
Changes to legislation: There are currently no known outstanding effects for the Budget Responsibility and National Audit Act 2011, Cross Heading: Transfer of property etc. (See end of Document for details)

SCHEDULES

SCHEDULE 4

TRANSITIONAL PROVISION RELATING TO PART 2

Transfer of property etc

- 1 (1) Before the appointed day the Comptroller and Auditor General must—
- (a) determine the property, rights and liabilities of the Comptroller and Auditor General that are to be transferred to NAO in consequence of the provision made by this Part, and
 - (b) prepare a scheme describing, in the way the Comptroller and Auditor General considers appropriate, that property and those rights and liabilities.
- (2) The scheme must be approved by the Public Accounts Commission.
- (3) On the appointed day the property, rights and liabilities described in the scheme are transferred to NAO.
- (4) Sub-paragraph (3) operates in relation to property, rights and liabilities—
- (a) whether or not they would otherwise be capable of being transferred,
 - (b) without any instrument or other formality being required, and
 - (c) irrespective of any kind of requirement for consent that would otherwise apply.
- (5) In sub-paragraph (1) the references to rights and liabilities include references to rights and liabilities under or in connection with contracts of employment with staff that were appointed under section 3(2) of the National Audit Act 1983.
- (6) For any purpose relating to a person who becomes an employee of NAO by virtue of sub-paragraph (3)—
- (a) a period of employment under section 3(2) of the National Audit Act 1983 (including a period that was counted as such a period by virtue of paragraph 2(3) of Schedule 2 to that Act) is to be treated as a period of employment with NAO, and
 - (b) the transfer to NAO is not to be treated as a break in service.
- (7) Anything done by, on behalf of or in relation to the Comptroller and Auditor General in relation to anything transferred by sub-paragraph (3) has effect as if done by, on behalf of or in relation to NAO, so far as necessary or appropriate for continuing its effect on and after the appointed day.
- (8) Anything (including legal proceedings) which, immediately before the appointed day, is in the process of being done by, on behalf of or in relation to the Comptroller and Auditor General in relation to anything transferred by sub-paragraph (3) may be continued by, on behalf of or in relation to NAO.

Changes to legislation: There are currently no known outstanding effects for the Budget Responsibility and National Audit Act 2011, Cross Heading: Transfer of property etc. (See end of Document for details)

- (9) So far as necessary or appropriate in consequence of sub-paragraphs (3) to (8), a reference to the Comptroller and Auditor General in any agreement (whether written or not) or instrument or other document is to be treated as a reference to, or as including a reference to, NAO.
- (10) Before the appointed day a person's employment under section 3(2) of the National Audit Act 1983 is to be treated for the purposes of paragraph 1(2)(c) and Part 4 of Schedule 2 as if it were employment with NAO.
- (11) In this paragraph “the appointed day” means the day appointed for the purposes of this paragraph by an order made by the Treasury by statutory instrument.

Commencement Information

II Sch. 4 para. 1 in force at 1.1.2012 by S.I. 2011/2576, art. 3(j)(i) (with art. 4)

Changes to legislation:

There are currently no known outstanding effects for the Budget Responsibility and National Audit Act 2011, Cross Heading: Transfer of property etc.