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WELSH STATUTORY INSTRUMENTS

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**2005 No. 3225**

**The Wales Tourist Board (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005**

**Transfer of functions, property, rights and liabilities of the Board to the Assembly**

2.—(1) On the transfer date the functions of the Board are transferred to the Assembly in accordance with the provisions of Schedules 1 and 2 which amend the enactments and instruments relating to the Board for the purpose of:

- (a) transferring its functions to the Assembly, and
- (b) making provision consequential on or incidental or supplementary to the transfer.

(2) On the transfer date there are transferred to and vested in the Assembly by virtue of this paragraph all property, rights and liabilities to which the Board is entitled or subject immediately before that date.

(3) The rights and liabilities referred to in paragraph (2) above include those arising under any contract of employment made between a relevant employee and the Board.

(4) The Transfer of Undertakings (Protection of Employment) Regulations 1981(1) apply to the transfer of the functions of the Board to the Assembly whether or not apart from this provision, the discharge of these functions would be treated as an undertaking in the nature of a commercial venture for the purposes of those Regulations.

(5) A certificate issued by the Assembly that any property has been transferred by paragraph (2) is conclusive evidence of the transfer.

(6) Paragraph (2) has effect in relation to property, rights or liabilities to which it applied 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 paragraph.

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(1) S.I.1981/1794, as amended by the Trade Union Reform and Employment Rights Act 1993 (c. 19) by the Dock Work Act 1989 (c. 13) and by Statutory Instruments 1987/442, 1995/2587, 1998/1658, 1999/1925; 1999/2402 and 1999/2587.