

SCHEDULES

SCHEDULE 2

TRANSFER OF PROPERTY, RIGHTS, LIABILITIES AND STAFF, ETC.

Transfer of certain assets and liabilities of the Department

6.—(1) All property, rights and liabilities—

- (a) to which the Department is entitled or subject immediately before the appointed day; and
- (b) which were held, acquired or incurred for or in connection with the exercise of its functions under the provisions mentioned in section 2(1) (“the transferred functions”),

shall on that day be transferred to, and by virtue of this sub-paragraph vest in, INI.

(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 that sub-paragraph; but
- (b) does not apply to rights and liabilities in relation to persons employed by the Department;

and, in accordance with subsection (1) of section 6, sub-paragraph (1)(b) does not apply in relation to the exercise of the functions of the Department mentioned in that subsection.

(3) 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 transferred functions, be construed as a reference to INI.

(4) Nothing in this Act affects the validity of anything done by, or in relation to, the Department before the appointed day.

(5) Anything which before the appointed day was done by or in relation to the Department for the purposes of or in connection with the transferred functions shall, if in effect immediately before that day, 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, INI.

(6) Anything (including any legal proceedings) in the process of being done by or in relation to the Department immediately before the appointed day may, so far as it relates to the transferred functions, be continued by or in relation to INI.

(7) A certificate issued by the Department that any property, rights or liabilities have been transferred to INI by sub-paragraph (1) shall be conclusive evidence of the transfer.