
STATUTORY INSTRUMENTS

1995 No. 1770

**The East Sussex (Boroughs of Brighton
and Hove) (Structural Change) Order 1995**

PART IV

TRANSITIONAL PROVISION

Preparations for transfer of functions

18.—(1) The transferor authorities and, during the preliminary period, the transferee authority, may take such steps as appear to them to be necessary for the purpose of preparing for the transfer and exercise of functions which will, on and after the reorganisation date, be exercisable by the transferee authority by virtue or in consequence of this Order or any other relevant provision.

(2) During the preliminary period—

(a) the transferor authorities shall furnish the transferee authority with all such information relating to the transferor authorities or their functions as the transferee authority may reasonably request for the purpose of implementing this Order or any other relevant provision; and

(b) the transferee authority shall—

(i) in relation to the functions mentioned in paragraph (1) above, make such arrangements for organisation and management and such appointments of officers as are necessary to secure the proper performance of those functions on and after the reorganisation date;

(ii) at a meeting of the authority, consider a report by the head of its paid service as to whether any such functions could with advantage be discharged in pursuance of arrangements made under section 101 of the 1972 Act (arrangements for discharge of functions) or under any other enactment; and

(iii) if of that opinion, shall promote the making of such arrangements.

(3) In paragraph (2) above, the reference to the head of a council's paid service is a reference to the officer designated as such under section 4(1) of the Local Government and Housing Act 1989(1); and nothing in section 101 of the 1972 Act shall apply to the duty imposed by virtue of sub-paragraph (b) of that paragraph.