

## SCHEDULES

### SCHEDULE 2

#### TRANSFER TO THE INSTITUTE OF CERTAIN PROPERTY, RIGHTS, LIABILITIES AND STAFF OF DEPARTMENT

##### *Transfer of certain property, rights and liabilities of the Department*

1.—(1) The Department may by order provide for the transfer to the Institute on the appointed day of any property, rights and liabilities to which the Department is entitled or subject immediately before the appointed day.

(2) Sub-paragraph (1)—

(a) has effect in relation to property, rights or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by virtue of that sub-paragraph; but

(b) does not apply to rights and liabilities under a contract of employment (which are dealt with by paragraph 2).

(3) The following sub-paragraphs apply in relation to property, rights and liabilities transferred by an order under sub-paragraph (1) and in those sub-paragraphs “the transfer” means the transfer effected by the order under sub-paragraph (1).

(4) In the construction and for the purposes of any statutory provision or other document passed or made before the appointed day, any reference to, or which is to be construed as a reference to, the Department shall, so far as may be necessary for the purposes of the transfer, be construed as a reference to the Institute.

(5) The transfer does not affect the validity of anything done by, or in relation to, the Department before the appointed day.

(6) Anything which before the appointed day was done by or in relation to the Department shall, if in effect immediately before that date, continue to have effect to the same extent and subject to the same provisions as if it had been done by, or in relation to, the Institute.

(7) Anything (including any legal proceedings) in the process of being done by or in relation to the Department immediately before the appointed day may be continued by or in relation to the Institute.