
Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Cross Heading: Transfer schemes. (See end of Document for details)

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.

Commencement Information

II Sch. 2 para. 1 in force at 1.10.2008 by S.I. 2008/2497, art. 2(o)

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