

2010 No. 428

CONSTITUTIONAL LAW

DEVOLUTION, WALES

**The Welsh Ministers (Transfer of Fire and Rescue Service
Equipment) Order 2010**

<i>Made</i> - - - -	<i>24th February 2010</i>
<i>Laid before Parliament</i>	<i>3rd March 2010</i>
<i>Coming into force</i> - -	<i>1st April 2010</i>

The Secretary of State, in exercise of the powers conferred by paragraph 3 of Schedule 4 to the Government of Wales Act 2006(a), makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Welsh Ministers (Transfer of Fire and Rescue Service Equipment) Order 2010 and shall come into force on 1st April 2010.

(2) In this Order—

“asset list” means the list entitled “Inventory of New Dimension equipment provided to the Welsh Assembly Government”, signed on behalf of the Secretary of State for Communities and Local Government and the Welsh Ministers and dated 1st February 2010;

“related matters” means all rights in, and liabilities arising in connection with, the specified equipment, to which the Secretary of State is entitled or subject on 1st April 2010;

“Secretary of State” means the Secretary of State for Communities and Local Government(b);

“specified equipment” means the equipment described in the asset list.

Transfer of equipment and related matters from the Secretary of State to the Welsh Ministers

2. The specified equipment and the related matters are transferred to the Welsh Ministers.

Ancillary provisions

3.—(1) Anything (including legal proceedings) relating to any of the specified equipment or any of the related matters which was commenced by or in relation to the Secretary of State before the date on which this Order comes into force may be continued by or in relation to the Welsh Ministers.

(a) 2006 c.32.

(b) The Secretary of State for Communities and Local Government was incorporated by the Secretary of State for Communities and Local Government Order 2006 (S.I 2006/1926).

(2) Anything done by the Secretary of State before the date on which this Order comes into force, for the purpose of or in connection with any of the specified equipment or any of the related matters, has effect as if done by the Welsh Ministers.

(3) In any instrument, contract or legal proceedings made or begun before the date on which this Order comes into force and relating to any of the specified equipment or any of the related matters, the Welsh Ministers are substituted for the Secretary of State, and references in such an instrument, contract or legal proceedings to “the Secretary of State” shall be construed accordingly.

Signed by authority of the Secretary of State for Communities and Local Government

24th February 2010

Shahid R. Malik
Parliamentary Under Secretary of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

The Secretary of State for Communities and Local Government and the predecessor of that office, the First Secretary of State, provided equipment to fire and rescue authorities in Wales (as well as to authorities in England) mainly for urban search and rescue purposes and to deal with chemical, biological, radiological and nuclear emergencies, as part of the New Dimension programme.

The relevant functions under the Fire and Rescue Services Act 2004, in so far as they are exercisable in relation to Wales, are now vested in the Welsh Ministers under the Government of Wales Act 2006, and this Order, made under paragraph 3 of Schedule 4 to the 2006 Act, transfers ownership of the equipment provided, and associated rights and liabilities, to the Welsh Ministers.

A full impact assessment has not been produced for this instrument as no impact on the public, private or voluntary sectors is foreseen.

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