



Energy Act 2016

2016 CHAPTER 20

PART 1

THE OGA

The OGA and its core functions

3 Transfer of property, rights and liabilities to the OGA

- (1) The Secretary of State may make one or more transfer schemes transferring qualifying property, rights and liabilities of a Minister of the Crown to the OGA.
- (2) A scheme made under this section may, in particular, make provision—
 - (a) for anything done by or in relation to a Minister of the Crown in connection with any property, rights or liabilities transferred by the scheme to be treated as done, or to be continued, by or in relation to the OGA;
 - (b) for references to a Minister of the Crown in any agreement (whether written or not), instrument or other document relating to property, rights or liabilities transferred by the scheme to be treated as references to the OGA;
 - (c) about the continuation of legal proceedings;
 - (d) for transferring property, rights or liabilities which could not otherwise be transferred or assigned;
 - (e) for transferring property, rights or liabilities irrespective of any requirement for consent which would otherwise apply;
 - (f) for preventing a right of pre-emption, right of reverter, right of forfeiture, right to compensation or other similar right from arising or becoming exercisable as a result of the transfer of property, rights or liabilities;
 - (g) for dispensing with any formality in relation to the transfer of property, rights or liabilities by the scheme;
 - (h) for transferring property acquired, or rights or liabilities arising, after the scheme is made but before it takes effect;
 - (i) for apportioning property, rights or liabilities;

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- (j) for creating rights, or imposing liabilities, in connection with property, rights or liabilities transferred by the scheme;
 - (k) for requiring the OGA to enter into any agreement of any kind, or for a purpose, specified in or determined in accordance with the scheme.
- (3) Subsection (2)(b) does not apply to references in an enactment or a relevant authorisation.
- (4) In this section—
- “property” includes interests of any description, and
 - “qualifying property, rights and liabilities” means property held, and rights and liabilities arising, in connection with functions which were functions of a Minister of the Crown and as a result of this Act have or are to become functions of the OGA, but does not include rights and liabilities relating to an individual's employment in the civil service of the State.

Commencement Information

II [S. 3](#) in force at 12.7.2016 by [S.I. 2016/602](#), [reg. 3\(b\)](#) (as substituted by S.I. 2016/710, reg. 2)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2016/602, art. 3 by [S.I. 2016/710 reg. 2](#)

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

- Act excluded in part by [S.I. 2023/734 art. 6\(1\)](#)