minister”.
- 4.—(1) Subject to article 3, 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 article 2, as if references to (and references which are to be read as references to) the Secretary of State were or included references to the Minister for the Cabinet Office.
- (2) In paragraph (1)—
- (a) references to the Secretary of State include references to the department or an officer of the Secretary of State, and
 - (b) references to the Minister for the Cabinet Office include references to the Cabinet Office or an officer in the Cabinet Office accordingly.
- (3) In paragraph (1) “instrument” includes Royal Charters, Royal Warrants, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, licences, authorisations, consents, approvals, contracts and other agreements, memoranda and articles of association, certificates, deeds and other documents.

Judith Simpson
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers to the Minister for the Cabinet Office certain functions concerning funds made available under the Dormant Bank and Building Societies Act 2008.

Article 2 gives effect to the transfer so that the Minister for the Cabinet Office has functions in relation to the apportionment of funds between England, Scotland, Wales and Northern Ireland and use of available funds in England.

Articles 3 and 4 contain consequential amendments and supplementary provision.

Nothing in this Order alters the functions of the Welsh Ministers, the Scottish Ministers or the devolved authorities in Northern Ireland.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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STATUTORY INSTRUMENTS

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£4.00