

SCHEDULES

SCHEDULE 8

ABOLITION OF SOCA AND NPIA

PART 1

TRANSITIONAL, TRANSITORY AND SAVING PROVISION

Transfer schemes

- 2 (1) A staff transfer scheme is a scheme which provides—
- (a) for—
 - (i) a designated member of the staff of SOCA,
 - (ii) a designated constable in an England and Wales police force,
 - (iii) a designated member of the civilian staff of an England and Wales police force, or
 - (iv) a designated member of the personnel or staff of any other person, to become an NCA officer and, accordingly, to become employed in the civil service of the state;
 - (b) for a designated member of the staff of the NPIA to become employed in the civil service of the state—
 - (i) as an NCA officer, or
 - (ii) in the Home Office;
 - (c) so far as may be consistent with employment in the civil service of the state, for the terms and conditions of the designated transferee's employment to have effect as the person's terms and conditions of employment as an NCA officer or in the Home Office;
 - (d) for the transfer to the NCA or the Secretary of State of the rights, powers, duties and liabilities of the employer under or in connection with the designated transferee's contract of employment;
 - (e) for anything done (or having effect as if done) before that transfer by or in relation to the employer in respect of such a contract or the designated transferee to be treated as having been done by or in relation to the NCA or the Secretary of State.
- (2) A staff transfer scheme may provide for a period before a person became employed in the civil service of the state under a staff transfer scheme to count as a period during which the person was employed in the civil service of the state (and for the operation of the scheme not to be treated as having interrupted the continuity of that period).
- (3) A staff transfer scheme may provide for a person who would otherwise become employed in the civil service of the state under a staff transfer scheme not to become

Status: This is the original version (as it was originally enacted).

so employed if the person gives notice objecting to the operation of the scheme in relation to the person.

- (4) A staff transfer scheme may provide for any person who would be treated (whether by an enactment or otherwise) as being dismissed by the operation of the scheme not to be so treated.
- (5) A staff transfer scheme may provide for a person to become employed in the civil service of the state despite any provision, of whatever nature, which would otherwise prevent the person from being employed in the civil service of the state.
- (6) A staff transfer scheme may provide for a person's secondment to SOCA or the NPIA to continue as a secondment of that person to the NCA.
- (7) In the application of this paragraph to the transfer of a constable—
 - (a) a reference to employment (other than employment in the civil service of the state) is a reference to service as a constable;
 - (b) a reference to a contract of employment is a reference to the terms and conditions of service as a constable;
 - (c) a reference to the employer is a reference to the chief officer of the police force, and the policing body for the police force, in which the constable serves.