

SCHEDULE 7

TRANSITIONAL PROVISIONS AND SAVINGS

PART 1

General provisions

Interpretation

1.—(1) In this Schedule—

“the transfer date” (“*y dyddiad trosglwyddo*”) means 1 April 2013;

“transferee” (“*trosglwyddai*”) means the body or person by whom a transferred function becomes exercisable on the transfer date;

“transferor” (“*trosglwyddwr*”) means the body or person by whom a transferred function was exercisable immediately before the transfer date;

“transferred function” (“*swyddogaeth drosglwyddedig*”) means any function which, by virtue of any provision made by this Order, becomes exercisable on the transfer date by a body or person other than the body or person by whom it was exercisable immediately before that date.

(2) For the purpose of the definition of “transferred function”, it does not matter that a function continues to be exercisable on and after the transfer date by the transferor as well as the transferee (whether jointly or otherwise).

(3) In this Schedule, any reference to anything done by or in relation to a transferor includes a reference to anything which, by virtue of any enactment, is treated as having been done by or in relation to that transferor.

Continuity of exercise of functions

2.—(1) None of the following, that is to say—

(a) the abolition of the CCW,

(b) the transfer, modification, repeal or revocation by this Order of any function, or

(c) the transfer by this Order of any property, rights or liabilities,

affects the validity of anything done before the abolition, transfer, modification, repeal or revocation takes effect.

(2) Anything (including, without limitation, legal proceedings) which, at the transfer date, is in the process of being done by or in relation to a transferor in the exercise of, or in connection with, a transferred function may be continued by or in relation to the transferee.

(3) Anything done by or in relation to a transferor before the transfer date in the exercise of, or otherwise in connection with, a transferred function is, so far as is required for continuing its effect on and after that date, to have effect as if done by or in relation to the transferee.

(4) Any reference to a transferor (and any reference which is to be read as a reference to a transferor) in any document constituting or relating to anything to which the provisions of this paragraph apply is, so far as is required for giving effect to those provisions, to be treated as a reference to the transferee.

3.—(1) This paragraph applies where—

Status: This is the original version (as it was originally made).

- (a) a function (“the old function”) was conferred on the CCW by Part 7 of the 1990 Act or any other provision which is repealed by this Order;
- (b) an equivalent function (“the new function”) is conferred on the Body by any provision of the Establishment Order (as amended by this Order).

(2) Anything (including, without limitation, legal proceedings) which, at the transfer date, is in the process of being done in relation to the old function may be continued in relation to the new function.

(3) Anything done in relation to the old function is, so far as is required for continuing its effect on and after the transfer date, to have effect as if done in relation to the new function.

(4) Any reference to the CCW (and any reference which is to be read as a reference to the CCW) in any document relating to the old function is, so far as is required for giving effect to this paragraph, to be treated as a reference to the Body.

4. The provisions of this Part—

- (a) are without prejudice to any provision made by this Order in relation to any particular functions;
- (b) are not to be treated as continuing in force any contract of employment made by a transferor.