
Changes to legislation: There are currently no known outstanding effects for the Advanced Research and Invention Agency Act 2022, SCHEDULE 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Section 7

TRANSFER SCHEMES

Transfer schemes

- 1 (1) The Secretary of State may make one or more property transfer schemes or staff transfer schemes.
- (2) A “property transfer scheme” is a scheme for the transfer to ARIA from a permitted transferor of any property, rights or liabilities, other than rights or liabilities under or in connection with a contract of employment.
- (3) A “staff transfer scheme” is a scheme for the transfer to ARIA from a permitted transferor of any rights or liabilities under or in connection with a contract of employment.
- (4) In this Schedule, a “permitted transferor” means the Secretary of State or United Kingdom Research and Innovation.

Commencement Information

- I1** Sch. 2 para. 1 not in force at Royal Assent, see [s. 13\(1\)](#)
I2 [Sch. 2 para. 1](#) in force at 25.1.2023 by [S.I. 2023/58](#), [reg. 2](#)

Supplementary

- 2 (1) The things that may be transferred under a property transfer scheme or a staff transfer scheme include—
 - (a) property, rights and liabilities that could not otherwise be transferred;
 - (b) property acquired, and rights and liabilities arising, after the making of the scheme;
 - (c) criminal liabilities.
- (2) A property transfer scheme or a staff transfer scheme may make supplementary, incidental, transitional or consequential provision and may, in particular—
 - (a) create rights, or impose liabilities, in relation to property or rights transferred;
 - (b) make provision about the continuing effect of things done by the permitted transferor in respect of anything transferred;
 - (c) make provision about the continuation of things (including legal proceedings) in the process of being done by, on behalf of, or in relation to, the permitted transferor in respect of anything transferred;

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- (d) make provision for references to the permitted transferor in an instrument or other document in respect of anything transferred to be treated as references to ARIA.
- (3) A property transfer scheme may make provision for the shared ownership or use of property.
- (4) A staff transfer scheme may make provision which is the same as or similar to the TUPE regulations.

Commencement Information

- I3** Sch. 2 para. 2 not in force at Royal Assent, see [s. 13\(1\)](#)
- I4** [Sch. 2 para. 2](#) in force at 25.1.2023 by [S.I. 2023/58](#), [reg. 2](#)

Interpretation

- 3 (1) For the purposes of this Schedule—
 - (a) an individual who holds employment in the civil service is to be treated as employed by virtue of a contract of employment, and
 - (b) the terms of the individual’s employment in the civil service are to be regarded as constituting the terms of the contract of employment.
- (2) In this Schedule—
 - (a) “civil service” means civil service of the State;
 - (b) “TUPE regulations” means the Transfer of Undertakings (Protection of Employment) Regulations 2006 ([S.I. 2006/246](#)).

Commencement Information

- I5** Sch. 2 para. 3 not in force at Royal Assent, see [s. 13\(1\)](#)
- I6** [Sch. 2 para. 3](#) in force at 25.1.2023 by [S.I. 2023/58](#), [reg. 2](#)

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