

SCHEDULES

SCHEDULE 5

TRANSFER OF STAFF, PROPERTY ETC.

Transfer of property, rights and liabilities

- 7 On the commencement date all property, rights and liabilities to which each existing authority was entitled or subject immediately before that date transfer to and vest in the Ombudsman.
- 8 The reference in paragraph 7 to rights and liabilities does not include any rights and liabilities under a contract of employment transferred to the Ombudsman under paragraph 2.
- 9 Paragraph 7 has effect in relation to any property, rights and liabilities to which it applies despite any provision (of whatever nature) which would otherwise prevent, penalise or restrict their transfer.
- 10 Anything (including legal proceedings) which is in the process of being done by or in relation to an existing authority immediately before the commencement date and which relates to—
- (a) any function of that existing authority, or
 - (b) any property, rights or liabilities of that existing authority transferred to the Ombudsman under paragraph 7,
- may, on and after the commencement date, be continued by or in relation to the Ombudsman.
- 11 Anything done by an existing authority for the purpose of, or in connection with—
- (a) any function of that existing authority, or
 - (b) any property, rights or liabilities of that existing authority transferred to the Ombudsman under paragraph 7,
- and which is in effect immediately before the commencement date is to have effect on and after the commencement date as if done by the Ombudsman.
- 12 On and after the commencement date, the Ombudsman is to be substituted for each existing authority in any instruments, contracts or legal proceedings which relate to—
- (a) any function of that existing authority, or
 - (b) any property, rights or liabilities of that existing authority transferred to the Ombudsman under paragraph 7,
- and which are made or commenced before the commencement date.

Changes to legislation:

There are currently no known outstanding effects for the Public Services Ombudsman (Wales) Act 2005, Cross Heading: Transfer of property, rights and liabilities.