



# Clean Neighbourhoods and Environment Act 2005

## 2005 CHAPTER 16

### PART 8

#### ARCHITECTURE AND THE BUILT ENVIRONMENT

##### *Commission for Architecture and the Built Environment*

#### **90 Power to dissolve the Commission**

- (1) The Secretary of State may by order make provision for the dissolution of the Commission.
- (2) An order under this section may, in particular—
  - (a) provide for the transfer of the property, rights or liabilities of the Commission to another person;
  - (b) make provision enabling a person to receive anything transferred under paragraph (a) (despite any provision which would otherwise prevent, penalise or restrict it);
  - (c) provide for the transfer of some or all of the functions of the Commission to another person;
  - (d) establish a body corporate;
  - (e) provide for anything done by or in relation to the Commission to have effect as if done by or in relation to another person;
  - (f) permit anything (which may include legal proceedings) which is in the process of being done by or in relation to the Commission when a transfer takes effect, to be continued by or in relation to another person;
  - (g) provide for a reference to the Commission in an enactment, instrument or other document to be treated as a reference to another person.

**Changes to legislation:** Clean Neighbourhoods and Environment Act 2005, Section 90 is up to date with all changes known to be in force on or before 16 August 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](#)

- (3) The Secretary of State may not make an order under this section providing for the transfer of property, rights, liabilities or functions to a person unless the person has consented to the transfer.
- (4) An order under this section which transfers rights and liabilities relating to employees of the Commission must make provision for the [<sup>F1</sup>Transfer of Undertakings (Protection of Employment) Regulations 2006] to apply to that transfer.

#### Textual Amendments

- F1** Words in s. 90(4) substituted (with application in accordance with reg. 21(1) of the amending S.I.) by [The Transfer of Undertakings \(Protection of Employment\) Regulations 2006 \(S.I. 2006/246\)](#), reg. 1(2), [Sch. 2 para. 1\(k\)](#)

#### Commencement Information

- I1** S. 90 in force at 1.1.2006 by [S.I. 2005/3439](#), [art. 2](#)

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**Commencement Orders yet to be applied to the Clean Neighbourhoods and Environment Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2007/120 art. 3](#) Amendment to earlier commencing [S.I. 2006/2797](#)