



National Institutions Measure 1998

1998 No. 1

Transfer of functions and officers

6 Transfer of officers.

- (1) Where a person or body to whom this section applies determines that all or any of the officers of that person or body should be transferred to any body or partnership of the kind mentioned in subsection (4) below as a common employer and the last mentioned body or partnership agrees to the transfer, the provisions of Schedule 3 to this Measure shall have effect in relation to each officer transferred.
- (2) This section applies to the following bodies—
 - the Archbishops' Council
 - the Church Commissioners
 - the Central Board of Finance
 - the Pensions Board.
- (3) This section also applies to such other bodies or persons as the Archbishops of Canterbury and York acting jointly may by order determine after consultation with the bodies specified in subsection (2) above.
- (4) Where two or more of the bodies or persons to whom this section applies enter into an agreement—
 - (a) which would be a partnership within the meaning of the ^{M1}Partnership Act 1890 if they were carrying on a business with a view to profit, and
 - (b) which provides for the employment of officers,that agreement shall be deemed to be a partnership for the purposes of that Act, notwithstanding that they are not carrying on such a business.
- (5) Any partnership agreement of the kind mentioned in subsection (4) above may provide for the admission to the partnership of one or more of the bodies mentioned in subsection (2) above as general partners and of one or more of the bodies or persons to whom this section applies as limited partners.

Changes to legislation: National Institutions Measure 1998, Section 6 is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

In this subsection “limited partner” and “general partner” have the same meanings as in the ^{M2}Limited Partnerships Act 1907.

Subordinate Legislation Made

P1 [S. 6\(3\)](#) power fully exercised: [Instrument dated 31.12.1999 made by the Archbishops of Canterbury and York](#)

Marginal Citations

M1 53 & 54 Vict. c. 39.

M2 7 Edw. 7 c. 24.

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Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- Sch. 1 para. 4A inserted by [2010 No. 1 s. 8](#)