

2001 No. 398

CONSTITUTIONAL LAW

DEVOLUTION, WALES

**The National Assembly for Wales (Transfer of Land)
Order 2001**

Made - - - - - 16th February 2001

Laid before Parliament 16th February 2001

Coming into force - - - 21st March 2001

The Secretary of State for Wales, in exercise of the powers conferred on him by section 25 of the Government of Wales Act 1998(a), hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the National Assembly for Wales (Transfer of Land) Order 2001 and shall come into force on 21st March 2001.

(2) In this Order—

“the Agreement” means the agreement entered into on 18th September 1998 by the Secretary of State with Grosvenor Waterside Investments Limited, Associated British Ports and Capital Waterside Management (No. 1) Limited, concerning the grant or variation of leases over certain properties in Cardiff Bay in the county of Cardiff, including the Site and the Pierhead Buildings;

“the Assembly” means the National Assembly for Wales;

“the Pierhead Building” means the land and buildings in Cardiff Bay in the county of Cardiff known as the Pierhead Building, and referred to in the Pierhead Building Lease as “the Premises”;

“the Pierhead Building Lease” means the Lease dated 1st October 1998 whereby the Pierhead Building was leased to the Secretary of State by Grosvenor Waterside Investments Limited for 15 years from 29th September 1998;

“Plot 1E” means the plot of land in Cardiff Bay in the county of Cardiff described as Plot 1E in the Site Lease;

“the Secretary of State” means the Secretary of State for Wales;

“the Site” means that part of Plot 1E referred to in the Site Lease as “the Premises”; and

“the Site Lease” means the Lease dated 1st October 1998 and registered at Her Majesty’s Land Registry, Swansea under title number WA890692 whereby the Site was leased to the Secretary of State by Grosvenor Waterside Investments Limited for 150 years from 29th September 1998 for the purpose of building a debating chamber for the Assembly.

(a) 1998 c. 38.

Transfer of property, rights, liabilities, etc from the Secretary of State to the Assembly

2.—(1) There shall be transferred to the Assembly all property, rights and liabilities in or arising from or in connection with the Agreement, the Pierhead Building Lease, the Pierhead Building, the Site Lease and the Site to which the Secretary of State is entitled or subject immediately before the coming into force of this Order.

(2) There may be continued by or in relation to the Assembly anything (including legal proceedings) which relates to any property, rights or liabilities transferred by paragraph (1) of this article, and which is in the process of being done by or in relation to the Secretary of State immediately before the coming into force of this Order.

(3) Subject to article 3 below, all contracts, deeds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given (or having effect as if they had been given) by, or to, the Secretary of State in connection with any property, rights or liabilities transferred by paragraph (1) of this article shall be of full force and effect in favour of, or against, the Assembly.

(4) Anything which was done by the Secretary of State for the purpose of or in connection with any property, rights or liabilities transferred by paragraph (1) of this article, and which is in effect immediately before the coming into force of this Order, shall have effect as if done by the Assembly.

(5) The Assembly shall be substituted for the Secretary of State in any contracts, deeds, agreements and other instruments which relate to any property, rights or liabilities transferred by paragraph (1) of this article, and which are made or commenced before the coming into force of this Order.

Effect of transfer provisions

3. Article 2 above has effect in relation to any property, rights or liabilities to which it applies, in spite of any provision (of whatever nature) included in any notice, caution, restriction, inhibition or any other adverse registration, which would prevent or restrict the transfer, or registration of transfer, of the property, rights or liabilities as the case may be otherwise than by that article.

16th February 2001

Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

Section 25 of the Government of Wales Act 1998 empowers the Secretary of State to transfer specific property, rights and liabilities of a Minister of the Crown to the National Assembly for Wales “the Assembly”).

In the Order, the Secretary of State transfers to the Assembly all his property, rights and liabilities which exist immediately before the coming into force of the Order, in respect of the Pierhead Building at Cardiff Bay and the plot of land at Cardiff Bay which was acquired for the purpose of building a debating chamber for the Assembly.

The Order is in addition to the general transfer to the Assembly of property, rights and liabilities of Ministers of the Crown in connection with functions transferred to the Assembly by “Transfer of Functions” Orders under section 22 of the Government of Wales Act. That general transfer was effected by virtue of section 23 of that Act.

Site maps showing the land and buildings which are the subject of this Order can be inspected during office hours at the library of the National Assembly for Wales, Cathays Park, Cardiff, CF10 3NQ.

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