

SCHEDULES

SCHEDULE 2

TRANSFER OF MANAGEMENT OF INSTITUTIONS OF FURTHER EDUCATION

Enforcement of transferred rights, etc.

12.—(1) Without prejudice to the generality of paragraph 11, the transferee under a transfer made under this Schedule and any other person shall, as from the transfer date, have the same rights, powers and remedies (and in particular the same rights and powers as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing any right or liability transferred to and vested in the transferee under this Schedule as he would have had if that right or liability had at all times been a right or liability of the transferee.

(2) Any legal proceedings or applications to any authority pending on the transfer date by or against the transferor, in so far as they relate to any property, right or liability transferred to the transferee under this Schedule, or to any agreement relating to any such property, right or liability, shall be continued by or against the transferee to the exclusion of the transferor.

(3) Where any land or other property or rights transferred under this Schedule were immediately before the transfer date held on trust for any particular purpose, they shall, subject to any provision made under paragraph 17, continue to be so held by the transferee.