
STATUTORY INSTRUMENTS

2005 No. 3429

**The Transfer of Functions (Lord Chancellor
and Secretary of State) Order 2005**

Transfers to the Lord Chancellor: supplementary

5.—(1) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to the Secretary of State before the coming into force of this Order.

(2) Anything (including legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to the Secretary of State may, so far as it relates to anything transferred by article 3 or 4, be continued by or in relation to the Lord Chancellor.

(3) Anything done (or having effect as if done) by or in relation to the Secretary of State in connection with anything transferred by article 3 or 4 has effect, so far as necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Lord Chancellor.

(4) Documents or forms printed for use in connection with the functions transferred by article 3 may be used in connection with those functions even though they contain, or are to be read as containing, references to the Secretary of State, his department or an officer of his; and for the purposes of the use of any such documents or forms after the coming into force of this Order, those references are to be read as references to the Lord Chancellor, his department or an officer of his (as appropriate).

(5) Any enactment or instrument passed or made before the coming into force of this Order has effect—

- (a) so far as is necessary for the purposes of or in consequence of article 3, as if references to (and references which are to be read as references to) the Secretary of State, his department or an officer of his were or included references to the Lord Chancellor, his department or an officer of his (as appropriate), and
- (b) so far as is necessary for the purposes of or in consequence of article 4, as if references to (and references which are to be read as references to) the Secretary of State for Constitutional Affairs, his department or an officer of his were references to the Lord Chancellor, his department or an officer of his (as appropriate).