



# Policing and Crime Act 2017

## 2017 CHAPTER 3

### PART 1

#### EMERGENCY SERVICES COLLABORATION

### CHAPTER 3

#### LONDON FIRE COMMISSIONER

#### **10 Transfer of property, rights and liabilities to the London Fire Commissioner**

- (1) The Secretary of State may make one or more schemes for the transfer of property, rights and liabilities of the London Fire and Emergency Planning Authority to the London Fire Commissioner.
- (2) The things that may be transferred under a transfer scheme include—
  - (a) property, rights and liabilities that could not otherwise be transferred;
  - (b) property acquired, and rights and liabilities arising, after the making of the scheme;
  - (c) criminal liabilities.
- (3) A transfer scheme may make consequential, supplementary, incidental or transitional provision and may in particular—
  - (a) create rights, or impose liabilities, in relation to property transferred;
  - (b) make provision about the continuing effect of things done by the transferor in respect of anything transferred;
  - (c) make provision about the continuation of things (including legal proceedings) in the process of being done by, on behalf of or in relation to the transferor, in respect of anything transferred;
  - (d) make provision for references to the transferor in an instrument or other document in respect of anything transferred to be treated as references to the transferee;

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*Status: This is the original version (as it was originally enacted).*

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- (e) if the TUPE regulations do not apply in relation to the transfer, make provision which is the same or similar.
- (4) A transfer scheme may provide—
- (a) for the scheme to be modified by agreement after it comes into effect;
  - (b) for any such modifications to have effect from the date when the original scheme came into effect.
- (5) In this section—
- (a) references to the transfer of property include the grant of a lease;
  - (b) references to rights and liabilities include rights and liabilities under a contract of employment;
  - (c) “TUPE regulations” means the Transfer of Undertakings (Protection of Employment) Regulations 2006 ([SI 2006/246](#)).