STATUTORY INSTRUMENTS

2015 No. 2013

MINISTERS OF THE CROWN

The Transfer of Functions (Pensions Guidance) Order 2015

Made - - - -	*9th December 2015*
Laid before Parliament	*16th December 2015*
Coming into force - -	*1st April 2016*

At the Court at Buckingham Palace, the 9th day of December 2015

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(**1**), 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 (Pensions Guidance) Order 2015.

(2) This Order comes into force on 1st April 2016.

Transfer of functions from the Treasury to the Secretary of State

2. The functions of the Treasury under Part 20A of the Financial Services and Markets Act 2000(**2**) (pensions guidance) are transferred to the Secretary of State.

Supplemental provision in connection with article 2

3.—(1) In this article "pensions guidance function" means a function transferred to the Secretary of State by article 2.

(2) There are transferred to the Secretary of State for Work and Pensions all property, rights and liabilities to which the Treasury is entitled or subject at the coming into force of this Order in connection with a pensions guidance function.

(3) 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 Treasury may, so far as it relates to a pensions guidance

(**1**) 1975 c. 26. Section 1 was amended by section 20 of the Constitutional Reform Act 2005 (c. 4).
(**2**) 2000 c. 8. Part 20A was inserted by Schedule 3 to the Pension Schemes Act 2015 (c. 8).

function or anything transferred by paragraph (2), be continued by or in relation to the Secretary of State for Work and Pensions.

(4) Anything done (or having effect as if done) by or in relation to the Treasury in connection with a pensions guidance function or anything transferred by paragraph (2) 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 Secretary of State for Work and Pensions.

(5) Documents or forms printed for use in connection with a pensions guidance function may be used in connection with the exercise of that function by the Secretary of State for Work and Pensions even though they contain, or are to be read as containing, references to the Treasury; and for the purposes of the use of any such documents or forms in connection with the exercise of that function by the Secretary of State for Work and Pensions, those references are to be read as references to the Secretary of State for Work and Pensions.

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

(a) so far as necessary for the purposes of or in consequence of article 2, as if references to the Treasury (and references which are to be read as references to the Treasury) were or included references to the Secretary of State, and

(b) so far as necessary for the purposes of or in consequence of paragraph (2), as if references to the Treasury (and references which are to be read as references to the Treasury) were or included references to the Secretary of State for Work and Pensions.

(7) In paragraphs (3) to (6)—

(a) references to the Treasury are to be read as including references to the department of Her Majesty's Treasury or an officer of the Treasury, and

(b) references to the Secretary of State (or to the Secretary of State for Work and Pensions) are to be read as including references to the department or an officer of the Secretary of State (or of the Secretary of State for Work and Pensions) accordingly.

(8) In paragraph (6), "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.

Validity of things done before coming into force of Order

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

(2) In paragraph (1), the reference to the Treasury is to be read as including a reference to the department of Her Majesty's Treasury or an officer of the Treasury.

Consequential amendments

5. The Schedule has effect.

Ceri King
Deputy Clerk of the Privy Council