



Home Office

# **National Policing Improvement Agency Property Transfer Scheme 2013**

July 2013

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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 in accordance with article 1

The Secretary of State makes the following Scheme in exercise of the powers conferred by paragraphs 1(1)(b), 3 and 4 of Schedule 8 to the Crime and Courts Act 2013.

## **Citation and commencement**

1. This Scheme may be cited as the National Policing Improvement Agency Property Transfer Scheme 2013 and shall come into force on the transfer date (for which, see article 2).

## **Interpretation**

2. In this Scheme—

“NPIA” means the National Policing Improvement Agency;

“transfer date” means the date of coming into force of section 15(2) of the Crime and Courts Act 2013.

## **Transfer of property, rights and liabilities**

3. (1) On the transfer date, all the property (including, without limitation, assets and real property), rights and liabilities to which NPIA was entitled or subject immediately before that date transfer to the Secretary of State.

(2) Anything done by or in relation to NPIA in connection with the property, rights or liabilities transferred by paragraph (1) is treated as done or continued by or in relation to the Secretary of State from the transfer date.

(3) The reference in paragraph (1) to liabilities includes any criminal liability and accordingly anything done by NPIA which gives rise to criminal liability is to be treated from the transfer date as done by the Secretary of State, and in such a case Crown immunity does not affect the criminal liability of the Secretary of State.

(4) From the transfer date, any reference to NPIA in any document or other instrument, contract or legal proceedings shall have effect as, or as including, a reference to the Secretary of State.

(5) Accordingly, any legal proceedings by or against NPIA which are in existence immediately before the transfer date are to continue by or against the Secretary of State from that date.

- (6) In paragraph (1)—

(a) “property rights and liabilities” includes—

- (i) property, rights and liabilities that could not otherwise be transferred, and
  - (ii) property acquired, and rights and liabilities arising after the making of this Scheme; and
- (b) “liabilities” includes the obligation to prepare the outstanding annual report and accounts of NPIA and to perform all statutory duties relating to the annual report and accounts.

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## **Explanatory note**

Section 15(2) of the Crime and Courts Act 2013 ("the Act") provides for the abolition of the National Policing Improvement Agency ("NPIA").

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

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

The Scheme has the effect of transferring all of the NPIA's property, rights and liabilities to the Secretary of State on the date of coming into force of section 15(2) of the Act.

Article 3(6) of the Scheme ensures that the transfer of property, rights and liabilities is unaffected by any provision (of whatever nature) which would otherwise operate to prevent or restrict it.



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