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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

The West Yorkshire Combined Authority  
(Election of Mayor and Functions) Order 2021

PART 10

Police and Crime Commissioner functions

**Transfer of property, rights and liabilities**

**36.**—(1) All property, rights and liabilities (including rights and liabilities in relation to contracts of employment) which immediately before 10th May 2021 were property, rights and liabilities of the police and crime commissioner are to transfer to, and by virtue of this paragraph vest in, the Combined Authority on 10th May 2021.

(2) In relation to the property, rights and liabilities transferred by paragraph (1) and any property, rights and liabilities acquired in relation to the Mayor’s PCC functions on or after 10th May 2021—

- (a) all functions in relation to such property, rights and liabilities are to be exercised by the Mayor;
- (b) all decisions relating to such property, rights and liabilities are to be made by the Mayor;
- (c) any receipts arising from such property, rights and liabilities (whether arising from their use, sale, disposal or otherwise) are to be paid into the police fund kept by the Mayor by virtue of section 21 of the 2011 Act.

(3) All monies held in the police fund kept by the police and crime commissioner under section 21 of the 2011 Act immediately before 10th May 2021 are, on that date, to transfer to the police fund kept by the Mayor by virtue of that section (as applied in accordance with article 35).

(4) Nothing in paragraph (2) prevents the Mayor from making arrangements under section 18(1) of the 2011 Act (as applied in accordance with article 35) in relation to the matters mentioned in paragraph (2).

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(1) [2011 c. 13](#). Section 18 makes provision to permit (with certain restrictions) the delegation of functions by a police and crime commissioner to the deputy police and crime commissioner and to other persons. Section 18 has been amended by section 79 of, and paragraph 53 of Schedule 7 to, the [Localism Act 2011 \(c. 20\)](#); and by section 45 of, and paragraph 116 of Schedule 12 to, the [Local Audit and Accountability Act 2014 \(c. 2\)](#).