



Care Act 2014

2014 CHAPTER 23

PART 3

HEALTH

CHAPTER 3

CHAPTERS 1 AND 2: SUPPLEMENTARY

Miscellaneous

118 Transfer orders

- (1) An order under ^{F1}... section 109 (establishment of the Health Research Authority) (a “transfer order”) may make provision for rights and liabilities relating to an individual's contract of employment.
- (2) A transfer order may, in particular, make provision the same as or similar to provision in the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246).
- (3) A transfer order may provide for the transfer of property, rights or liabilities—
 - (a) whether or not they would otherwise be capable of being transferred;
 - (b) irrespective of any requirement for consent that would otherwise apply.
- (4) A transfer order may create rights, or impose liabilities, in relation to property, rights or liabilities transferred.
- (5) A transfer order may provide for things done by or in relation to the transferor for the purposes of or in connection with anything transferred to be—
 - (a) treated as done by or in relation to the transferee or its employees;
 - (b) continued by or in relation to the transferee or its employees.

Changes to legislation: Care Act 2014, CHAPTER 3 is up to date with all changes known to be in force on or before 28 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) A transfer order may in particular make provision about continuation of legal proceedings.

Textual Amendments

- F1** Words in s. 118(1) omitted (1.4.2023) by virtue of [The Health Education England \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/368\)](#), reg. 1(2), **Sch. 1 para. 13(12)** (with reg. 7)

Commencement Information

- II** S. 118 in force at 1.10.2014 by [S.I. 2014/2473](#), **art. 4(2)(b)**

General

119 Chapters 1 and 2: interpretation and supplementary provision

- (1) For the purposes of Chapters 1 and 2, an expression in the first column of the following table is defined or otherwise explained by the provision of this Act specified in the second column.

<i>Expression</i>	<i>Provision</i>
F2	F2
...	...
F2	F2
...	...
Devolved authority	Section 126
Devolved legislature	Section 126
Direct or direction	Subsection (2) below
Enactment	Section 126
Financial year	Section 126
Health care workers	Section 97
Health research	Section 110
The health service	Section 126
Health services	[^{F3} Section 99]
F4	F4
...	...
The HRA	Section 109
F2	F2
...	...
Social care research	Section 110

- (2) A power under Chapter 1 or 2 to give a direction—
(a) includes a power to vary or revoke the direction by a subsequent direction, and

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- (b) must be exercised by giving the direction in question in writing.
- (3) The amendments made by sections 116 and 117 and Schedule 8 to provisions of subordinate legislation do not affect the power to make further subordinate legislation amending or revoking the amended provisions.

Textual Amendments

- F2** Words in s. 119(1) table omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), **ss. 90(6), 186(6)**; S.I. 2022/734, reg. 2(a), **Sch.** (with regs. 13, 29, 30)
- F3** Words in s. 119(1) table substituted (1.4.2023) by The Health Education England (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/368), reg. 1(2), **Sch. 1 para. 13(13)(a)** (with reg. 7)
- F4** Words in s. 119(1) table omitted (1.4.2023) by virtue of The Health Education England (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/368), reg. 1(2), **Sch. 1 para. 13(13)(b)** (with reg. 7)

Commencement Information

- I2** S. 119 in force at 1.10.2014 for specified purposes for E. by S.I. 2014/2473, **art. 4(1)(e)**
- I3** S. 119 in force at 1.1.2015 for specified purposes by S.I. 2014/2473, **art. 5(j)**
- I4** S. 119 in force at 1.4.2015 in so far as not already in force by S.I. 2014/3186, **art. 2(e)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(2)-(3B) substituted for s. 15(2)(3) by [2022 c. 31 s. 166\(2\)](#)
- s. 26(1)-(2A) substituted for s. 26(1)(2) by [2022 c. 31 s. 166\(4\)](#)