

2012 No. 668

LOCAL GOVERNMENT, ENGLAND AND WALES

The Standards Board for England (Abolition) Order 2012

Made - - - - - *2nd March 2012*

Laid before Parliament *7th March 2012*

Coming into force - - - *1st April 2012*

The Secretary of State, in exercise of the powers conferred by paragraph 57 of Schedule 4 to the Localism Act 2011(a), makes the following Order:

Citation and commencement

1. This Order may be cited as the Standards Board for England (Abolition) Order 2012 and comes into force on 1st April 2012.

Interpretation

2. In this Order—

“the abolition date” means 1st April 2012; and

“the Board” means the Standards Board for England.

Transfer of property, rights and liabilities of the Standards Board for England

3.—(1) On the abolition date, subject to articles 4 to 6—

(a) all property of the Board transfers to the ownership of the Secretary of State;

(b) all rights and liabilities of the Board transfer to and vest in the Secretary of State; and

(c) any reference to the Board in an instrument or document in respect of anything transferred is to be treated as a reference to the Secretary of State.

(2) The Secretary of State may issue a certificate confirming that property has transferred from the Board to the Secretary of State, which is conclusive evidence that the property has been so transferred.

Termination of contracts of employment

4.—(1) Any contract of employment relating to an employee of the Board existing at the abolition date, terminates on that date.

(2) Anything done before the abolition date by, or in relation to, the Board in respect of an employee or the contract of employment of an employee, is deemed to have been done by, or in relation to, the Secretary of State.

Termination of appointments

5.—(1) The terms of appointment of any members of the Board holding office at the abolition date, terminate on that date.

(2) Anything done before the abolition date by, or in relation to, the Board in respect of a member of the Board or the terms of appointment of that member, is deemed to have been done by, or in relation to, the Secretary of State.

Proceedings before the First-tier Tribunal

6.—(1) If immediately before the abolition date the Board is a party to—

(a) proceedings before the First-tier Tribunal on a referral under section 64(3)(b) or 65(4)(a) of the Local Government Act 2000, or

(b) legal proceedings associated with proceedings on such a referral,

the Secretary of State is, from the abolition date, substituted for the Board as a party to the proceedings; and anything done by or in relation to the Board in connection with the proceedings is to be treated as having been done by or in relation to the Secretary of State.

Signed on behalf of the Secretary of State for Communities and Local Government

Bob Neill

Parliamentary Under Secretary of State

Department for Communities and Local Government

2nd March 2012

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in connection with the abolition of the Standards Board for England ('the Board') on the abolition date of 1st April 2012.

Article 3 transfers all property, rights and liabilities from the Board to the Secretary of State.

Article 4 terminates the employment contracts of staff of the Board, and article 5 terminates the terms of appointment of members of the Board.

Article 6 substitutes the Secretary of State for the Board in respect of certain ongoing legal proceedings.

An impact assessment has not been produced for this instrument as no impact on business or the private or voluntary sectors is foreseen.

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(a) Sections 64(3)(b) and 65(4) were amended by S.I. 2010/22.

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