

2015 No. 1376

MINISTERS OF THE CROWN

The Chancellor of the Duchy of Lancaster Order 2015

Made - - - - *10th June 2015*
Laid before Parliament *11th June 2015*
Coming into force - - *22nd June 2015*

At the Court at Buckingham Palace, the 10th day of June 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(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 Chancellor of the Duchy of Lancaster Order 2015.
- (2) This Order comes into force on 22nd June 2015.

Interpretation

2. In this Order—

“the Chancellor of the Duchy” means the Chancellor of the Duchy of Lancaster;

“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;

“the Lord President” means the Lord President of the Council.

Transfer of concurrently exercisable functions of the Lord President to the Chancellor of the Duchy

3.—(1) The functions of the Secretary of State under—

- (a) an Act, or a provision of an Act or instrument, listed in Schedule 1, or
- (b) an instrument having effect under any such Act or provision of such an Act,

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

which are exercisable concurrently with the Lord President are to cease to be exercisable concurrently with the Lord President and are instead to be exercisable concurrently with the Chancellor of the Duchy^(a).

(2) The functions to which paragraph (1) applies include functions under any provision not yet in force at the time this Order is made (and in Schedule 1 a reference to an Act or provision of an Act or instrument includes a reference to the Act or provision as amended by any provision of an enactment or instrument passed or made before that time even though the amending provision is not yet in force at that time).

Supplementary provision in connection with article 3

4.—(1) In this article, “article 3 function” means a function which is directed by article 3(1) to be exercisable by the Secretary of State concurrently with the Chancellor of the Duchy.

(2) There are transferred to the Chancellor of the Duchy all property, rights and liabilities to which the Lord President is entitled or subject at the coming into force of this Order in connection with an article 3 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 Lord President may, so far as it relates to an article 3 function or anything transferred by paragraph (2), be continued by or in relation to the Chancellor of the Duchy.

(4) Anything done (or having effect as if done) by or in relation to the Lord President in connection with an article 3 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 Chancellor of the Duchy.

(5) Documents or forms printed for use in connection with an article 3 function may be used in connection with the exercise of that function by the Chancellor of the Duchy even though they contain, or are to be read as containing, references to the Lord President; and for the purposes of the use of any such documents or forms in connection with the exercise of that function by the Chancellor of the Duchy, those references are to be read as references to the Chancellor of the Duchy.

(6) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as necessary for the purposes of or in consequence of article 3 or paragraph (2), as if references to the Lord President (and references which are to be read as references to the Lord President) were or included references to the Chancellor of the Duchy.

Transfer of functions exercisable by the Lord President only to the Chancellor of the Duchy

5.—(1) The following functions of the Lord President are transferred to the Chancellor of the Duchy—

- (a) functions under section 2(2)(b) of the Political Parties, Elections and Referendums Act 2000^(b);
- (b) functions under an instrument, or provision of an instrument, listed in paragraph (2).

(2) The instruments and provisions referred to in paragraph (1)(b) are—

- (a) the Representation of the People (England and Wales) Regulations 2001^(c);
- (b) the Representation of the People (Scotland) Regulations 2001^(d);

(a) The functions that are to be exercisable by the Chancellor of the Duchy (concurrently with the Secretary of State) include those functions that were made exercisable by the Lord President (concurrently with the Secretary of State) by S.I. 2010/1837, art. 3; S.I. 2013/2597 art. 2; and S.I. 2014/268, art. 2.

(b) 2000 c. 41. Section 2(2)(b) was substituted by S.I. 2002/2626, Sch. 2 and amended by S.I. 2010/1837, Sch. The functions under section 2(2)(b) were transferred to the Lord President by S.I. 2010/1837, art. 4.

(c) S.I. 2001/341.

(d) S.I. 2001/497.

- (c) article 17 of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013(a);
- (d) article 6 of the Electoral Registration Pilot Scheme Order 2014(b).

Supplementary provision in connection with article 5

6.—(1) In this article, “article 5 function” means a function which is transferred by article 5 to the Chancellor of the Duchy.

(2) There are transferred to the Chancellor of the Duchy all property, rights and liabilities to which the Lord President is entitled or subject at the coming into force of this Order in connection with an article 5 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 Lord President may, so far as it relates to an article 5 function or anything transferred by paragraph (2), be continued by or in relation to the Chancellor of the Duchy.

(4) Anything done (or having effect as if done) by or in relation to the Lord President in connection with an article 5 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 Chancellor of the Duchy.

(5) Documents or forms printed for use in connection with an article 5 function may be used in connection with the exercise of that function by the Chancellor of the Duchy even though they contain, or are to be read as containing, references to the Lord President; and for the purposes of the use of any such documents or forms in connection with the exercise of that function by the Chancellor of the Duchy, those references are to be read as references to the Chancellor of the Duchy.

(6) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as necessary for the purposes of or in consequence of article 5 or paragraph (2), as if references to the Lord President (and references which are to be read as references to the Lord President) were or included references to the Chancellor of the Duchy.

Functions of the Secretary of State relating to police and crime commissioner elections to be exercisable concurrently with the Chancellor of the Duchy

7. The functions of the Secretary of State under section 54(1)(b) and (2) of the Police Reform and Social Responsibility Act 2011(c), so far as relating to an election of a police and crime commissioner the date of the poll for which is on or after 1st May 2016, are to be exercisable concurrently with the Chancellor of the Duchy.

Supplementary provision in connection with article 7

8.—(1) In this article, “article 7 function” means a function which is directed by article 7 to be exercisable by the Secretary of State concurrently with the Chancellor of the Duchy.

(2) There are transferred to the Chancellor of the Duchy all property, rights and liabilities to which the Secretary of State is entitled or subject at the coming into force of this Order in connection with an article 7 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 Secretary of State may, so far as it relates to an article 7 function or anything transferred by paragraph (2), be continued by or in relation to the Chancellor of the Duchy.

(a) S.I. 2013/3197.
(b) S.I. 2014/3178.
(c) 2011 c. 13.

(4) Anything done (or having effect as if done) by or in relation to the Secretary of State in connection with an article 7 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 Chancellor of the Duchy.

(5) Documents or forms printed for use in connection with an article 7 function may be used in connection with the exercise of that function by the Chancellor of the Duchy even though they contain, or are to be read as containing, references to the Secretary of State; and for the purposes of the use of any such documents or forms in connection with the exercise of that function by the Chancellor of the Duchy, those references are to be read as references to the Chancellor of the Duchy.

(6) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as necessary for the purposes of or in consequence of article 7 or paragraph (2), as if references to the Secretary of State (and references which are to be read as references to the Secretary of State) were or included references to the Chancellor of the Duchy.

(7) In paragraphs (3) to (6)—

- (a) references to the Secretary of State are to be read as including references to the department or an officer of the Secretary of State, and
- (b) references to the Chancellor of the Duchy are to be read as including references to the Cabinet Office or an officer in that Office accordingly.

Validity of things done before coming into force of Order

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

(2) In paragraph (1)—

- (a) the reference to the Lord President is to be read as including a reference to the Cabinet Office or an officer in that Office, and
- (b) the reference to the Secretary of State is to be read as including a reference to the department or an officer of the Secretary of State.

Consequential amendments

10. Schedule 2 has effect.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULES

SCHEDULE 1

Article 3

Acts and provisions referred to in article 3(1)

The Acts and provisions referred to in article 3(1) are—

- (a) the Representation of the People Act 1983**(a)**;
- (b) the Representation of the People Act 1985**(b)**;
- (c) the Parliamentary Constituencies Act 1986**(c)**;
- (d) paragraph 16 of Schedule 4B to the Town and Country Planning Act 1990**(d)**;
- (e) section 52ZQ of the Local Government Finance Act 1992**(e)**;
- (f) section 17A of the Greater London Authority Act 1999**(f)**;
- (g) the Representation of the People Act 2000**(g)**;
- (h) the Local Government Act 2000**(h)**;
- (i) the Political Parties, Elections and Referendums Act 2000**(i)**;
- (j) regulation 8 of the European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001**(j)**;
- (k) the European Parliamentary Elections Act 2002**(k)**;
- (l) the European Parliament (Representation) Act 2003**(l)**;
- (m) the Electoral Administration Act 2006**(m)**;
- (n) the Political Parties and Elections Act 2009**(n)**;
- (o) the Parliamentary Voting System and Constituencies Act 2011**(o)**;
- (p) section 58 of the Police Reform and Social Responsibility Act 2011**(p)**;
- (q) the Electoral Registration and Administration Act 2013**(q)**;
- (r) the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014**(r)**;
- (s) section 13 of and Schedule 1 to the Wales Act 2014**(s)**;
- (t) the Recall of MPs Act 2015**(t)**.

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- (a) 1983 c. 2.
 - (b) 1985 c. 50.
 - (c) 1986 c. 56.
 - (d) 1990 c. 8. Schedule 4B was inserted by Schedule 10 to the Localism Act 2011 (c. 20). It is applied with modifications by sections 38A(3) and 38C(5) of the Planning and Compulsory Purchase Act 2004 (c. 5) and paragraph 7 of Schedule 4C to the Town and Country Planning Act 1990 as inserted by Schedules 9 and 11 to the Localism Act 2011.
 - (e) 1992 c. 14. Section 52ZQ was inserted by Schedule 5 to the Localism Act 2011.
 - (f) 1999 c. 29. Section 17A was inserted by section 14 of the Representation of the People Act 2000 (c. 2).
 - (g) 2000 c. 2.
 - (h) 2000 c. 22.
 - (i) 2000 c. 41.
 - (j) S.I. 2001/1184.
 - (k) 2002 c. 24.
 - (l) 2003 c. 7.
 - (m) 2006 c. 22.
 - (n) 2009 c. 12.
 - (o) 2011 c. 1.
 - (p) 2011 c. 13.
 - (q) 2013 c. 6.
 - (r) 2014 c. 4.
 - (s) 2014 c. 29.
 - (t) 2015 c. 25.

CONSEQUENTIAL AMENDMENTS

PART 1

Primary legislation

Representation of the People Act 1983 (c. 2)

1. For section 199ZA of the Representation of the People Act 1983(a) substitute—

“199ZA. Functions of the Chancellor of the Duchy of Lancaster

See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

Representation of the People Act 1985 (c. 50)

2. In section 27 of the Representation of the People Act 1985 (interpretation)(b), for subsection (2ZA) substitute—

“(2ZA) See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

Parliamentary Constituencies Act 1986 (c. 56)

3. For section 6B of the Parliamentary Constituencies Act 1986(c) substitute—

“6B. Functions of the Chancellor of the Duchy of Lancaster

See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

Town and Country Planning Act 1990 (c. 8)

4. In paragraph 16(1) and (5) of Schedule 4B to the Town and Country Planning Act 1990 (regulations about referendums relating to neighbourhood development orders)(d), for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”.

Local Government Finance Act 1992 (c. 14)

5.—(1) The Local Government Finance Act 1992 is amended as follows.

(2) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

(a) Section 199ZA was inserted by S.I. 2010/1837, Sch.

(b) Subsection (2ZA) was inserted by S.I. 2010/1837, Sch. Section 27 is applied with modifications by S.I. 2001/2599, art. 3 and Sch. 1.

(c) Section 6B was inserted by S.I. 2010/1837, Sch.

(d) Schedule 4B was inserted by Schedule 10 to the Localism Act 2011 (c. 20). It is applied with modifications by sections 38A(3) and 38C(5) of the Planning and Compulsory Purchase Act 2004 (c. 5) and paragraph 7 of Schedule 4C to the Town and Country Planning Act 1990 as inserted by Schedules 9 and 11 to the Localism Act 2011. Paragraph 16(1) and (5) of Schedule 4B were amended by S.I. 2013/2597, Sch.

- (a) section 52ZQ(1), (2) and (6) (regulations about referendums relating to council tax increases)(a);
- (b) section 113(1), (2) and (3) (orders and regulations)(b).

Greater London Authority Act 1999 (c. 29)

6. In section 17A(3) and (6) of the Greater London Authority Act 1999 (free delivery of election addresses)(c), for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”.

Representation of the People Act 2000 (c. 2)

7. For section 16A of the Representation of the People Act 2000(d) substitute—

“16A. Functions of the Chancellor of the Duchy of Lancaster

See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

Local Government Act 2000 (c. 22)

8.—(1) The Local Government Act 2000 is amended as follows.

(2) In the following provisions, for “Lord President of the Council” in each place substitute “Chancellor of the Duchy of Lancaster”—

- (a) section 9HE(1), (4) and (5) (regulations about elections for elected mayors);
- (b) section 9MG(2), (3) and (6) (regulations about referendums relating to local authority governance arrangements)(e).

(3) In section 44(1), (3A) and (3B) (power to make provision about elections)(f), after “Secretary of State” in each place insert “or the Chancellor of the Duchy of Lancaster”.

(4) Omit section 48A (functions of the Lord President of the Council)(g).

(5) In section 105(2A) (orders and regulations)(h)—

- (a) for “or 9MG” substitute “, 9MG or 44”, and
- (b) for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”.

Political Parties, Elections and Referendums Act 2000 (c. 41)

9.—(1) The Political Parties, Elections and Referendums Act 2000 is amended as follows.

(2) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

- (a) section 2(2)(b) (Speaker’s Committee)(i);

(a) Section 52ZQ was inserted by Schedule 5 to the Localism Act 2011 and amended by S.I. 2013/2597, Sch.
 (b) Section 113 was amended by paragraph 52 of Schedule 7 to the Local Government Act 2003 (c. 26), section 80(4) and (5) of, and paragraph 32 of Schedule 6 to, the Localism Act 2011, and S.I. 2013/2597, Sch. Other amendments have been made to section 113 which are not relevant to this Order.
 (c) Section 17A was inserted by section 14 of the Representation of the People Act 2000 (c. 2). Section 17A(3) was amended by S.I. 2001/648, Sch. 1 and Schedule 12 to the Postal Services Act 2011 (c. 5). Section 17A(3) and (6) were both amended by S.I. 2010/1837, Sch.
 (d) Section 16A was inserted by S.I. 2010/1837, Sch.
 (e) Sections 9HE and 9MG were inserted by Schedule 2 to the Localism Act 2011 and were amended by S.I. 2013/2597, Sch.
 (f) Subsections (3A) and (3B) were inserted by Schedule 21 to the Political Parties, Elections and Referendums Act 2000.
 (g) Section 48A was inserted by S.I. 2010/1837, Sch. and amended by Schedule 3 to the Localism Act 2011.
 (h) Subsection (2A) was inserted by S.I. 2013/2597, Sch.
 (i) Section 2(2)(b) was substituted by S.I. 2002/2626, Sch. 2 and amended by S.I. 2010/1837, Sch.

- (b) section 159A (functions of the Lord President), including in the heading(a);
- (c) paragraph 2(1)(c) of Schedule 2 (Speaker’s Committee)(b).

European Parliamentary Elections Act 2002 (c. 24)

10. For section 16B of the European Parliamentary Elections Act 2002(c) substitute—

“16B. Functions of the Chancellor of the Duchy of Lancaster

See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

European Parliament (Representation) Act 2003 (c. 7)

11. For section 26A of the European Parliament (Representation) Act 2003(d) substitute—

“26A. Functions of the Chancellor of the Duchy of Lancaster

See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

Electoral Administration Act 2006 (c. 22)

12. For section 74A of the Electoral Administration Act 2006(e) substitute—

“74A. Functions of the Chancellor of the Duchy of Lancaster

See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

Political Parties and Elections Act 2009 (c. 12)

13. For section 38A of the Political Parties and Elections Act 2009(f) substitute—

“38A. Functions of the Chancellor of the Duchy of Lancaster

See the Chancellor of the Duchy of Lancaster Order 2015, by virtue of which functions of the Secretary of State under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster.”

Parliamentary Voting System and Constituencies Act 2011 (c. 1)

14.—(1) The Parliamentary Voting System and Constituencies Act 2011 is amended as follows.

(2) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

- (a) section 13(8) (National Assembly for Wales);

(a) Section 159A was inserted by S.I. 2002/2626, Sch. 2 and amended by S.I. 2008/1319, art. 4 and S.I. 2010/1837, Sch.
(b) Paragraph 2(1)(c) was amended by S.I. 2010/1837, Sch.
(c) Section 16B was inserted by S.I. 2010/1837, Sch.
(d) Section 26A was inserted by S.I. 2010/1837, Sch.
(e) Section 74A was inserted by S.I. 2010/1837, Sch.
(f) Section 38A was inserted by S.I. 2010/1837, Sch.

(b) section 14(4) (review of reduction in number of constituencies).

Police Reform and Social Responsibility Act 2011 (c. 13)

15.—(1) The Police Reform and Social Responsibility Act 2011 is amended as follows.

(2) In section 54(1)(b) and (2) (powers to designate and confer functions on returning officers), after “Secretary of State” insert “or the Chancellor of the Duchy of Lancaster”.

(3) The amendments made by sub-paragraph (2) have effect in relation to an election of a police and crime commissioner the date of the poll for which is on or after 1 May 2016.

(4) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

- (a) section 58(1) and (5A) (orders about the election of police and crime commissioners)(a);
- (b) section 154(1) and (5) (orders and regulations)(b).

Electoral Registration and Administration Act 2013 (c. 6)

16. In section 25(1) of the Electoral Registration and Administration Act 2013 (meaning of “the Minister” etc), for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”.

Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4)

17.—(1) The Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 is amended as follows.

(2) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

- (a) the definition of “the Minister” in section 25(1) (interpretation);
- (b) section 33(13) (reporting of donations to recognised third parties).

Wales Act 2014 (c. 29)

18.—(1) The Wales Act 2014 is amended as follows.

(2) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

- (a) section 13(4)(a) (Assembly proposal for referendum on income tax provisions);
- (b) the definition of “the Minister” in paragraph 15(1) of Schedule 1 (referendum on income tax provisions).

Recall of MPs Act 2015 (c. 25)

19. In section 22(1) of the Recall of MPs Act 2015 (interpretation), in the definition of “the Minister”, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”.

(a) Section 58(1) and (5A) were amended by S.I. 2014/268, art. 4.
(b) Section 154(1) and (5) were amended by S.I. 2014/268, art. 4.

PART 2

Secondary legislation

Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)

20.—(1) The Representation of the People (England and Wales) Regulations 2001(a) are amended as follows.

(2) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

- (a) the definition of “digital service” in regulation 3(1) (interpretation)(b);
- (b) regulation 26(6), (9) and (11) (applications for registration)(c);
- (c) regulation 26A(3) (application for alteration of register)(d);
- (d) regulation 29ZA(1), (2) and (4) to (6) (verification of information provided in application)(e);
- (e) regulation 29ZB(7) (processing of information provided in connection with application)(f);
- (f) regulation 29(2BE)(b) (procedure for determining applications for registration and objections without a hearing)(g);
- (g) regulation 32ZA(2)(b) (annual canvass)(h);
- (h) regulation 32ZC(1)(b) (invitations to apply for registration)(i).

(3) In the following provisions, for “Lord President” in each place substitute “Chancellor of the Duchy”—

- (a) regulation 29ZA(1);
- (b) regulation 29ZB(8).

Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)

21.—(1) The Representation of the People (Scotland) Regulations 2001(j) are amended as follows.

(2) In the following provisions, for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”—

- (a) the definition of “digital service” in regulation 3(1) (interpretation)(k);
- (b) regulation 26(6), (9) and (11) (applications for registration)(l);
- (c) regulation 26A(3) (application for alteration of register)(m);
- (d) regulation 29ZA(1), (2) and (4) to (6) (verification of information provided in application)(n);

(a) Provisions of the regulations are applied with modifications by S.I. 2003/1557, S.I. 2007/1024, S.I. 2008/1848, S.I. 2002/323, S.I. 2012/444 and S.I. 2012/2031.

(b) The definition of “digital service” was inserted by S.I. 2013/3198, reg. 3.

(c) Regulation 26 was substituted by S.I. 2013/3198, reg. 10.

(d) Regulation 26A was inserted by S.I. 2013/3198, reg. 11.

(e) Regulation 29ZA was inserted by S.I. 2013/3198, reg. 14 and paragraph (1) was amended by S.I. 2015/467, reg. 4.

(f) Regulation 29ZB was inserted by S.I. 2013/3198, reg. 14.

(g) Paragraph (2BE) was inserted by S.I. 2013/3198, reg. 15.

(h) Regulation 32ZA was inserted by S.I. 2013/3198, reg. 22.

(i) Regulation 32ZC was inserted by S.I. 2013/3198, reg. 22.

(j) Provisions of the regulations are applied with modifications by S.I. 2003/1557.

(k) The definition of “digital service” was inserted by S.I. 2013/3206, reg. 3.

(l) Regulation 26 was substituted by S.I. 2013/3206, reg. 10.

(m) Regulation 26A was inserted by S.I. 2013/3206, reg. 11.

(n) Regulation 29ZA was inserted by S.I. 2013/3206, reg. 14 and paragraph (1) was amended by S.I. 2015/450, reg. 4.

- (e) regulation 29ZB(7) (processing of information provided in connection with application)(a);
 - (f) regulation 29(2AE)(b) (procedure for determining applications for registration and objections without a hearing)(b);
 - (g) regulation 32ZA(2)(b) (annual canvass)(c);
 - (h) regulation 32ZC(1)(b) (invitations to apply for registration)(d).
- (3) In the following provisions, for “Lord President” substitute “Chancellor of the Duchy”—
- (a) regulation 29ZA(1);
 - (b) regulation 29ZB(8).

European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 (S.I. 2001/1184)

22. In regulation 8(1) and (3) of the European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 (copies of certain applications etc to be sent to the Secretary of State)(e), for “Lord President of the Council” substitute “Chancellor of the Duchy of Lancaster”.

Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013 (S.I. 2013/3197)

23. In article 17(3) of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013 (invitations to register), for “Lord President” substitute “Chancellor of the Duchy of Lancaster”.

Electoral Registration Pilot Scheme Order 2014 (S.I. 2014/3178)

24. In article 6 of the Electoral Registration Pilot Scheme Order 2014 (duty to disclose results of comparison etc), for “Lord President” substitute “Chancellor of the Duchy of Lancaster”.

(a) Regulation 29ZB was inserted by S.I. 2013/3206, reg. 14.
 (b) Paragraph (2AE) was inserted by S.I. 2013/3206, reg. 15.
 (c) Regulation 32ZA was inserted by S.I. 2013/3206, reg. 22.
 (d) Regulation 32ZC was inserted by S.I. 2013/3206, reg. 22.
 (e) Regulation 8(1) was amended by S.I. 2003/1557, reg. 5, S.I. 2009/726, reg. 2, S.I. 2013/2876, reg. 4 and S.I. 2014/1803, reg. 6. Regulation 8(1) is applied with modifications by S.I. 2003/1557, reg. 6 and Sch. 1. Regulation 8(3) was amended by S.I. 2003/1557, reg. 5, S.I. 2009/726, reg. 2 and S.I. 2013/2876, reg. 4.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order in Council is made under section 1 of the Ministers of the Crown Act 1975.

The Order makes provision for various functions of the Secretary of State in relation to elections and related matters, that are exercisable concurrently with the Lord President of the Council (“the Lord President”), to be exercisable instead by the Secretary of State concurrently with the Chancellor of the Duchy of Lancaster (“the Chancellor of the Duchy”). The Order also provides for some functions of the Lord President to be transferred to the Chancellor of the Duchy. The Order also provides for some functions of the Secretary of State relating to police and crime commissioner elections taking place after April 2016 to be exercisable concurrently with the Chancellor of the Duchy. It also makes supplementary provision in connection with these matters.

Article 3 provides for various functions of the Secretary of State that are exercisable concurrently with the Lord President under Acts, or provisions of Acts or instruments, listed in Schedule 1 (or under an instrument having effect under any such Act or provision of such an Act) instead to be exercisable concurrently with the Chancellor of the Duchy. These include, for example, functions under the Representation of the People Act 1983.

Article 4 makes supplemental provision in connection with article 3, including provision for the transfer to the Chancellor of the Duchy of property, rights and liabilities of the Lord President - who has principally exercised the functions transferred by article 3 - in connection with those functions; and provision for continuity in relation to the exercise of those functions and any property, rights or liabilities transferred.

Article 5 transfers to the Chancellor of the Duchy the Lord President’s functions under section 2(2)(b) of the Political Parties, Elections and Referendums Act 2000, as well as his functions under the Representation of the People (England and Wales) Regulations 2001, the Representation of the People (Scotland) Regulations 2001, article 17 of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013 and article 6 of the Electoral Registration Pilot Scheme Order 2014.

Article 6 makes supplemental provision in connection with article 5, including provision for the transfer to the Chancellor of the Duchy of property, rights and liabilities of the Lord President in connection with the functions transferred by article 5 and for continuity in relation to the exercise of those functions and any property, rights or liabilities transferred.

Article 7 provides for the Secretary of State’s functions under section 54(1)(b) and (2) of the Police Reform and Social Responsibility Act 2011, so far as relating to police and crime commissioner elections taking place after April 2016, to be exercisable concurrently with the Chancellor of the Duchy.

Article 8 makes supplemental provision in connection with article 7, including provision for the transfer to the Chancellor of the Duchy of property, rights and liabilities of the Secretary of State in connection with the transferred functions and for continuity in relation to the exercise of those functions and any property, rights or liabilities transferred.

Article 9 provides that nothing in this Order affects the validity of things done by or in relation to the Secretary of State or the Lord President before the coming into force of the Order.

Article 10 and Schedule 2 make consequential amendments to relevant primary and secondary legislation.

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

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

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