

## SCHEDULES

### SCHEDULE 2

#### TRANSFERS OF PROPERTY AND STAFF ETC.

##### *Transfer schemes*

- 1 (1) The Secretary of State may make one or more transfer schemes for—
  - (a) the transfer of property, rights and liabilities of the Commission for Healthcare Audit and Inspection to the Care Quality Commission or the Crown;
  - (b) the transfer of property, rights and liabilities of the Commission for Social Care Inspection to the Care Quality Commission or the Crown;
  - (c) the transfer of property, rights and liabilities of the Mental Health Act Commission—
    - (i) to the Care Quality Commission or the Welsh Ministers, or
    - (ii) to the Crown;
  - (d) the transfer of property, rights and liabilities of the Crown to the Care Quality Commission.
- (2) The property, rights and liabilities which may be the subject of a scheme include—
  - (a) any that would otherwise be incapable of being transferred or assigned,
  - (b) rights and liabilities under a contract of employment, and
  - (c) criminal liabilities.
- (3) A scheme under this paragraph may define the property, rights and liabilities to be transferred by specifying or describing them (including describing them by reference to a specified part of the transferor's undertaking).
- (4) A scheme under this paragraph may contain provision for the payment of compensation by the Secretary of State to any person or body (other than one mentioned in sub-paragraph (1)) whose interests are adversely affected by the scheme.
- (5) A scheme under this paragraph may include supplementary, incidental, transitional and consequential provision.
- (6) The Secretary of State may not make a scheme under this paragraph for the transfer of property, rights or liabilities to the Welsh Ministers unless the scheme is made with the consent of the Welsh Ministers.