
STATUTORY INSTRUMENTS

1996 No. 2819

LOCAL GOVERNMENT, ENGLAND AND WALES
WALES

**The Residuary Body for Wales (Penlan
Road Offices Carmarthen) Order 1996**

Made - - - - *19th November 1996*
Laid before Parliament *20th November 1996*
Coming into force - - *11th December 1996*

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 54(1) and (2)(c) and 63(5) of the Local Government (Wales) Act 1994⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Residuary Body for Wales (Penlan Road Offices Carmarthen) Order 1996 and shall come into force on 11th December 1996.

Interpretation and general provisions

2.—(1) In this Order—

“contract for banking services” means a contract for the provision of services for the Residuary Body by an authorised institution; and “authorised institution” shall be construed in accordance with the Banking Act 1987⁽²⁾;

“contract of insurance” shall be construed in accordance with sections 95 and 96 of the Insurance Companies Act 1982⁽³⁾;

“the Council” means the Carmarthenshire County Council;

“records” includes material in whatever form or medium which conveys or is capable of conveying information;

“the Residuary Body” means the Residuary Body for Wales.

(1) 1994 c. 19.
(2) 1987 c. 22.
(3) 1982 c. 50.

(2) Any reference in this Order to any rights or liabilities of the Residuary Body includes a reference to rights or liabilities acquired or incurred by any predecessor in title of that body.

(3) Where land or any rights or liabilities of the Residuary Body are vested, by virtue of this Order, in the Council, anything done by or in relation to the Residuary Body in connection with such land or rights or liabilities shall be treated as if it had been done by or in relation to the Council.

Land transferred

3.—(1) The land vested in the Residuary Body which is described in the Schedule to this Order shall vest in the Council.

(2) Any rights or liabilities of the Residuary Body in respect of the land transferred by this article shall vest in the Council.

Contractual rights and liabilities

4.—(1) Any rights or liabilities of the Residuary Body in relation to a contract for the provision of services for the Residuary Body where the contract relates exclusively to the land vested, by virtue of article 3, in the Council, shall vest in the Council.

(2) In the preceding paragraph, “contract” includes any enforceable undertaking but does not include a contract of insurance or a contract for banking services.

Contracts of Insurance

5. Any rights or liabilities of the Residuary Body in relation to a contract of insurance entered into by that Body where that contract relates to the land or any rights or liabilities vested in the Council by article 3 or 4 shall, to the extent that such contract relates to such land, rights or liabilities, vest in the Council.

Records

6.—(1) Any records vested in the Residuary Body which relate exclusively to the land or any rights or liabilities vested in the Council by article 3 to 5 shall vest in the Council.

(2) Paragraph (3) shall apply to any records vested in the Residuary Body which—

- (a) relate to any land or any rights or liabilities vested in the Council by article 3 to 5; and
- (b) are not vested in the Council under paragraph (1).

(3) Upon giving reasonable notice, the Council (acting through any authorised officer or agent) shall be entitled during ordinary office hours to inspect any records referred to in paragraph (2) and to take, or to be supplied with, copies of those records or of any part of them.

(4) The rights conferred by paragraph (3) include the right to require any record which is not in legible form to be made available in legible form for the purposes of inspection or copying or being supplied with copies.

Signed by authority of the Secretary of State for Wales

Welsh Office
19th November 1996

Gwilym Jones
Parliamentary Under Secretary of State,

THE SCHEDULE

Article 3

DESCRIPTION OF LAND

Penlan Road Offices, Brewery Road, Carmarthen as transferred to the Residuary Body by the Local Government Reorganisation (Wales) (Property etc.) Order 1996⁽⁴⁾.

EXPLANATORY NOTE

(This note is not part of the Order)

The Order makes provision for the transfer of land, known as Penlan Road Offices, Brewery Road, Carmarthen, and associated rights and liabilities from the Residuary Body for Wales to Carmarthenshire County Council.

The premises in question, formerly owned by the Dyfed County Council, together with the then associated rights and liabilities, were on 1st April 1996 vested in the Residuary Body for Wales by virtue of the Local Government Reorganisation (Wales) (Property Etc.) Order 1996 (S.I.1996/532).

⁽⁴⁾ S.I. 1996/532 to which there is an amendment not relevant to this Order.