
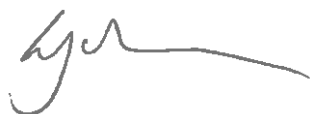




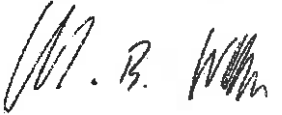


## OFFICE OF POLICE AND CRIME COMMISSIONER FOR WEST YORKSHIRE

### Record of decision made by the Police and Crime Commissioner

<b>Title/Subject:</b> Conditional transfer of the intellectual property rights in PNLD (Police National Legal Database) products and services and the PNLD reserve.
<b>Reference: 21 July 2015</b>
<b>Executive Summary:</b> As the result of a paper submitted to the Police and Crime Commissioner West Yorkshire (PCC) during 2014, consideration was given to the future of PNLD. At the time, independent legal advice was obtained from Eversheds Solicitors and consideration given to the options for an appropriate business model. The preferred option was identified in a paper dated 13th March 2014 and an application was made to the Charity Commissioners, England and Wales for registration as a Charitable Incorporated Organisation ('CIO') under the Charities Act 2006 and the Charitable Incorporated Organisation (General) Regulations 2012. The proposal to transfer PNLD to a charitable incorporated organisation was conditional on the basis of:- <ul style="list-style-type: none"><li>• The intellectual property rights (IPR) in PNLD only used for the benefit of the charities objects;</li><li>• IPR must be returned to the PCC or his successor in the event that the charity is wound up or objects widened.</li></ul> Following detailed legal advice, authority is now sought for the conditional transfer of the intellectual property rights in PNLD products and services and the reserves held in financial accounts.
<b>Requested Decision:</b> Police and Crime Commissioner authority for conditional transfer of the intellectual property rights held in PNLD products and services and the PNLD reserve.

Implications	Details / Comments	Officer Sign Off
Legal	Following detailed legal advice and consideration of the relevant issues, conditional transfer to PNLD CIO is lawful in accordance with the Police Reform and Social Responsibility Act 2011.	Legal Advisor 
Financial	The reserve has been built over a period of time through PNLD activity and will be used in accordance with the charity's objects which were developed in line with the Police and Crime Plan.	Treasurer 
Policy	There are no policy issues arising from the conditional transfer.	Deputy Police and Crime Commissioner 

Equality and Diversity	There are no equality and diversity issues arising from the conditional transfer. Any staffing implications have been discussed with staff and their representatives.	E&D Representative 
<b>Police and Crime Commissioner Decision: Agreed</b>		
<b>Signature:</b>  <b>Title: Police and Crime Commissioner for West Yorkshire</b> <b>Date: 21 July 2015</b>		