



Home Office

The National Crime Agency Property Transfer Scheme 2013

July 2013

The National Crime Agency Property Transfer Scheme 2013

Presented to Parliament pursuant to paragraph 1(3) of Schedule 8 to the Crime and Courts Act 2013

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Coming into force 7th October 2013

The Secretary of State makes the following Scheme in exercise of the powers conferred on her by Paragraphs 1, 3 and 4 of Schedule 8 of the Crime and Courts Act 2013.

Citation and commencement

1. This Scheme may be cited as the National Crime Agency Property Transfer Scheme 2013 and shall come into force on 7th October 2013.

Interpretation

2. In this Scheme -

“NCA” means the National Crime Agency;

“NCA Staff Transfer Scheme” means the staff transfer scheme of even date made by the Secretary of State in exercise of the powers conferred on her by section 1 of Schedule 8 of the Crime and Courts Act 2013;

“PCeU” means the Police Central e-crime Unit maintained by the Mayor’s Office for Policing and Crime;

“Schedule” means the schedule to this Scheme;

“SOCA” means the Serious Organised Crime Agency; and

“transfer date” means 7th October 2013.

Transfer of property, documents, rights and liabilities

3. (1) On the transfer date, all the property, rights and liabilities to which SOCA was entitled or subject immediately before that date transfer to the NCA.

(2) On the transfer date all the property listed in the Schedule, and all rights and/or liabilities relating to it, to which the Mayor’s Office for Policing and Crime was entitled or subject immediately before that date transfer to the NCA.

(3) From the transfer date, any reference to SOCA in any document or other instrument or contract shall have effect as, or as including, a reference to the NCA.

(4) From the transfer date, any reference to the Mayor’s Office for Policing and Crime or the Commissioner of the Police of the Metropolis that relate to the functions of PCeU in any document or other instrument or contract in relation to the property listed in the Schedule shall have effect as, or as including, a reference to the NCA.

(5) Things done by or in relation to:

- (i) SOCA; or
- (ii) by the Mayor's Office for Policing and Crime in respect of staff, or any individual who holds the office of constable within an England and Wales police force, who are transferring to the NCA under the NCA Staff Transfer Scheme.

are to be treated as done by or in relation to members of the staff of NCA and continued by or in relation to the members of staff of NCA from that date.

(6) Accordingly any legal proceedings:

- (i) by or against SOCA, or
- (ii) which relate to the acts or omissions of PCEU staff, or any individual who holds the office of constable within an England and Wales police force, who are transferring to the NCA under the NCA Staff Transfer Scheme

which are in existence immediately before the transfer date are to continue by or against NCA from that date.

(7) The reference in this article to "liabilities" includes any criminal liability and accordingly anything done by a transferor which gives rise to criminal liability is to be treated as done by the NCA and in such a case Crown immunity does not affect the criminal liability of the NCA.

(8) In paragraphs 3 (1) and 3 (2) above "property, rights and liabilities" includes, without limitation, property, rights and liabilities that could not otherwise be transferred.

(9) Nothing in this Scheme shall have the effect of transferring any right or liability, or modifying any document, other instrument or contract, which could be the subject of a staff transfer scheme.

Access to records

4. (1) Where records owned by the Mayor's Office for Policing and Crime immediately before the transfer date have transferred to the NCA as a result of this Scheme, the Mayor's Office for Policing and Crime may, after providing reasonable notice:

- (a) inspect
- (b) take, or be supplied with, copies of those records or any part of them.

(2) The powers conferred by this paragraph must be exercised during normal office hours.

5. In the event of any dispute, a certificate issued by the Secretary of State will be conclusive evidence that property, rights and/or liabilities have transferred to the NCA.

Home Office
June 2013

Schedule

Assets transferring from PCeU to the NCA:

1. Forensic Workstations

22x forensic workstations (FRED)

2. Vehicles and equipment within those vehicles –

1x Ford Focus,

1x Vauxhall Insignia,

1x Honda Accord,

1x Mitsubishi ASX,

1x Vauxhall Zafira and

1 x Camera / Obs van, including covert monitoring and surveillance equipment

together with any equipment contained within each of them, including (without limitation) covert emergency warning equipment and audible sirens.

3. IBase and FTP Bulk Data and Communications Server

An IBase and FTP Bulk Data and Communications Server.

4. Triage Tools

Description	Quantity
SPK-SUP-2 - support and maintenance for years 2 and 3.	10
ADF Triage-Examiner Software with Triage Kit- 3-year Subscription Term this price includes all support, maintenance and upgrades. Expires 30th April 2016.	10
SPK-ATG SPEKTOR SFI Includes ATG laptop, case, foam, all software, 5 x collectors and all peripherals, plus the first year's support and maintenance.	10
SPK-ATG SPEKTOR SFI Includes ATG laptop, case, foam, all software, 5 x collectors and all peripherals, plus the first year's support and maintenance.	4
MS Windows XPP SP3 embedded licence - to facilitate provision of Windows partition to support existing Cellebrite software applications	4
SPK-SUP-2 - support and maintenance for years 2 and 3	4
ADF Triage-Examiner Software with Triage Kit- 3-year Subscription Term this price includes all support, maintenance and upgrades.	4

5. Lap Tops

17 laptops, comprised of an equal split of old and newly bought laptops, and an equal mix of Apple MacBook Pro and HP Elitebook 8740w.

6. Cellbrite / Telephone analysis tools

Description	Quantity
Ruggedized Universal Forensic Extraction Device Ultimate	1
Cellebrite Universal Forensic Extraction Device (UFED)	1
Intelligent Fusion - Analytical and Intelligence System – Standalone License – One Year Licence.	1
NaqLab – Network & Billing Record, Conversion and Processing	1

7. Clue 2 server

One Clue 2 server located on the SOCA estate.

8. Licences and software

Any licences, maintenance agreements and software relating to the assets listed above.

Explanatory note

The Crime and Courts Act 2013 ("the Act") provides for the abolition of SOCA and the establishment of the National Crime Agency ("NCA").

SOCA's functions will transfer to the NCA by virtue of Part 1 of the Crime and Courts Act 2013, the relevant provisions of which come into force on the transfer date.

As a consequence of SOCA's abolition and the transfer of its functions to NCA, specific legislative provision is required to deal with the transfer to NCA of property, rights and liabilities of SOCA. To that end, Schedule 8 of the Act enables the Secretary of State to make a property transfer scheme.

Schedule 8 also enables the Secretary of State to provide for the transfer to the NCA of designated, property, rights or liabilities from the policing body of an England and Wales Police Force.

The Secretary of State makes this Scheme relying on the power in Schedule 8 of the Act.

NCA will be established on 7th October 2013 ("the transfer date"). SOCA's property, rights and liabilities, and certain property, rights and liabilities of the Mayor's Office for Policing and Crime which relate to PCeU, will transfer to the NCA under Article 3.



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