
STATUTORY INSTRUMENTS

1995 No. 402

The Local Government Changes For England (Property Transfer and Transitional Payments) Regulations 1995

PART II

TRANSFER OF PROPERTY RIGHTS AND LIABILITIES

Application and interpretation of Part

- 3.—**(1) This Part does not apply with respect to the transfer of —
- (a) any property, rights or liabilities for the transfer of which provision is made in the Local Government Changes for England (Finance) Regulations 1994(1) ;
 - (b) any superannuation fund maintained by a principal council by virtue of regulations made under section 7 of the Superannuation Act 1972(2) ; or
 - (c) any rights or liabilities of such a council in respect of such a fund.
- (2) In this Part —
- “associated property”, in relation to any land of an abolished authority or, as the case may be, the relinquishing authority in relation to a transferred area, means —
- (a) property in or on the land which is used or intended to be used by the authority exclusively for the discharge of functions on the land;
 - (b) property which is so used or intended to be so used and which is kept elsewhere when not in use;
 - (c) investments or cash which relate exclusively to the land; or
 - (d) records which relate exclusively to the land;
- “charitable purposes” has the same meaning as in the Charities Act 1993(3) ;
- “contract” includes any enforceable undertaking;
- “the preliminary period”, in relation to an authority, means the period specified as such in a section 17 order;
- “record” includes material in whatever form or medium which conveys or is capable of conveying information; and
- “relevant shares” means shares held in a company which is under the control of a local authority within the meaning of section 68 of the 1989 Act (but with the omission of the words “unless the Secretary of State otherwise directs” in subsection (1) of that section); and “share” has the same meaning as in the Companies Act 1985(4) .

(1) [S.I.1994/2825](#).

(2) [1972 c. 11](#). The current regulations are in [S.I.1986/24](#).

(3) [1993 c. 10](#).

(4) [1985 c. 6](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
