STATUTORY INSTRUMENTS

1964 No. 679

LONDON GOVERNMENT

The London Authorities (Interim Action) Order 1964

Made - - - -	11*th May* 1964
Laid before Parliament	14*th May* 1964
Coming into Operation	15*th May* 1964

The Minister of Housing and Local Government, in exercise of his powers under section 84 of the London Government Act 1963(a) and of all other powers enabling him in that behalf, hereby makes the following order:—

Title, commencement and interpretation

1. This order may be cited as the London Authorities (Interim Action) Order 1964, and shall come into operation on 15th May 1964.

2.—(1) The Interpretation Act 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

(2) In this order, " the Common Council " means the Common Council of the City of London.

1964-65 *appointments and expenditure*

3. For the purposes of the appointment of any officer or the taking of any other action, and the incurring of any expenditure in relation thereto, by the Greater London Council, a London borough council or the Common Council to ensure their effective operation as from 1st April 1965 the provisions of the London Government Act 1963 which do not, under section 94(2) thereof, come into force until that date shall be deemed to have come into force at the passing of the said Act.

4.—(1) Where the Greater London Council, a London borough council or the Common Council (hereinafter referred to as " the new employing authority ") before 1st April 1965 appoint to hold any place, situation or employment before or as from that date any person (hereinafter referred to as " the officer ") who is in the employment of any other of the following authorities, namely the councils abolished by section 3(1)(*b*) of the London Government Act 1963, the Common Council, the county councils of Essex, Hertfordshire, Kent and Surrey and the urban district council of Chigwell (hereinafter referred to as " the existing employing authority ") the appointment shall be on such terms and conditions that—

(i) so long as the officer is engaged in duties reasonably comparable to those in which he was engaged immediately before the appointment, the scale of his salary or remuneration ; and

(ii) the other terms and conditions of his employment,

are not less favourable than those he enjoyed immediately before the appointment.

(a) 1963 c. 33. (b) 52 & 53 Vict. c. 63.

In this paragraph, " terms and conditions of employment " includes any restriction arising under any Act or any instrument made under any Act on the termination of the employment of any officer.

(2) The appointment of an officer as aforesaid to hold a place, situation or employment before 1st April 1965 shall not result in his employment by the new employing authority until that date, and his employment by the existing employing authority shall continue to that date unless determined otherwise than by reason of the said appointment, and

(*a*) the existing employing authority shall place the services of the officer at the disposal of the new employing authority to such extent as may be agreed between the said authorities ;

(*b*) the salary or remuneration payable by the existing employing authority to the officer at any time shall be the aggregate of the following amounts, namely—

(i) the amount of the salary or remuneration which would have been payable by the existing employing authority apart from their action under (*a*) hereof which is for the time being agreed between the existing employing authority and the officer to be appropriate having regard to such action ; and

(ii) the amount for the time being agreed between the new employing authority and the officer in respect of the place, situation or employment ;

(*c*) the new employing authority shall reimburse to the existing employing authority—

(i) the amounts described in (*b*)(ii) hereof paid by the existing employing authority ; and

(ii) such proportion of all other payments to or in respect of the officer as may be agreed between the said authorities or, failing such agreement, as may be determined by an arbitrator appointed by agreement between them or, in default of agreement, by the Minister of Housing and Local Government:

Provided that the said authorities may, in any particular case, agree that no reimbursement shall be made.

(3) Paragraphs (1) and (2) of this article shall apply, where the officer is in the employment of two or more of the following authorities, namely the councils abolished by section 3(1)(*b*) of the London Government Act 1963, the Common Council, the county councils of Essex, Hertfordshire, Kent and Surrey and the urban district council of Chigwell, and paragraph (1) of this article shall apply, where the officer is in two or more employments of one such authority, as if he were only in the employment in respect of which there is paid to him the highest salary, or if two or more salaries are equal such employment as the new employing authority shall determine.

5. If the Greater London Council propose to appoint as the first chief education officer of the Inner London Education Authority the person who is chief education officer of the London County Council, so much of section 88 of the Education Act 1944(a) (which is applied to the appointment of such officer by section 30(4) of the London Government Act 1963) as requires consultation with the Secretary of State for Education and Science shall not have effect.

(a) 7 & 8 Geo. 6. c. 31.

Annual meetings of London borough councils in 1964

6.—(1) Paragraph 2(2) of Schedule 6 to the Representation of the People Act 1948(a) (which applies to the London borough councils by virtue of paragraph 21 of Schedule 3 to the London Government Act 1963) shall have effect in relation to such councils in 1964 with the substitution for the words " the date of the annual meeting shall be the eleventh day after the day of election of borough councillors, or such other day within the following seven days as the borough council may fix " of the words " the date of the annual meeting of the council of a London borough shall be the date fixed by the Charter granted by Her Majesty incorporating the inhabitants of the borough for the first meeting of the council ".

(2) In relation to London borough councils, until 1st April 1965, the following provision shall be substituted for paragraph 1(2) of Part II of Schedule 3 to the Local Government Act 1933(b)—

" The annual meeting shall be held at the time fixed by the Charter granted by Her Majesty incorporating the inhabitants of the borough for the first meeting of the council, and the other meetings shall be held at such hour on such other days as the council at the annual meeting or at the first following meeting decide, or by standing order determine ".

Given under the official seal of the Minister of Housing and Local Government on 11th May 1964.

(L.S.)

Keith Joseph,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This order makes provision—

(*a*) facilitating the appointment of officers and the taking of other action by the Greater London Council, the London borough councils and the Common Council to ensure their effective operation as from 1st April 1965 ;

(*b*) ensuring that in relation to appointments by such councils before 1st April 1965 of officers holding existing posts under authorities in Greater London, the contracts effecting the appointments give the protection which is ensured on transfer of officers by section 85(3)(*b*) of the London Government Act 1963 ;

(*c*) facilitating in the case of such appointments taking effect before 1st April 1965, the handling of salary payment, etc. ;

(*d*) avoiding the requirement for consultation with the Secretary of State for Education and Science if the Greater London Council propose to appoint, as the chief education officer of the Inner London Education Authority, such officer of the London County Council ;

(*e*) ensuring that the first meetings under the charters of the London boroughs are the annual meetings for 1964, but enabling the dates of other meetings in 1964-65 to be fixed at the first following meeting.

(a) 11 & 12 Geo. 6. c. 65. (b) 23 & 24 Geo. 5. c. 51.