



# Care Act 2014

## 2014 CHAPTER 23

### PART 3

#### HEALTH

### CHAPTER 3

#### CHAPTERS 1 AND 2: SUPPLEMENTARY

#### *Miscellaneous*

#### **118 Transfer orders**

- (1) An order under <sup>F1</sup>... section 109 (establishment of the Health Research Authority) (a “transfer order”) may make provision for rights and liabilities relating to an individual's contract of employment.
- (2) A transfer order may, in particular, make provision the same as or similar to provision in the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246).
- (3) A transfer order may provide for the transfer of property, rights or liabilities—
  - (a) whether or not they would otherwise be capable of being transferred;
  - (b) irrespective of any requirement for consent that would otherwise apply.
- (4) A transfer order may create rights, or impose liabilities, in relation to property, rights or liabilities transferred.
- (5) A transfer order may provide for things done by or in relation to the transferor for the purposes of or in connection with anything transferred to be—
  - (a) treated as done by or in relation to the transferee or its employees;
  - (b) continued by or in relation to the transferee or its employees.

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**Changes to legislation:** Care Act 2014, Section 118 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

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- (6) A transfer order may in particular make provision about continuation of legal proceedings.

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**Textual Amendments**

- F1** Words in s. 118(1) omitted (1.4.2023) by virtue of [The Health Education England \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/368\)](#), reg. 1(2), **Sch. 1 para. 13(12)** (with reg. 7)
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**Commencement Information**

- I1** S. 118 in force at 1.10.2014 by [S.I. 2014/2473](#), **art. 4(2)(b)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(2)-(3B) substituted for s. 15(2)(3) by [2022 c. 31 s. 166\(2\)](#)
- s. 26(1)-(2A) substituted for s. 26(1)(2) by [2022 c. 31 s. 166\(4\)](#)