

## SCHEDULE 4 TRANSFER OF STAFF AND PROPERTY TO CHS

### *Staff transfer orders*

- 2 (1) The Scottish Ministers may by order (a “staff transfer order”) make provision for or in connection with—
  - (a) the transfer of persons employed by SCRA to CHS,
  - (b) the transfer of persons employed by local authorities from authorities to CHS.
- (2) A staff transfer order may in particular—
  - (a) prescribe rules by which the transfer of persons, or classes of person, specified in the order can be determined,
  - (b) require—
    - (i) in relation to persons employed by SCRA, SCRA and CHS acting jointly, or
    - (ii) in relation to persons employed by a local authority specified in the order, the local authority and CHS acting jointly,to make a scheme in relation to the transfer of the persons to whom the order relates.
- (3) Sub-paragraphs (4) and (5) apply where—
  - (a) an order includes a requirement of the sort mentioned in sub-paragraph (2) (b)(i) and SCRA and CHS are unable to comply with the requirement, or
  - (b) an order includes a requirement of the sort mentioned in sub-paragraph (2) (b)(ii) and the local authority and CHS are unable to comply with the requirement.
- (4) The Scottish Ministers may determine the content of the scheme.
- (5) The scheme is to be treated as if made in accordance with the requirement imposed by the order.