



# Government of Wales Act 1998

## 1998 CHAPTER 38

### PART VI

#### REFORM OF WELSH PUBLIC BODIES

##### *The Land Authority for Wales*

#### **134 Cessation of functions.**

The functions of the Land Authority for Wales shall cease to exist.

#### **135 Consequential amendments.**

- (1) The following amendments relating to the Land Authority for Wales have effect in consequence of section 134.
- (2) In—
  - (a) paragraph 1(2)(xxiv) of Schedule 25 to the <sup>M1</sup>Water Act 1989,
  - (b) paragraph 1(1)(iv) of Schedule 16 to the <sup>M2</sup>Electricity Act 1989, and
  - (c) paragraph 2(1)(xxviii) of Schedule 4 to the <sup>M3</sup>Gas Act 1995,(which deem persons to be statutory undertakers for the purposes of certain enactments), for “Parts XII and” substitute “ Part ”.
- (3) In section 31(1)(c) of the <sup>M4</sup>Acquisition of Land Act 1981 (acquisition under certain provisions of statutory undertakers’ land without a certificate), for “said Act of” substitute “ Local Government, Planning and Land Act ”.

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#### **Marginal Citations**

**M1** 1989 c. 15.

**M2** 1989 c. 29.

**M3** 1995 c. 45.

*Changes to legislation:* Government of Wales Act 1998, Cross Heading: The Land Authority for Wales is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**M4** 1981 c. 67.

### **136 Transfer of property, staff etc. to Welsh Development Agency.**

- (1) There shall be transferred to and vest in the Welsh Development Agency by virtue of this subsection all property, rights and liabilities to which the Land Authority for Wales is entitled or subject when the functions of that Authority cease to exist.
- (2) A certificate issued by the Secretary of State that any property has been transferred by subsection (1) shall be conclusive evidence of the transfer.
- (3) Subsection (1) has effect in relation to property, rights or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by that subsection.
- (4) Subsection (1) does not have effect to continue in force any contract of employment; but the Secretary of State may by order make provision for the transfer of staff of the Land Authority for Wales.
- (5) An order under subsection (4) may make any appropriate consequential, incidental, supplementary or transitional provisions or savings.

#### **Commencement Information**

- II** [S. 136](#) wholly in force; [s. 136](#) not in force at Royal Assent see [s. 158](#); [s. 136\(4\)\(5\)](#) in force at 2.9.1998 and [s. 136\(1\)-\(3\)](#) in force at 1.10.1998 by [S.I. 1998/2244](#), [arts. 3, 4](#)

### **137 Transitional provisions.**

- (1) Nothing in section 134 or 135, or in any repeal made by this Act, affects the validity of anything done by or in relation to the Land Authority for Wales before its functions cease to exist.
- (2) There may be continued by or in relation to the Welsh Development Agency anything (including legal proceedings) which—
  - (a) relates to any of the functions of the Land Authority for Wales or to any property, rights or liabilities transferred by section 136(1), and
  - (b) is in the process of being done by or in relation to that Authority when its functions cease to exist.
- (3) Anything which—
  - (a) was done by the Land Authority for Wales for the purpose of or in connection with any of its functions or any property, rights or liabilities transferred by section 136(1), and
  - (b) is in effect immediately before its functions cease to exist,
 shall have effect as if done by the Welsh Development Agency.
- (4) The Welsh Development Agency shall be substituted for the Land Authority for Wales in any instruments, contracts or legal proceedings which—
  - (a) relate to any of the functions of that Authority or to any property, rights or liabilities transferred by section 136(1), and
  - (b) are made or commenced before its functions cease to exist.

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## 138 Winding-down.

F1 .....

### Textual Amendments

- F1** S. 138 omitted (23.11.2005) by virtue of [The Welsh Development Agency \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3226\)](#), art. 7(1), [Sch. 2 Pt. 1 para. 11](#) (with art. 3(1))

## 139 Abolition etc.

- (1) The Land Authority for Wales shall cease to exist when the Secretary of State, being satisfied that its duties under section 138 have been discharged, by order so directs.
- (2) No amendment or repeal made by this Act or by virtue of subsection (3) affects—
  - (a) the continuance of the Land Authority for Wales for the purpose of exercising its functions under section 138, or
  - (b) the continued operation for that purpose of any enactment relating to the Land Authority for Wales.
- (3) The Secretary of State may by order make any consequential, incidental, supplementary or transitional provisions, and any savings, which appear to him to be appropriate in consequence of or otherwise in connection with—
  - (a) the functions of the Land Authority for Wales ceasing to exist under section 134,
  - (b) the transfer of the property, rights and liabilities of that Authority by section 136(1), or
  - (c) the abolition of that Authority.
- (4) An order under subsection (3) may include provisions in the form of amendments or repeals of any of sections 134 to 138 or any other enactment.

### Commencement Information

- I2** S. 139 wholly in force; s. 139 not in force at Royal Assent see s. 158; s. 139(3)(4) in force at 2.9.1998 and s. 139(1)(2) in force at 1.10.1998 by [S.I. 1998/2244](#), [arts. 3, 4](#)

**Changes to legislation:**

Government of Wales Act 1998, Cross Heading: The Land Authority for Wales is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 104(1A) inserted by [2022 asc 1 s. 68\(6\)\(a\)](#)
- Sch. 1 para. 5A5B by [2000 c. 41 Sch. 3 para. 10\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 paras. 8-16 repealed without ever being in force by Government of Wales Act 2006 (c. 32), s. 163, {Sch. 12} (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.)
- Sch. 17 para. 11A inserted by [2022 asc 1 Sch. 4 para. 12\(4\)\(b\)](#)