
Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Cross Heading: Schemes for transfer of property etc. to GLMCA. (See end of Document for details)

SCHEDULES

SCHEDULE 14

TRANSITIONAL PROVISIONS AND SAVINGS

PART V

MAGISTRATES AND MAGISTRATES' COURTS

Schemes for transfer of property etc. to GLMCA

- 33 (1) The Lord Chancellor may make one or more schemes for the transfer to the Greater London Magistrates' Courts Authority of such of the property, rights and liabilities of—
- (a) a magistrates' courts committee,
 - (b) the Receiver for the Metropolitan Police District,
 - (c) the council of an outer London borough, or
 - (d) the Common Council of the City of London,
- as appear to him to be appropriate to be transferred for the performance of the Authority's functions.
- (2) In this paragraph references to the "transferor", in relation to a scheme, are to the person mentioned in sub-paragraph (1) from whom property is transferred under the scheme.
- (3) A scheme under this paragraph may—
- (a) provide for transfers under the scheme to be on such terms (including terms requiring payment to the transferor) as the Lord Chancellor thinks fit,
 - (b) apportion or create rights and liabilities in relation to any property transferred, and
 - (c) make any appropriate, consequential, incidental or supplementary provisions.
- (4) On the day appointed by a scheme, the property, rights and liabilities which are the subject of the scheme shall, by virtue of this sub-paragraph, and in spite of any provision (of whatever nature) which would otherwise prevent or restrict the transfer, be transferred in accordance with the scheme.
- (5) Anything done (or having effect as if done) by or in relation to the transferor before the time when a scheme comes into effect for the purposes of, or in connection with, anything transferred under the scheme shall, so far as is required for continuing its effect after that time, have effect as if done by or in relation to the Authority.
- (6) Any reference to the transferor in any document, including any enactment, constituting or relating to anything transferred under a scheme shall, so far as is required for giving effect to the scheme, be construed as a reference to the Authority.

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- (7) Where rights and liabilities under a contract of employment are transferred under a scheme under this paragraph—
- (a) for the purposes of Part XI of the ^{M1}Employment Rights Act 1996 (redundancy payments etc.), the employee shall not be regarded as having been dismissed by virtue of the transfer, and
 - (b) for the purposes of that Act, the employee’s period of employment with the transferor shall count as a period of employment with the Authority, and the change of employment shall not break the continuity of the period of employment.

Marginal Citations

M1 [1996 c.18.](#)

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