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STATUTORY INSTRUMENTS

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**1981 No. 238**

**The Transfer of Functions (Transport) Order 1981**

**Supplemental**

3.—(1) In section 329(5) of the Highways Act 1980 for the words “by the Minister of Transport and not by the Secretary of State” there are substituted the words “by the Secretary of State for Transport”.

(2) This Order does not affect the validity of anything done by or in relation to the Minister of Transport before its commencement; and anything which at the commencement of this Order is in process of being done by or in relation to the Minister of Transport (including in particular any legal proceedings to which he is a party) may be continued by or in relation to the Secretary of State for Transport.

(3) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by the Minister of Transport, or having effect as if so given, imposed or made, shall, if in force at the commencement of this Order, have effect as if given, imposed or made by the Secretary of State in so far as that is required for continuing its effect after the commencement of this Order.

(4) Any enactment, instrument or contract passed or made before the commencement of this Order shall have effect, so far as may be necessary for the purpose or in consequence of the transfer of functions, property, rights or liabilities effected by this Order, as if any reference to the Minister of Transport or an officer of his (including any reference which is to be construed as such a reference) were or included a reference to the Secretary of State or, as the case may require, the Secretary of State for Transport or an officer of his.

(5) Documents or forms printed or duplicated for use in connection with any functions transferred by this Order may be so used notwithstanding that they contain references to the Minister of Transport, and those references shall be construed as references to the Secretary of State; and similarly with references to an officer of the Minister of Transport.