

SCHEDULE 3

Transfer schemes

Transfer schemes

1.—(1) The Secretary of State may make one or more property transfer schemes or staff transfer schemes in connection with the abolition of—

- (a) the Horserace Betting Levy Board⁽¹⁾;
- (b) the Horserace Betting Levy Appeal Tribunal for England and Wales;
- (c) the Horserace Betting Levy Appeal Tribunal for Scotland⁽²⁾.

(2) In this Schedule—

- (a) a “permitted transferor” means a body listed in sub-paragraph (1)(a) to (c);
- (b) a “permitted transferee”, where the permitted transferor is the Horserace Betting Levy Board, means—
 - (i) the Gambling Commission, or
 - (ii) the designated body within the meaning of Part 17A of the Gambling Act 2005;
- (c) a “permitted transferee”, where the permitted transferor is a tribunal listed in sub-paragraph (1)(b) or (c), means—
 - (i) the Secretary of State,
 - (ii) the Gambling Commission, or
 - (iii) the designated body within the meaning of Part 17A of the Gambling Act 2005.

(3) A “property transfer scheme” is a scheme for the transfer from a permitted transferor of any property, rights or liabilities, other than rights or liabilities under or in connection with a contract of employment, to one or more permitted transferees.

(4) A “staff transfer scheme” is a scheme for the transfer from a permitted transferor of any rights or liabilities under or in connection with a contract of employment to one or more permitted transferees.

(5) The Secretary of State may not make a property transfer scheme under this Schedule unless satisfied that any property or rights transferred—

- (a) will be used or exercised for one or more of the purposes specified in section 338O(1) of the Gambling Act 2005, or
- (b) will be used or exercised in connection with the exercise of functions under Part 17A of that Act.

⁽¹⁾ The Horserace Betting Levy Board was established under section 24 of the Betting, Gaming and Lotteries Act 1963 (c. 2).

⁽²⁾ The Horserace Betting Levy Appeal Tribunal for England and Wales, and the Horserace Betting Levy Appeal Tribunal for Scotland, were established under section 29 of the Betting, Gaming and Lotteries Act 1963.