

## SCHEDULES

### SCHEDULE 6

#### TRANSFER SCHEMES

##### *Proceedings etc*

- 18 (1) This paragraph applies if a transfer scheme provides for a transfer from a transferor to a transferee.
- (2) From the coming into force of the scheme the transferee is to have the same rights, powers and remedies for ascertaining, perfecting or enforcing a right or liability transferred to him under the scheme as he would have had if the right or liability had at all times been a right or liability of his.
- (3) From the coming into force of the scheme any person (other than the transferee) is to have the same rights, powers and remedies for ascertaining, perfecting or enforcing a right or liability transferred to the transferee under the scheme as he would have had if the right or liability had at all times been a right or liability of the transferee.
- (4) The rights and powers which the transferee or any other person is to have include—
- (a) rights and powers as to the taking or resisting of legal proceedings;
  - (b) rights and powers as to the making or resisting of applications to an authority.
- (5) Sub-paragraph (6) applies if on the coming into force of the scheme legal proceedings or applications to an authority by or against the transferor are pending.
- (6) The proceedings or applications must be continued by or against the transferee (to the transferor's exclusion) in so far as they relate—
- (a) to any property, rights or liabilities transferred to the transferee under the scheme, or
  - (b) to any agreement or enactment relating to any such property, rights or liabilities.