

SCHEDULES

SCHEDULE 2

TRANSFER OF PROPERTY, ETC., TO THE BOARD FROM FORMER BODIES

Interpretation

1. In this Schedule, “former body” means a body abolished by Article 3(3).

Transfer of property, etc.

2. On the appointed day all property, rights and liabilities to which a former body is entitled or subject immediately before that day shall be transferred to, and by virtue of this Schedule vest in, the Board.

3. On and after the appointed day—

- (a) any agreement (whether in writing or not) which subsists immediately before that day and to which a former body is a party shall have effect as if the Board had been the party to it; and
- (b) any reference to a former body in such an agreement or in any other agreement, instrument or document (other than a statutory provision) in being immediately before that day shall, as respects anything falling to be done on or after that day, be construed as a reference to the Board.

4. Without prejudice to the generality of paragraphs 2 and 3, any legal proceedings or applications to any authority pending immediately before the appointed day by or against a former body shall be continued by or against the Board to the exclusion of that body.

5. Stamp duty shall not be chargeable in respect of any transfer effected by this Schedule.

Contracts of employment

6. Paragraph 2 does not apply to rights and liabilities under a contract of employment, but paragraph 7 applies to any person who immediately before the appointed day is employed by a former body.

7. The contract of employment between a person to whom this paragraph applies and the former body shall have effect from the appointed day as if originally made between him and the Board.

8. Without prejudice to paragraph 7—

- (a) all the former body's rights, powers, duties and liabilities under or in connection with a contract to which that paragraph applies shall by virtue of that paragraph be transferred to the Board on the appointed day; and
- (b) anything done before that day by or in relation to the former body in respect of that contract or the employee shall be deemed from that day to have been done by or in relation to the Board.

Changes to legislation: There are currently no known outstanding effects for the Museums and Galleries (Northern Ireland) Order 1998. (See end of Document for details)

9. Paragraphs 7 and 8 are without prejudice to any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions but no such right shall arise by reason only of the change in employer effected by paragraph 7.

Accounting Arrangements

10.—(1) The Board shall make arrangements for a statement of accounts to be prepared, in accordance with directions of the Department, in relation to each former body for the period beginning on 31st March 1997 and ending on the appointed day and, subject to those directions, to be submitted to the Comptroller and Auditor General for Northern Ireland.

(2) The Comptroller and Auditor General shall examine, certify and report on the statements of accounts submitted to him under sub-paragraph (1).

(3) The Department shall lay before the Assembly a copy of the certified statements of accounts together with any report thereon of the Comptroller and Auditor General.

Reporting Arrangements

11. The Board shall, in relation to each former body, make arrangements for a report to be prepared, in accordance with directions of the Department, in respect of the exercise of the functions of each of those bodies for the period beginning on 31st March 1997 and ending on the appointed day and the Department shall lay a copy of that report before the Assembly.

Changes to legislation:

There are currently no known outstanding effects for the Museums and Galleries (Northern Ireland) Order 1998.