STATUTORY INSTRUMENTS

1976 No. 211 (S.15)

LOCAL GOVERNMENT, SCOTLAND

The Local Authorities (Staff Transfer and Protection) (Scotland) Amendment Order 1976

Made - - -	*13th February* 1976
Laid before Parliament	*26th February* 1976
Coming into Operation	*18th March* 1976

In exercise of the powers conferred on me by section 215 of the Local Government (Scotland) Act 1973 (**a**), and of all other powers enabling me in that behalf, I hereby make the following order:—

Title and commencement

1. This order may be cited as the Local Authorities (Staff Transfer and Protection) (Scotland) Amendment Order 1976 and shall come into operation on 18th March 1976.

Interpretation

2.—(1) In this order, unless the context otherwise requires—
"the principal order" means the Local Authorities (Staff Transfer and Protection) (Scotland) Order 1975 (**b**).

(2) The Interpretation Act 1889 (**c**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendments to the principal order

3. In Article 4(2) of the principal order there shall be substituted the following preamble to sub-paragraphs (*a*) (*b*) and (*c*)—

"No provision of articles 5 to 11 inclusive of this order for the transfer of officers, in their application to any local authority applies to — "

4. In line 2 of article 12(7) of the principal order the word 'or' where it first occurs shall be deleted.

(a) 1973 c. 65. (b) S.I. 1975/703 (1975 I, p. 2538). (c) 1889 c. 63.

5. The following article shall be inserted in the principal Order.

"*Protection of Officers appointed before* 16*th May* 1975".

12A. Any question by an officer appointed before 16th May 1975 to hold any office or employment before or as from that date (and who but for the appointment would be transferred on 16th May 1975 by virtue of this Order or the Local Authorities (Staff Transfer Schemes) (Scotland) Order 1975 (**a**)) as to (a) whether the duties of such office or employment are reasonably comparable to those in which he was engaged immediately before the appointment or (b) whether the terms and conditions of his employment are not less favourable than those which he enjoyed immediately before the appointment shall be determined in accordance with the arrangements set out in the Appeals Memorandum.

William Ross,

One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
13th February 1976.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order affords a right of appeal to officers appointed before 16 May 1975 who were not covered by any transfer and whose appointment is subject to the requirements of article 6 of the Local Government (New Councils, etc.) (Scotland) Order 1974 (S.I. 1974/653).

(a) S.I. 1975/574 (1975 I, p. 2106).

SI 1976/211
ISBN 0-11-060211-0

