

1968 No. 729

**MINISTERS OF THE CROWN****The Secretary of State for Employment and Productivity  
Order 1968***Laid before Parliament in draft*

Made - - - - 8th May 1968

Coming into Operation 15th May 1968

At the Court at Buckingham Palace, the 8th day of May 1968

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty has been pleased to appoint a principal Secretary of State by the style and title of Secretary of State for Employment and Productivity:

And whereas copies of the draft of this Order have been laid before Parliament in pursuance of section 3 of the Ministers of the Crown (Transfer of Functions) Act 1946(a), and each House has presented an Address to Her Majesty praying that the Order be made:

Now, therefore, Her Majesty, in pursuance of section 1 of the said Act, 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 Secretary of State for Employment and Productivity Order 1968.

(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 "instrument" (without prejudice to the generality of that expression) includes in particular Orders in Council, judgments, decrees, orders, rules, regulations, schemes, byelaws awards, agreements, memoranda and articles of association, certificates and other documents.

(4) Any reference in this Order to an enactment or instrument is a reference thereto as amended, and includes a reference thereto as applied, by or under any other enactment or instrument.

(5) This Order shall come into operation at the end of the period of seven days beginning with the day on which it is made.

*Transfer of functions and dissolution of Ministry of Labour*

2.—(1) There are hereby transferred to the Secretary of State all functions of the Minister of Labour, and the Ministry of Labour is hereby dissolved.

(2) With the functions hereby transferred, there are also hereby transferred to the Secretary of State all property, rights and liabilities to which the Minister of Labour was entitled or subject immediately before the coming into operation of this Order.

*Amendment, repeal and adaptation of enactments and instruments*

3.—(1) The enactments described in Part I of the Schedule to this Order shall have effect subject to the amendments set out in relation thereto in column 2 of that Part; and the enactments described in Part II of that Schedule are hereby repealed to the extent specified in column 3 of that Part.

(2) Subject to paragraph (1) above, any enactment or instrument passed or made before the coming into operation of this Order shall have effect, so far as may be necessary for the purpose or in consequence of the foregoing provisions of this Order, as if for any reference to, or to the department or any officer of, the Minister of Labour (including any reference which is to be construed as such a reference) there were substituted a reference to, or to the department or an officer of, the Secretary of State.

(3) Nothing in this Order affects the operation of any of the provisions of sections 11 and 12 of the New Ministries and Secretaries Act 1916(a) as applied by section 7(5) of the Ministry of Health Act 1919(b) or section 26(5) of the Ministry of Transport Act 1919(c).

*Supplemental*

4.—(1) This Order shall not affect the validity of anything done by or in relation to the Minister of Labour 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 him (including in particular any legal proceedings to which he is a party) may be continued by or in relation to the Secretary of State.

(2) Any authority, appointment or direction given or made or other thing whatsoever done, or having effect as if given, made or done, by the Minister of Labour shall, if in force at the coming into operation of this Order, continue in force and have effect as if similarly given, made or done by the Secretary of State.

*W. G. Agnew*

## Article 3.

## SCHEDULE

## AMENDMENTS AND REPEALS

## PART I

## ENACTMENTS AMENDED

The Documentary Evidence Act 1868 (c. 37).	The Act shall apply in relation to the Secretary of State for Employment and Productivity as if references to orders and regulations included references to any instrument, and as if the officers mentioned in column 2 of the Schedule included any officer authorised to act on behalf of the Secretary of State.
The New Ministries and Secretaries Act 1916 (c. 68).	In section 11(1), for the words from the beginning to " seal of the Minister " there shall be substituted the words " The Secretary of State for Employment and Productivity shall have an official seal which ", and for the words " the Minister ", in the last two places where they occur, there shall be substituted the words " the Secretary of State for Employment and Productivity ". In section 11(2) and (3), for the words " a Minister appointed under this Act " or " the Minister ", wherever they occur, there shall be substituted the words " the Secretary of State for Employment and Productivity ".

(a) 1916 c. 68.

(b) 1919 c. 21.

(c) 1919 c. 50.

**PART II**  
**ENACTMENTS REPEALED**

Chapter	Short Title	Extent of Repeal
6 & 7 Geo. 5. c. 68.	The New Ministries and Secretaries Act 1916.	Sections 1, 2 and 10. In section 11, subsection (4), except in relation to documents issued before the coming into operation of this Order, and subsection (5). Section 12, so far as unrepealed, and section 14. The Schedule.
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Schedule 2, the entries relating to the Minister of Labour and to the Parliamentary Secretary to the Ministry of Labour.
9 & 10 Eliz. 2. c. 6.	The Ministers of the Crown (Parliamentary Secretaries) Act 1960.	In Schedule 1, the amendment of the New Ministries and Secretaries Act 1916.
1964 c. 98.	The Ministers of the Crown Act 1964.	In Part II of Schedule 2, the entries relating to the Minister of Labour and to the Parliamentary Secretary to the Ministry of Labour.
1965 c. 58.	The Ministerial Salaries Consolidation Act 1965.	In Schedule 1, the entries relating to the Minister of Labour and the Ministry of Labour.

**EXPLANATORY NOTE**

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

This Order in Council, made under the Ministers of the Crown (Transfer of Functions) Act 1946, transfers to the Secretary of State for Employment and Productivity all the functions of the Minister of Labour and dissolves the Ministry of Labour.