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STATUTORY INSTRUMENTS

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**1995 No. 630**

**SCIENTIFIC RESEARCH**

**The Research Councils (Transfer of Property etc) Order 1995**

<i>Made</i>	- - - -	<i>3rd March 1995</i>
<i>Laid before Parliament</i>		<i>9th March 1995</i>
<i>Coming into force</i>	- -	<i>1st April 1995</i>

The Chancellor of the Duchy of Lancaster makes this Order in exercise of the powers conferred by section 3(6) and (7) of the Science and Technology Act 1965<sup>(1)</sup> and now exercisable by him concurrently with the Minister for the Civil Service<sup>(2)</sup>:

**Citation and commencement**

1. This Order may be cited as the Research Councils (Transfer of Property etc.) Order 1995 and shall come into force on 1st April 1995.

**Interpretation**

2. In this Order—

“CCLRC” means the Council for the Central Laboratory of the Research Councils;

“CCLRC team” means those persons currently employed by the EPSRC and designated on or before 31st March 1995 for assignment to the Council for the Central Laboratory of the Research Councils;

“Chilton site” means the site of the Rutherford Appleton Laboratory at Chilton in the county of Oxfordshire;

“EPSRC” means the Engineering and Physical Sciences Research Council;

“final transfer balance” means that part of the balance in the audited accounts of the EPSRC on 31st March 1995 which is identified for transfer to the CCLRC;

“Warrington site” means the site of the Daresbury Laboratory at Warrington in the county of Cheshire.

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(1) 1965 c. 4.

(2) S.I. 1992/1296.

### **Transfer of land and related rights, liabilities and obligations from the EPSRC**

3. All land, including any immovable property on such land, and rights or liabilities in relation to such land held acquired or incurred by the EPSRC except the land, rights and liabilities described in Schedule 1 to this Order shall be transferred to the CCLRC subject to any requirement of the law of the place in which such land is situate.

### **Transfer of equipment, other movable property and final transfer balance from the EPSRC**

4.—(1) Subject to any provision which is made in Article 5 of this Order all equipment and other movable property, including any vehicle, owned held or used by the EPSRC on the date of the coming into force of this Order, except any equipment other movable property or vehicle described in Schedule 2 to this Order, shall be transferred to the CCLRC subject to any requirement of the law of the place where such equipment or movable property is to be found.

(2) The amount constituting the final transfer balance of the EPSRC shall be transferred to the CCLRC.

### **Transfer of rights and obligations arising under agreements**

5. All rights and liabilities including any right to possession of any movable property arising under or in relation to any agreement for goods or services which—

- (1) has been entered into by the EPSRC from the Chilton site or the Warrington site; or
- (2) which is described in Schedule 3 to this Order;

shall be transferred to the CCLRC.

### **Transfer of obligations under contracts of employment**

6. All rights, powers, duties and liabilities under or relating to any contract of employment whereby any person is employed by the EPSRC before the coming into force of this Order and assigned to the “CCLRC team” shall be transferred to the CCLRC.

### **Continuity for certain pensions provisions**

7.—(1) Where any person transferred by virtue of this Order to the employment of the CCLRC is a person who, by virtue of Article 5(1) of the Research Councils (Transfer of Property etc.) Order 1994<sup>(3)</sup>, is included immediately before the transfer in the persons for whom a scheme may be maintained under paragraph 7(2) of Schedule 1 to the Atomic Energy Authority Act 1954—

- (a) that person shall continue to be so included in respect of his employment with the CCLRC; and
- (b) any scheme which is so maintained shall have effect after that transfer as regards that person as if the employment to which he is transferred were a continuation of the employment in respect of which he fell to be so included before the transfer.

(2) The CCLRC shall pay to the United Kingdom Atomic Energy Authority (in addition to any sums required to be paid in consequence of the transfer by virtue of this Order of any liability under Article 5(2) of the Research Councils (Transfer of Property etc.) Order 1994) such sums in respect of

- (a) any payments falling by virtue of paragraph (1) above to be made by the Authority to or in respect of a person transferred to the employment of the CCLRC; and
- (b) the accruing liability for any such payments as may be agreed between the CCLRC and the Authority or as may, in default of agreement, be determined by the Treasury.

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(3) S.I. 1994/611.

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## SCHEDULE 1

### LAND AND ASSOCIATED RIGHTS AND LIABILITIES REMAINING IN THE OWNERSHIP OF THE ENGINEERING AND PHYSICAL SCIENCES RESEARCH COUNCIL

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Interests in the freehold of Polaris House	North Star Avenue,  Swindon, Wiltshire,  SN2 1ET
Soft Clay Test Bed Facility	Bothkennar,  Saltgreens,  Nr Grangemouth

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Interests in the lease held by the Natural Environment Research Council for 22 Henrietta Street London WC2

Interests in the United Kingdom Coastal Research Facility, HR Wallingford, Wallingford, Oxfordshire OX10 8BA

## SCHEDULE 2

### EQUIPMENT REMAINING IN THE OWNERSHIP OF THE ENGINEERING AND PHYSICAL SCIENCES RESEARCH COUNCIL

All equipment and other movable property owned by the EPSRC and normally located at Polaris House, North Star Avenue, Swindon SN2 1ET and 22 Henrietta Street, London WC2 including a Ford Mondeo Estate, registration number L413 YFH and a Ford Granada Ghia Auto Saloon, registration number K288 BJH.

All equipment and other movable property owned by the EPSRC and located at

- the Soft Clay Test Bed Facility, Bothkennar, Saltgreens, Nr Grangemouth
- the United Kingdom Coastal Research Facility, HR Wallingford, Wallingford, Oxfordshire OX10 8BA.

The interest of the EPSRC in

- the Institut Max von Laue Paul Langevin (ILL), Avenue des Martyrs, BP 156, 38042 Grenoble, Cedex 9, France
- the European Synchrotron Radiation Facility (ESRF), BP 220, F-38043 Grenoble, France.

All equipment and other movable property owned by the EPSRC, wherever now located, and forming part of the dismantled Nuclear Structure Facility (NSF), except that equipment and property which at the time of this Order is incorporated into other scientific instruments used at the Chilton or Warrington sites.

All equipment or other movable property owned by the EPSRC, wherever located, which at the time of this Order comprises the Engineering Loan Pool administered from the Chilton site.

## SCHEDULE 3

AGREEMENTS TO WHICH THE ENGINEERING AND PHYSICAL SCIENCES  
RESEARCH COUNCIL IS A PARTY AND WHICH ARE TRANSFERRED TO THE  
COUNCIL FOR THE CENTRAL LABORATORY OF THE RESEARCH COUNCILS

<i>Contract Number (Where applicable)</i>	<i>Description</i>	<i>Period/Commencement</i>
	FISONS Instruments Ltd (Vacuum Generators)	10/12/93 continuing
A1/32/41/03(5)	Disposal of Radioactive Waste: Storage of 4 targets at Harwell	14/4/93–13/4/2038
N2 B9 RO 329	Disposal of Radioactive Waste: Storage and Disposal of targets by British Nuclear Fuels	1/4/91–31/3/2001
N1 000 0000717	University of Bath (CHEST)/ UNIRAS graphics software	1/4/93–31/3/98
B 7175	Industrial Consortium Agreement	1/8/92–31/7/96
	Glaxo Group: Protein Crystallographic Service	1/6/89–31/5/94
	Synchrotron Radiation Source (SRS) Agreement: – EPSRC/Medical Research Council Joint Biology Programme	1/4/94–31/3/95
ICI/EPSRC Collaboration on the Quasi Elastic Neutron Spectrometer (IRIS) on the Spallation Neutron Source (ISIS)		1/7/91–30/6/95
Collaboration Agreement for the National Electronics Agreement in Advanced Electron Beam Lithography (NERI)		
4122 E&O 93	Emergency Medical Treatment for employees on short term overseas visits — Bain Hogg Insurance Brokers	1/12/94–30/11/95
3704 ISD 93	Software licence agreement — Britannia Software	18/10/93 continuing

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<i>Contract Number (Where applicable)</i>	<i>Description</i>	<i>Period/Commencement</i>
	All licence agreements and patents registered with the British Technology Group	

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3rd March 1995

*David Hunt*  
Chancellor of the Duchy of Lancaster

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#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order makes provision for the transfer of property, rights, liabilities and obligations from the Engineering and Physical Sciences Research Council to the Council for the Central Laboratory of the Research Councils (Articles 3, 4, 5 and 6).

This Order provides for the continuation of certain pensions provisions to permit the continued participation in a pension scheme administered by the United Kingdom Atomic Energy Authority of certain persons employed by the Engineering and Physical Sciences Research Council whose contracts of employment are transferred by this Order to the Council for the Central Laboratory of the Research Councils (Article 7).