

## SCHEDULES

### SCHEDULE 5

#### PROVISIONS SUPPLEMENTING SECTIONS 15 TO 17

##### PART I

###### FURTHER PROVISIONS RELATING TO THE DISSOLUTION OF THE NATIONAL PORTS COUNCIL

###### *Legal remedies and pending proceedings*

- 6 (1) Where any right, liability or obligation is transferred to the Secretary of State by virtue of section 15(1)(b) or paragraph 4(2)(b), he and all other persons have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Secretary of State.
- (2) Any pending legal proceedings by or against the Council which relate to any property, right, liability or obligation transferred to the Secretary of State by virtue of section 15(1)(b) or paragraph 4(2)(b) may be continued by or against the Secretary of State.
- (3) Any reference in sub-paragraph (1) or (2) to legal proceedings shall be construed as including a reference to any application to an authority, and any reference to the taking or resisting of legal proceedings shall be construed accordingly.