

Status: Point in time view as at 08/01/2018.

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Cross Heading: Power to direct new policing body to make transfer scheme. (See end of Document for details)

SCHEDULES

SCHEDULE 15

POLICE REFORM: TRANSITIONAL PROVISION

PART 3

SUBSEQUENT TRANSFER BY NEW POLICING BODY

Power to direct new policing body to make transfer scheme

- 10 (1) The Secretary of State may direct a new policing body—
- (a) to make one or more transfer schemes, and
 - (b) to submit such a scheme to the Secretary of State for approval.
- (2) If the Secretary of State gives a direction under sub-paragraph (1)(b), the Secretary of State may—
- (a) approve the scheme as submitted,
 - (b) approve the scheme with modifications, or
 - (c) reject the scheme.
- (3) Before making a decision under sub-paragraph (2), the Secretary of State must—
- (a) consult the new policing body, and
 - (b) if the scheme includes provision about the transfer of staff, consult persons who, in the Secretary of State's opinion, represent the views of the staff concerned.
- (4) If the Secretary of State gives a direction under sub-paragraph (1)(b), the new policing body—
- (a) must not make the scheme unless the Secretary of State approves it, and
 - (b) if the Secretary of State approves the scheme with modifications, must make it with those modifications.
- (5) A direction under this paragraph—
- (a) must be in writing; and
 - (b) may be varied or revoked by a further direction.

Commencement Information

- I1** Sch. 15 para. 10 in force at 16.1.2012 for specified purposes by S.I. 2011/3019, art. 3, Sch. 1
- I2** Sch. 15 para. 10 in force at 22.11.2012 in so far as not already in force by S.I. 2012/2892, art. 2(h)

- 11 (1) The Secretary of State may make one or more transfer schemes in relation to a new policing body if—
- (a) the body does not comply with a direction given to it under paragraph 10, or

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- (b) the Secretary of State decides not to approve one or more schemes submitted by that body under paragraph 10.
- (2) A scheme made by the Secretary of State under this paragraph is to be treated as if made by the new policing body.

Commencement Information

- I3** Sch. 15 para. 11 in force at 16.1.2012 for specified purposes by S.I. 2011/3019, art. 3, Sch. 1
- I4** Sch. 15 para. 11 in force at 22.11.2012 in so far as not already in force by S.I. 2012/2892, art. 2(h)

- 12 (1) The Secretary of State may direct a new policing body—
 - (a) to modify a transfer scheme made by that body, and
 - (b) to submit such a scheme to the Secretary of State for approval.
- (2) Sub-paragraphs (2) to (5) of paragraph 10 apply to a direction under sub-paragraph (1) of this paragraph as they apply to a direction under sub-paragraph (1) of paragraph 10.
- (3) In the application of paragraph 10(2) to (5) by virtue of sub-paragraph (2)—
 - (a) references to paragraph 10(1)(b) have effect as references to sub-paragraph (1)(b) of this paragraph;
 - (b) references to the making of a scheme have effect as references to the modification of a scheme;
 - (c) references to a scheme have effect as references to a scheme as modified.
- (4) The Secretary of State may modify a transfer scheme made by a new policing body if—
 - (a) the authority does not comply with a direction given to it under sub-paragraph (1), or
 - (b) the Secretary of State decides not to approve the modified scheme submitted by the body.
- (5) A scheme modified by the Secretary of State under sub-paragraph (4) is to be treated as if modified (and made) by the new policing body.
- (6) A scheme modified in accordance with this paragraph is to be deemed for all purposes to have come into force with those modifications.

Commencement Information

- I5** Sch. 15 para. 12 in force at 16.1.2012 for specified purposes by S.I. 2011/3019, art. 3, Sch. 1
- I6** Sch. 15 para. 12 in force at 22.11.2012 in so far as not already in force by S.I. 2012/2892, art. 2(h)

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