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*Changes to legislation: There are currently no known outstanding effects for the Public Audit (Wales) Act 2013, Paragraph 10. (See end of Document for details)*

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## SCHEDULE 3

### TRANSITIONAL, SUPPLEMENTARY AND SAVING PROVISIONS

#### PART 3

#### TRANSFER OF FUNCTIONS ETC

##### *Transfer of other property, rights and liabilities*

- 10 (1) On the transfer day, the property, rights and liabilities to which the Auditor General is entitled or subject in connection with any transferred function are transferred to and vest in the WAO.
- (2) Sub-paragraph (1) operates in relation to property, rights and liabilities—
- (a) whether or not they would otherwise be capable of being transferred;
  - (b) irrespective of any kind of requirement for consent that would otherwise apply.
- (3) Anything (including legal proceedings) which relates to—
- (a) any transferred function, or
  - (b) any property, rights or liabilities transferred by virtue of sub-paragraph (1) in connection with any transferred function,
- and which is in the process of being done by or in relation to the Auditor General immediately before the transfer day may be continued on or after that day by or in relation to the WAO.
- (4) Anything which was done by or in relation to the Auditor General for the purposes of or in connection with—
- (a) any transferred function, or
  - (b) any property, rights or liabilities transferred by virtue of sub-paragraph (1) in connection with any transferred function,
- and which is in effect immediately before the transfer day has effect on or after that day as if done by or in relation to the WAO.
- (5) In any instruments, contracts or legal proceedings which relate to—
- (a) any transferred function, or
  - (b) any property, rights or liabilities transferred by virtue of sub-paragraph (1) in connection with any transferred function,
- and which are made or commenced before the transfer day, a reference to the Auditor General is to be treated on or after that day as a reference to, or as including a reference to, the WAO.
- (6) This paragraph does not apply in relation to rights and liabilities under a contract of employment as a member of the staff of the Auditor General transferred to the WAO by virtue of paragraph 5.
- (7) In this paragraph—
- “transferred function” (“*swyddogaeth a drosglwyddir*”) means a function—

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- (a) conferred or imposed on the WAO by a provision of this Act which re-enacts (with or without modifications) a provision of any enactment which conferred or imposed the same or substantially the same function on the Auditor General, or
  - (b) conferred or imposed on the WAO by any enactment in consequence of the amendment of that enactment by or under this Act;
- “transfer day” (“*diwrnod trosglwyddo*”), in relation to a transferred function, means the day when the function first became exercisable by the WAO.

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**Commencement Information**

**II** Sch. 3 para. 10 in force at 1.4.2014 by S.I. 2013/1466, art. 3(1)

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