

2002 No. 922

HEALTH CARE AND ASSOCIATED PROFESSIONS

HEALTH PROFESSIONS

**The Council for Professions Supplementary to Medicine
(Transfer of Staff and Property etc.) Order 2002**

Made - - - - - 22nd March 2002

Coming into force - - - - - 1st April 2002

At the Council Chamber, Whitehall, the 22nd day of March 2002

By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships, in exercise of the powers conferred on them by article 48(2) of, and paragraph 20 of Schedule 2 to, the Health Professions Order 2001(a), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and interpretation

1.— (1) This Order may be cited as the Council for Professions Supplementary to Medicine (Transfer of Staff and Property etc.) Order 2002 and shall come into force on 1st April 2002.

(2) In this Order—

“Council” means the Health Professions Council established by article 3 of the Health Professions Order 2001;

“CPSM” means the Council for Professions Supplementary to Medicine(b);

“date of transfer” means 1st April 2002; and

“the Order” means the Health Professions Order 2001.

(a) S.I. 2002/254.

(b) see section 1 of the Professions Supplementary to Medicine Act 1960, 8 and 9 Eliz 2 c. 66.

Transfer of staff

2. An eligible employee(a) who immediately before the date of transfer was employed by the CPSM and whose employment would have continued but for the dissolution of the CPSM shall transfer on the date of transfer to the Council.

Transfer of property, rights and liabilities

3.– (1) Subject to the other provisions of this article, on the date of transfer, all the property, rights and liabilities of the CPSM shall transfer to and vest in the Council.

(2) Paragraph (1) is to have effect notwithstanding any provision which would otherwise prevent, penalise or restrict the transfer of the property.

(3) A right of pre-emption, right of reverter or other similar right is not to operate or become exercisable as a result of any transfer of any property by virtue of paragraph (1).

(4) In the case of such a transfer, any such right is to have effect as if the Council were the same person in law as the CPSM and as if no transfer of the property had taken place.

(5) Liabilities of any member of the CPSM, which were incurred in pursuance of their duties as a member, shall, on the date of transfer, transfer to and vest in the Council.

Provision for continuity in the exercise of functions

4. Anything done by or on behalf of or in relation to the CPSM in the exercise of its functions shall be treated as from the date of transfer as having been done by or on behalf of or in relation to the Council.

A. K. Galloway
Clerk of the Privy Council

(a) “eligible employee” is defined in paragraph 20 of Schedule 2 to the Order as a person who is employed under a contract of employment with the CPSM.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order contains provisions consequential upon the abolition of the Council for Professions Supplementary to Medicine and the establishment of the Health Professions Council.

Article 1 contains citation, commencement and interpretation provisions. Article 2 provides for the transfer of staff from the CPSM to the Council. Article 3 provides for the transfer of the CPSM's property, rights and liabilities to the Council and article 4 provides for continuity in the exercise of functions between the CPSM and the Council.

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