

*Status: Point in time view as at 22/08/2007.*

*Changes to legislation: There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, SCHEDULE 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

Section 8

#### TRANSFER SCHEMES

##### *Introduction*

- 1 In this Schedule—
- “the Authority” means the Olympic Delivery Authority,
  - “transfer scheme” means a scheme under section 8, and
  - “specified person” means a person specified in section 8(3).

##### **Commencement Information**

- I1** Sch. 2 para. 1 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

##### *Obligation to assist Secretary of State [<sup>F1</sup>or the Paymaster General]*

##### **Textual Amendments**

- F1** Words in Sch. 2 para. 2 heading inserted (22.8.2007) by Transfer of Functions (Olympics and Paralympics) Order 2007 (S.I. 2007/2129), art. 1(2), Sch. para. 6(1)(s) (with art. 4)

- 2 The Authority and the specified persons shall on request give the Secretary of State [<sup>F2</sup>or the Paymaster General] information or assistance in connection with a direction to prepare a transfer scheme which the Secretary of State [<sup>F2</sup>or the Paymaster General] has given or may give.

##### **Textual Amendments**

- F2** Words in Sch. 2 para. 2 inserted (22.8.2007) by Transfer of Functions (Olympics and Paralympics) Order 2007 (S.I. 2007/2129), art. 1(2), Sch. para. 6(1)(s) (with art. 4)

##### **Commencement Information**

- I2** Sch. 2 para. 2 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

##### *Content of transfer scheme*

- 3 (1) A transfer scheme may, in particular, make provision in connection with land.
- (2) In particular, a transfer scheme may—
- (a) require the grant of an estate, interest or right;

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- (b) require the creation of an estate, interest or right for the purpose of being transferred;
- (c) provide for transfer on financial or other terms;
- (d) impose liabilities on the Authority;
- (e) impose liabilities on the transferor.

**Commencement Information**

**I3** Sch. 2 para. 3 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

- 4 A transfer scheme—
- (a) may transfer property, rights or liabilities whether or not they would otherwise be capable of being transferred,
  - (b) may transfer rights and liabilities under an enactment, and
  - (c) may dispense with a requirement for consent (whether arising for an enactment, an instrument or an agreement).

**Commencement Information**

**I4** Sch. 2 para. 4 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

- 5 In specifying property, rights or liabilities to be transferred a transfer scheme—
- (a) may use any manner of description (which may include reference to criteria specified in the scheme or to be determined in accordance with the scheme),
  - (b) may provide for exceptions, and
  - (c) may provide for the division of property, rights and liabilities in a manner specified in the scheme or to be determined in accordance with the scheme.

**Commencement Information**

**I5** Sch. 2 para. 5 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

- 6 A transfer scheme may make provision—
- (a) for the resolution of disputes as to the effect of the scheme to be referred to arbitration, and
  - (b) for a certificate given by an arbitrator as to the effect of the transfer scheme to be conclusive.

**Commencement Information**

**I6** Sch. 2 para. 6 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

- 7 A transfer scheme may make consequential, incidental or transitional provision and may, in particular—
- (a) provide for anything done by or in relation to a specified person to have effect as if done by or in relation to the Authority,
  - (b) permit anything (which may include legal proceedings) which is in the process of being done by or in relation to a specified person when a

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provision of a transfer scheme takes effect, to have effect as if done by or in relation to the Authority, and

- (c) may provide for a reference to a specified person in an agreement (whether written or not), instrument or other document to be treated as a reference to the Authority.

#### Commencement Information

**I7** Sch. 2 para. 7 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

#### Exclusions

- 8 (1) Transfer of property, rights or liabilities under a transfer scheme shall be disregarded for the purposes of a provision of a contract or other instrument which refers to transfer or disposal (whether so as to confer a right to terminate or vary or otherwise).
- (2) Nothing in a transfer scheme shall give rise, in relation to land or an interest or estate in land or other property, to any of the following—
- (a) a right of reverter,
  - (b) a right of pre-emption,
  - (c) a right of forfeiture,
  - (d) a right to compensation, or
  - (e) an option or similar right.

#### Commencement Information

**I8** Sch. 2 para. 8 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

- 9 Nothing in a transfer scheme relating to rights in connection with a contract of employment shall affect the operation of the Transfer of Undertakings (Protection of Employment) Regulations 1981 (S.I. 1981/1794).

#### Commencement Information

**I9** Sch. 2 para. 9 in force at 30.5.2006 by S.I. 2006/1118, art. 2(2)

#### Modification of scheme

- 10 (1) This paragraph applies where—
- (a) a specified person has made a transfer scheme, but
  - (b) a transfer under the scheme has not yet taken effect.
- (2) The Secretary of State [<sup>F3</sup>or the Paymaster General] may—
- (a) require the specified person to modify the transfer scheme, in so far as it relates to the transfer, in such manner as the Secretary of State [<sup>F3</sup>or the Paymaster General] may specify,
  - (b) specify the date by which the modified scheme is to be prepared and submitted to the Secretary of State [<sup>F3</sup>or the Paymaster General], and

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- (c) specify a date on which the modified scheme is to take effect if approved by the Secretary of State [<sup>F3</sup>or the Paymaster General] .
- (3) The Secretary of State [<sup>F3</sup>or the Paymaster General] may not require a specified person to modify a scheme unless—
- (a) he has consulted any person whom he thinks may be affected by the modification, and
  - (b) the Mayor of London consents.

**Textual Amendments**

**F3** Words in [Sch. 2 para. 10](#) inserted (22.8.2007) by [Transfer of Functions \(Olympics and Paralympics\) Order 2007 \(S.I. 2007/2129\)](#), art. 1(2), [Sch. para. 6\(1\)\(s\)](#) (with art. 4)

**Commencement Information**

**I10** Sch. 2 para. 10 in force at 30.5.2006 by [S.I. 2006/1118](#), [art. 2\(2\)](#)

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