
STATUTORY INSTRUMENTS

2014 No. 1012

**The Durham, Gateshead, Newcastle Upon Tyne,
North Tyneside, Northumberland, South Tyneside
and Sunderland Combined Authority Order 2014**

PART 3

Transport

Continuity

11.—(1) Nothing in articles 6 to 9 affects the validity of anything done, before the commencement date, by or in relation to—

- (a) the ITA with respect to the functions, property, rights and liabilities transferred under article 6; or
- (b) a county council with respect to the functions transferred under article 8.

(2) There may be continued by or in relation to the Combined Authority anything (including legal proceedings) which is in the process of being done by or in relation to the ITA or to a county council immediately before the commencement date and which relates to any of—

- (a) the functions, property, rights and liabilities transferred to the Combined Authority from the ITA; or
- (b) the functions transferred to the Combined Authority from a county council.

(3) Anything which is in effect immediately before the commencement date, and which was made or done by or in relation to—

- (a) the ITA for the purposes of or otherwise in connection with any of the functions, property, rights and liabilities transferred under article 6; or
- (b) a county council for the purposes of or otherwise in connection with any of the functions transferred under article 8,

has effect as if made or done by or in relation to the Combined Authority.

(4) The Combined Authority shall be substituted for the ITA or a county council in any instruments, contracts or legal proceedings which are made or commenced before the commencement date and which relate to any of—

- (a) the functions, property, rights and liabilities transferred under article 6; or
- (b) the functions transferred under article 8.

(5) A reference in this article to—

- (a) anything made or done by or in relation to the ITA or to a county council includes a reference to anything which by virtue of any enactment is to be treated as having been made or done by or in relation to the ITA or to a county council;
- (b) a county council is a reference to either of the county councils.

(6) Without prejudice to the generality of this article, the Combined Authority, as Scheme employer for the purposes of the Local Government Pension Scheme Regulations 2013(1) in place of the ITA, shall be—

- (a) responsible for meeting the liabilities of the Tyne and Wear Pension Fund in respect of benefits due to or in respect of the ITA's employees or former employees, or any liabilities of any predecessor authority;
- (b) substituted for the ITA as the relevant Scheme employer in respect of—
 - (i) any admission agreement to which the ITA (or any predecessor authority) was a party immediately before the coming into force of this Order;
 - (ii) the actuarial valuation of the assets and liabilities of the fund as at 31st March 2013 obtained by the administering authority under regulation 36(1)(a) of the Local Government Pension Scheme (Administration) Regulations 2008(2); and
 - (iii) the rates and adjustments certificate obtained by the administering authority of the fund under regulation 36(1)(c) of those Regulations.

(1) S.I. 2013/2356.

(2) S.I. 2008/239; there are no relevant amendments.