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## SCHEDULES

### SCHEDULE 1

#### REPLACEMENT OF OLD DOCK LABOUR BOARD BY NEW BOARD

#### PART II

##### TRANSITIONAL PROVISIONS

##### *Functions, property, contracts and proceedings*

- 13 Without prejudice to section 1(6) of this Act—
- (a) any functions of the old Board under the 1967 Scheme or otherwise shall, as from the appointed day be functions of the new Board;
  - (b) anything begun by, to or before the old Board before that day may on and after that day be continued by, to or before the new Board.
- 14 (1) On the appointed day all the property, rights, liabilities and obligations which were, immediately before that day, the property, rights, liabilities and obligations of the old Board are, by virtue of this Act, transferred to the new Board.
- (2) If immediately before the appointed day a company incorporated under the Companies Act 1948 is trustee for the old Board in respect of property, rights or otherwise, all such powers and duties as were then exercisable by, or imposed on, that company and its members in relation to the old Board shall as from that day continue exercisable or imposed (as the case may be) in relation to the new Board instead of the old.
- 15 (1) Every agreement, whether in writing or not, including any agreement for the performance of personal services, to which the old Board were a party immediately before the appointed day, shall have effect on and after that day as if the new Board had been a party to the agreement and for any reference to the old Board there were substituted, as respects anything falling to be done or occurring on or after that day, a reference to the new Board.
- (2) Any other agreement (whether in writing or not) or document referring to the old Board shall be construed in accordance with the provisions of sub-paragraph (1) above as far as they are applicable.
- 16 In any legal proceedings pending immediately before the appointed day by or against the old Board and continued on or after that day, the new Board shall on and after that day be substituted for the old Board as a party to the proceedings.

##### *Employees*

- 17 (1) For the purposes of computing the period of employment of any person (other than a dock worker registered under the 1967 Scheme) who, immediately before the appointed day, was an employee of the old Board and by virtue of paragraph

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15(1) above becomes an employee of the new Board on that day, the provisions of Schedule 1 to the Contracts of Employment Act 1972 shall apply as if the old Board and the new Board were one employer.

(2) The references to that Schedule in—

- (a) section 8(2) of, and paragraphs 1 and 9 of Schedule 1 to, the Redundancy Payments Act 1965 ;
- (b) paragraph 30 of Schedule 1 to the Trade Union and Labour Relations Act 1974 ; and
- (c) section 126(5) of the Employment Protection Act 1975,

shall, for the purposes of any provisions of those Acts as they may from time to time apply to any such person as is mentioned in sub-paragraph (1) above, be construed as references to that Schedule applied as provided by that sub-paragraph.