



National Lottery Act 2006

2006 CHAPTER 23

Dissolution of old distributors

17 Transfer of property, &c.

- (1) In this section—
 - “old lottery distributor” means a body dissolved by section 16, and
 - “the appointed day” means the day appointed under section 16(1).
- (2) The property, rights and liabilities to which an old lottery distributor was entitled or subject immediately before the appointed day shall on that day vest in the Big Lottery Fund by virtue of this subsection.
- (3) Anything done by or in relation to an old lottery distributor which has effect immediately before the appointed day shall, so far as necessary for continuing its effect after that day, have effect as if done by or in relation to the Fund.
- (4) Anything (including any legal proceedings) which immediately before the appointed day is in the process of being done by or in relation to an old lottery distributor may be continued by or in relation to the Fund.
- (5) So far as necessary or appropriate in consequence of subsection (2), on and after the appointed day—
 - (a) a reference to an old lottery distributor in an agreement (whether written or not), instrument or other document shall be treated as a reference to the Fund, and
 - (b) a reference in an agreement (whether written or not), instrument or other document to a member or officer of an old lottery distributor shall be treated as a reference to a person appointed for the purpose in writing by the Fund.
- (6) The Fund must provide information on request about an appointment under subsection (5)(b).
- (7) Subsection (2) shall operate in relation to property, rights or liabilities—
 - (a) whether or not they would otherwise be capable of being transferred,
 - (b) without any instrument or other formality being required, and

Status: This is the original version (as it was originally enacted).

- (c) irrespective of any requirement for consent that would otherwise apply.
- (8) In so far as subsection (2) transfers liabilities under contracts of employment—
- (a) nothing in this section shall affect the operation of the Transfer of Undertakings (Protection of Employment) Regulations 1981 ([S.I. 1981/1794](#)), and
 - (b) the Secretary of State shall not appoint the appointed day unless satisfied that sufficient notice has been given to enable compliance with any applicable requirement of those regulations.
- (9) Without prejudice to the generality of subsections (3) and (4), the Big Lottery Fund may do anything it thinks necessary or expedient for the purpose of giving effect to a decision, agreement or undertaking of an old lottery distributor (whether in respect of a grant or loan or otherwise) irrespective of whether the Big Lottery Fund would have the power under the National Lottery etc. Act 1993 ([c. 39](#)), as amended by this Act, to make that decision or agreement or to give that undertaking.