
Changes to legislation: Government of Wales Act 2006, Cross Heading: General transfer of property, rights and liabilities is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 4

TRANSFERS OF MINISTERIAL PROPERTY, RIGHTS AND LIABILITIES

General transfer of property, rights and liabilities

- 1 (1) The property, rights and liabilities to which, at the coming into force of an Order in Council under section 58, a Minister of the Crown is entitled or subject in connection with any function exercisable by the Minister of the Crown and transferred by the Order in Council are transferred to and vest in the transferee of the function.
- (2) In this Schedule “the transferee”, in relation to a function transferred by an Order in Council under section 58, means whichever of the Welsh Ministers, the First Minister or the Counsel General may exercise the function by virtue of the Order in Council.
- (3) Anything (including legal proceedings) which relates to—
- (a) any function exercisable by a Minister of the Crown which is transferred by an Order in Council under section 58, or
 - (b) any property, rights or liabilities transferred by sub-paragraph (1) as the result of the transfer of any such function by such an Order in Council,
- and which is in the process of being done by or in relation to the Minister of the Crown immediately before the coming into force of the Order in Council may be continued by or in relation to the transferee of the function.
- (4) Anything which was done by a Minister of the Crown for the purpose of or in connection with—
- (a) any function exercisable by the Minister of the Crown which is transferred by an Order in Council under section 58, or
 - (b) any property, rights or liabilities transferred by sub-paragraph (1) as the result of the transfer of any such function by such an Order in Council,
- and which is in effect immediately before the coming into force of the Order in Council has effect as if done by the transferee of the function.
- (5) In any instruments, contracts or legal proceedings which relate to—
- (a) any function exercisable by a Minister of the Crown which is transferred by an Order in Council under section 58, or
 - (b) any property, rights or liabilities transferred by sub-paragraph (1) as the result of the transfer of any such function by such an Order in Council,
- and which are made or commenced before the coming into force of the Order in Council, the transferee of the function is substituted for the Minister of the Crown.

Modifications etc. (not altering text)

- C1 Sch. 4 para. 1 applied (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), [ss. 54\(3\)\(b\)](#), [71\(4\)](#) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), [reg. 3\(1\)](#)

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- C2 Sch. 4 para. 1 applied (with modifications) (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 31, 71(4)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(g)
- C3 Sch. 4 para. 1(1) excluded (1.4.2009) by [The Welsh Ministers \(Transfer of Functions\) Order 2009 \(S.I. 2009/703\)](#), **art. 3**
- C4 Sch. 4 para. 1(1) excluded (31.3.2010) by [The Welsh Zone \(Boundaries and Transfer of Functions\) Order 2010 \(S.I. 2010/760\)](#), arts. 1(3), **8**
- C5 Sch. 4 para. 1(1) excluded (31.12.2011) by [The Welsh Ministers \(Transfer of Functions\) \(No.2\) Order 2009 \(S.I. 2009/3019\)](#), arts. 1(2), **7**
- C6 Sch. 4 para. 1(1) excluded (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), art. 1(1)(**6**)
- C7 Sch. 4 para. 1(1) excluded (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), arts. 1(2)(a), **4(1)**

Commencement Information

- I1 This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

- 2 (1) An Order in Council under section 58 may provide that all or any of the provisions of paragraph 1—
- (a) do not apply in relation to the transfer of functions by the Order in Council or to the property, rights and liabilities connected with the functions,
 - (b) are to apply only in relation to the transfer of particular functions by the Order in Council or to particular property, rights or liabilities connected with the functions transferred by the Order in Council,
 - (c) do not apply in relation to the transfer of particular functions by the Order in Council or to particular property, rights or liabilities connected with the functions transferred by the Order in Council, or
 - (d) apply with modifications in relation to the transfer of a particular function by the Order in Council or to particular property, rights or liabilities connected with the function transferred by the Order in Council in a case where, by virtue of provision made under section 58(2), there is more than one transferee of that function.
- (2) Paragraph 1 does not apply to rights or liabilities relating to the employment of persons in Crown employment (as defined in section 191(3) of the Employment Rights Act 1996 (c. 18)).

Modifications etc. (not altering text)

- C8 Sch. 4 para. 2(2) applied (with modifications) (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 31, 71(4)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(g)

Commencement Information

- I2 This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 155A inserted by [2014 c. 29 s. 10](#)
- Sch. 7A Section C15 para. 92 omitted by [2017 c. 4 s. 48\(1\)\(a\)](#)
- Sch. 7A Section C15 para. 93 words omitted by [2017 c. 4 s. 48\(1\)\(b\)](#)
- Sch. 7B para. 10(2)(o) inserted by [2022 c. 30 s. 143](#)
- Sch. 7B para. 11(6)(b)(x) repealed by [2023 c. 54 Sch. 11 para. 1\(b\)](#)
- Sch. 7B para. 11(6)(b)(x) word omitted by [2023 c. 54 s. 118\(c\)](#)