



# Government of Wales Act 1998

## 1998 CHAPTER 38

### PART VI

#### REFORM OF WELSH PUBLIC BODIES

##### *The Development Board for Rural Wales*

#### **129 Cessation of functions.**

- (1) The functions of the Development Board for Rural Wales shall cease to exist.
- (2) Schedule 15 (amendments of enactments relating to that Board in consequence of subsection (1)) has effect.

#### **130 Transfer of property, staff etc. to Welsh Development Agency.**

- (1) There shall be transferred to and vest in the Welsh Development Agency by virtue of this subsection all property, rights and liabilities to which the Development Board for Rural Wales is entitled or subject when the functions of that Board cease to exist.
- (2) A certificate issued by the Secretary of State that any property has been transferred by subsection (1) shall be conclusive evidence of the transfer.
- (3) Subsection (1) has effect in relation to property, rights or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the property, rights or liabilities otherwise than by that subsection.
- (4) Subsection (1) does not have effect to continue in force any contract of employment; but the Secretary of State may by order make provision for the transfer of staff of the Development Board for Rural Wales.
- (5) An order under subsection (4) may make any appropriate consequential, incidental, supplementary or transitional provisions or savings.

*Status: Point in time view as at 14/07/2004.*

*Changes to legislation: Government of Wales Act 1998, Cross Heading: The Development Board for Rural Wales is up to date with all changes known to be in force on or before 13 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### Commencement Information

- II** S. 130 wholly in force; s. 130 not in force at Royal Assent see s. 158; s. 130(1)-(3) in force at 1.10.2000 by S.I. 1998/2244, art. 4; s. 130(4)(5) in force at 2.9.2000 by S.I. 1998/2244, art. 3

### 131 Transitional provisions.

- (1) Nothing in section 129 or Schedule 15, or in any repeal made by this Act, affects the validity of anything done by or in relation to the Development Board for Rural Wales before its functions cease to exist.
- (2) There may be continued by or in relation to the Welsh Development Agency anything (including legal proceedings) which—
  - (a) relates to any of the functions of the Development Board for Rural Wales or to any property, rights or liabilities transferred by section 130(1), and
  - (b) is in the process of being done by or in relation to that Board when its functions cease to exist.
- (3) Anything which—
  - (a) was done by the Development Board for Rural Wales for the purpose of or in connection with any of its functions or any property, rights or liabilities transferred by section 130(1), and
  - (b) is in effect immediately before its functions cease to exist,
 shall have effect as if done by the Welsh Development Agency.
- (4) The Welsh Development Agency shall be substituted for the Development Board for Rural Wales in any instruments, contracts or legal proceedings which—
  - (a) relate to any of the functions of that Board or to any property, rights or liabilities transferred by section 130(1), and
  - (b) are made or commenced before its functions cease to exist.

### 132 Winding-down.

- (1) The Development Board for Rural Wales shall give to the Welsh Development Agency all the information, prepare all the documents and do all other things which appear to that Agency appropriate for the purpose of facilitating—
  - (a) the carrying into effect of sections 130, 131 and 133 and Schedule 15, or
  - (b) the exercise of any functions imposed on that Agency, or conferred on the Secretary of State, by this section;
 and the Development Board for Rural Wales may do anything else which appears to it appropriate for that purpose.
- (2) The Development Board for Rural Wales shall comply with section 3(1)(e) of the <sup>MI</sup>Development of Rural Wales Act 1976 (reports)—
  - (a) in relation to the last accounting year ending before its functions cease to exist (if it has not done so before then), and
  - (b) in relation to the period between the end of that accounting year and the time when its functions cease to exist (to which period that provision shall apply as if it were an accounting year).

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- (3) As from the time when the functions of the Development Board for Rural Wales cease to exist, the Welsh Development Agency shall make available to that Board such facilities as that Board may reasonably require for exercising its functions under this section.
- (4) The statement of accounts prepared by the Welsh Development Agency in accordance with paragraph 8(1) of Schedule 3 to the <sup>M2</sup>Welsh Development Agency Act 1975 in respect of the accounting year in which the functions of the Development Board for Rural Wales cease to exist shall include a statement of accounts relating to the activities of that Board—
  - (a) in respect of the last accounting year ending before the time when those functions cease to exist (if that Board has not before that time prepared a statement of accounts in accordance with section 14(1) of the <sup>M3</sup>Development of Rural Wales Act 1976 in relation to that accounting year), and
  - (b) in respect of the period between the end of that accounting year and that time.
- (5) The Secretary of State may pay to members of the Development Board for Rural Wales—
  - (a) any remuneration which he considers appropriate in respect of the performance of their duties as members of that Board after the time when its functions cease to exist, and
  - (b) any allowances which he determines should be paid to them in respect of expenses properly incurred by them in the performance of those duties after that time.
- (6) The Secretary of State may determine that, as from the time when the functions of the Development Board for Rural Wales cease to exist or any later time, the number of members of that Board shall be reduced to a number which he considers appropriate (and may, accordingly, remove any such members from office).
- (7) In this section “accounting year” means the period of twelve months ending with 31st March.

#### Commencement Information

**I2** S. 132 wholly in force; s. 132 not in force at Royal Assent see s. 158; s. 132(1)(6) in force at 2.9.1998 and s. 132(2)-(5)(7) in force at 1.10.1998 by S.I. 1998/2244, arts. 3, 4

#### Marginal Citations

**M1** 1976 c. 75.  
**M2** 1975 c. 70.  
**M3** 1976 c. 75.

### 133 Abolition etc.

- (1) The Development Board for Rural Wales shall cease to exist when the Secretary of State, being satisfied that its duties under section 132 have been discharged, by order so directs.
- (2) No amendment or repeal made by this Act or by virtue of subsection (3) affects—
  - (a) the continuance of the Development Board for Rural Wales for the purpose of exercising its functions under section 132, or

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- (b) the continued operation for that purpose of any enactment relating to the Development Board for Rural Wales.
- (3) The Secretary of State may by order make any consequential, incidental, supplementary or transitional provisions, and any savings, which appear to him to be appropriate in consequence of or otherwise in connection with—
- (a) the functions of the Development Board for Rural Wales ceasing to exist under section 129,
  - (b) the transfer of property, rights and liabilities of that Board by section 130(1),
  - (c) the abolition of that Board, or
  - (d) the repeal by this Act of any provision of the <sup>M4</sup>Development of Rural Wales Act 1976.
- (4) An order under subsection (3) may include provisions in the form of amendments or repeals of any of sections 129 to 132, Schedule 15 or any other enactment.

#### Commencement Information

**I3** S. 133 wholly in force; s. 133 not in force at Royal Assent see s. 158; s. 133(3)(4) in force at 2.9.1998 and s. 133(1)(2) in force at 1.10.1998 by S.I. 1998/2244, arts. 3, 4

#### Marginal Citations

**M4** 1976 c. 75.

**Status:**

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**Changes to legislation:**

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