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STATUTORY INSTRUMENTS

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**1998 No. 261**

**Museums and Galleries (Northern Ireland) Order 1997**

**PART II**

**THE BOARD OF TRUSTEES OF THE NATIONAL  
MUSEUMS AND GALLERIES OF NORTHERN IRELAND**

**Transfer by other bodies of assets, etc. to the Board**

6.—(1) This Article applies to any body which is designated by the Department under this paragraph as a body having, in the opinion of the Department, functions similar to any of those of the Board.

(2) The Board and any body to which this Article applies shall have power, with the approval of the Department and notwithstanding anything contained in any instrument relating to that body, to enter into and carry into effect an agreement for the transfer, on such day and on such terms and conditions as may be specified in the agreement, by that body to the Board of all such property, rights and liabilities held, enjoyed or incurred by that body as may be so specified.

(3) Where, by virtue of an agreement made under paragraph (2), there is a transfer of rights and liabilities under a contract of employment between a person and the transferring body, that contract shall have effect from the transfer day as if originally made between that person and the Board.

(4) Without prejudice to paragraph (3)—

- (a) all the transferring 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 transfer day; and
- (b) anything done before that day by or in relation to the transferring 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.

(5) Paragraphs (3) and (4) 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 employment effected by paragraph (3).

(6) In this Article—

“transferring body” means a body (being a body to which this Article applies) which has entered into an agreement with the Board in accordance with paragraph (2);

“transfer day”, in relation to an agreement made between the Board and a transferring body in accordance with paragraph (2), means the day specified in that agreement for the transfer by a transferring body to the Board of such property, rights and liabilities as may be specified in the agreement.