
STATUTORY INSTRUMENTS

1974 No. 483

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities Etc. (Staff
Transfer and Protection) Order 1974

<i>Made</i>	- - - -	<i>19th March 1974</i>
<i>Laid before Parliament</i>		<i>20th March 1974</i>
<i>Coming into Operation</i>		<i>21st March 1974</i>

The Secretary of State for the Environment and the Secretary of State for Wales, in exercise of the powers conferred upon them by section 254(1)(a) and 255(1), (3) and (4) of the Local Government Act 1972 and by those provisions as extended by section 34(1) of the Water Act 1973 and of all other powers enabling them in that behalf, hereby make the following order:—

Title and commencement

1. This order may be cited as the Local Authorities etc. (Staff Transfer and Protection) Order 1974 and shall come into operation on 21st March 1974.

Territorial extent of exercise of powers

2.—(1) This order is made by the Secretary of State for the Environment as regards the officers of existing authorities whose areas are wholly in England, the Severn River Authority, the Clywedog Reservoir Joint Authority, the Lancashire and Western Sea Fisheries Committee, the British Waterworks Association, the Association of River Authorities, the Water Supply Industry Training Board, the Association of Municipal Corporations, the County Councils Association, the Rural District Councils Association, the Urban District Councils Association and the Local Government Information Office.

(2) This order is made by the Secretary of State for Wales as regards the officers of existing authorities whose areas are wholly in Wales, the Dee and Clwyd and Wye river authorities, the Gwent Water Board and the Presteigne Joint Burial Committee.

Interpretation

3.—(1) The Interpretation Act 1889 shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

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“the Act” means the Local Government Act 1972;

“the Appeals Memorandum” means the Memorandum on Staff Appeals enclosed with Circular LGSC 15/73 (Local Government Staff Commission for England) LGSC(W) 12/73 (Local Government Staff Commission for Wales) dated 13th December 1973;

“exercisable”, in relation to functions, means exercisable otherwise than by virtue of section 101, 110 or 187(2) or (3) of the Act, section 15 of the Water Act 1973 or article 19 of the Local Authorities etc. (Miscellaneous Provision) Order 1974(1);

“officer”, in relation to any authority, includes the holder of any office or employment under that authority;

“the Schemes Order” means the Local Government (Staff Transfer Schemes) Order 1973(2);

“a Staff Appeals Tribunal” means a Staff Appeals Tribunal established by the Local Government Staff Commission for England or the Local Government Staff Commission for Wales;

“Wales” means the area consisting of the counties established by section 20 of the Act (new local government areas in Wales) and “England” does not include any area included in any of those counties;

“water authority” means an authority established in accordance with section 2 of the Water Act 1973;

“the Water Staffs Appeals Memorandum” means the Memorandum on Machinery for Staff Appeals enclosed with Circular WSSC 13/74 (Water Services Staff Commission for England and Wales) dated 31st January 1974;

“the Water Schemes Order” means the Water Authorities (Staff Protection and Transfer Schemes) Order 1974(3); and

“a Water Staff Appeals Tribunal” means a Water Services Staff Appeals Tribunal established by the Water Services Staff Commission for England and Wales.

(3) In this order, unless the context otherwise requires, references to any enactment or instrument shall be construed as references to that enactment or instrument as amended, extended or applied by or under any other enactment or instrument.

(4) Any reference in this order to a numbered article or schedule shall, unless the reference is to an article or schedule of a specified order, be construed as a reference to the article or schedule bearing that number in this order.

(5) Any reference in any article of this order to a numbered paragraph shall, unless the reference is to a paragraph of a specified article, be construed as a reference to the paragraph bearing that number in the first-mentioned article.

Other express provision

4. This order shall have effect subject to the express provision of any other order made (whether before or after this order) under sections 254 and 255 of the Act.

Application of transfer provisions

5.—(1) Any provision in this order for the transfer of officers of any authority applies to any officer who on 31st March 1974 is in the employment of such authority, but in the case of a person

(1) (1974 I, p. 1690).

(2) (1973 III, p. 6377).

(3) (1974 I, p. 1409).

not in the whole-time employment of the authority the transfer effected by such provision in its application to the authority is limited to the extent of his employment with the authority.

(2) Subject to paragraph (3), no provision of this order for the transfer of officers, in its application to any authority, applies to—

- (a) any person who will by virtue of any agreement entered into between him and any other authority enter into the employment of that other authority before or on 1st April 1974;
- (b) any person as regards any employment which, otherwise than by virtue of the abolition of authorities effected by the Act or the Water Act 1973, is to be terminated on 31st March 1974;
- (c) any person for whose transfer provision is made in any order made under section 18 of the National Health Service Reorganisation Act 1973; or
- (d) any officer employed wholly or mainly for police purposes including the purposes of section 24 or 81 of the Road Traffic Regulation Act 1967.

(3) In paragraph (2), item (a) does not extend to any person who is under the Water Authorities (Retirement of Chief Officers) Regulations 1974⁽⁴⁾ entitled to elect that section 260 of the Act shall, and that section 259 of the Act shall not, apply to him.

(4) In the said paragraph, item (d) does not extend to a school crossing patrol employed by the council of an administrative county or county borough.

Transfers: Officers (other than members of fire brigades) of councils of administrative counties, county boroughs and county districts

6.—(1) Nothing in this article applies to—

- (a) any officer transferred by a scheme made under the Schemes Order; or
- (b) any member of any fire brigade.

(2) Any officer of the council of an administrative county, county borough or county district wholly comprised in one new county, or to which this paragraph is applied by paragraph (11) or (12), employed in the discharge of functions which will after 31st March 1974 be exercisable in the area of the administrative county, county borough or county district only by the county council, and—

- (a) being so employed wholly or mainly in premises which are to be used, after 31st March 1974, for the purpose of the discharge of their functions by the county council; or
- (b) operating wholly or mainly from such premises; or
- (c) being otherwise so employed wholly or substantially so,

shall be transferred on 1st April 1974 to the employment of the county council.

(3) Any officer of the council of the administrative county of Anglesey, Cardiganshire, Montgomeryshire, Radnorshire or Rutland, or of any county borough or county district wholly comprised in one district, or to which this paragraph is applied by paragraph (12), employed in the discharge of functions which will after 31st March 1974 be exercisable in the area of the administrative county, county borough or county district only by the district council, and—

- (a) being so employed wholly or mainly in premises which are to be used, after 31st March 1974, for the purpose of the discharge of their functions by the district council; or
- (b) operating wholly or mainly from such premises; or
- (c) being otherwise so employed wholly or substantially so,

shall be transferred on 1st April 1974 to the employment of the district council.

(4) (1974 I, p. 230).

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(4) Any officer of the council of an administrative county other than Anglesey, Cardiganshire, Montgomeryshire, Radnorshire or Rutland employed in the discharge of functions which will after 31st March 1974 be exercisable in any district only by the district council, and employed as described in (a) or (b) of paragraph (3) in premises in the district, or operating in the discharge of such functions wholly or substantially so in relation to the area of the district, shall be transferred on 1st April 1974 to the employment of the district council.

Any other officer of such council employed in the discharge of functions which will after 31st March 1974 be exercisable in the area of the administrative county only by district councils shall be transferred on 1st April 1974 to the employment of such district council as may be determined by the first-mentioned council after consultation with the district councils concerned.

(5) Any officer of the council of any county borough comprised in a metropolitan county employed in relation to any road passenger transport undertaking and—

- (a) being so employed wholly or mainly in premises which are to be used, after 31st March 1974, for the purposes of such undertaking; or
- (b) operating wholly or mainly from such premises; or
- (c) being otherwise so employed wholly or substantially so,

shall be transferred on 1st April 1974 to the employment of the Passenger Transport Executive for the county.

- (a) (6) (a) Where after 31st March 1974 a local authority will, under section 15 of the Water Act 1973, be discharging sewerage functions as defined in such section on behalf of a water authority, any officer of the council of any county borough or county district employed in the discharge of such functions, and—

- (i) being so employed wholly or mainly in premises which are to be used, after 31st March 1974, by such local authority; or
- (ii) operating wholly or mainly from such premises; or
- (iii) being otherwise so employed wholly or substantially so,

shall be transferred on 1st April 1974 to the employment of such local authority.

- (b) Any other officer of the council of any county borough or county district, or any officer of the council of an administrative county, employed in the discharge of functions which will after 31st March 1974 be exercised by a water authority, and—

- (i) being so employed wholly or mainly in premises which are to be used, after 31st March 1974, by a water authority; or
- (ii) operating wholly or mainly from such premises; or
- (iii) being otherwise so employed wholly or substantially so,

shall be transferred on 1st April 1974 to the employment of the water authority referred to in (i) or (ii) or to the employment of the water authority in whose area he is wholly or mainly employed as described in (iii).

(7) Any officer of the council of a county or county borough employed in the discharge of functions of the Secretary of State for the Environment under the Vehicles (Excise) Act 1971 and Part III of the Road Traffic Act 1972 exercised on his behalf under section 2 of the Vehicle and Driving Licences Act 1969 by such council shall be transferred on 1st April 1974 to the employment of the council specified in respect of the first-mentioned council in the following table—

TABLE

(1)	(2)
The county council of Brecon	The District Council of Brecknock

(1)	(2)
The county council of Montgomeryshire	The District Council of Montgomery
The county council of Radnorshire	The District Council of Radnor
The county council of Rutland	The District Council of Rutland
The council of the county borough of Ipswich	The County Council of Suffolk
The council of any other county or county borough	The council specified in respect of such council in column (2) of Part I or II of Schedule 4 to the Local Authorities (England) (Property etc.) Order 1973 ⁽⁵⁾ or the Local Authorities (Wales) (Property etc.) Order 1973 ⁽⁶⁾ .

(8) Any officer employed wholly or mainly in the airport department of the council of the city of Manchester shall be transferred on 1st April 1974 to the employment of the County Council of Greater Manchester.

(9) Any officer of the council of an administrative county wholly comprised in one new county, or to which this paragraph is applied by paragraph (11), who is not transferred by paragraph (2), (3), (4), (6) or (7) shall be transferred to the employment of the county council.

(10) Any officer of the council of a county borough or county district wholly comprised in one district, or to which this paragraph is applied by paragraph (12), who is not transferred by paragraph (2), (3), (5), (6), (7) or (8) shall be transferred to the employment of the district council.

(11) Where the council of an administrative county have not made a scheme under article 3(3) of the Schemes Order by reason of notifications of relevant authorities other than one county council that no officers need be transferred to them, paragraphs (2) and (9) shall apply as if the administrative county were wholly comprised in the area of such one county council, and any reference in such paragraphs or in paragraph (4) to the area of the administrative county shall be construed as a reference to so much of the area of the administrative county as is comprised in the area of such one county council.

(12) Where the council of a county district have not made a scheme under the said article 3(3) by reason of notifications of relevant authorities other than one district council that no officers need be transferred to them, paragraphs (2), (3) and (10) shall apply as if the county district were wholly comprised in the area of such one district council, and in the county in which that district is comprised.

(13) Any officer of the council of an administrative county, county borough or county district named in column (1) of Schedule 1 not transferred by a scheme made under the Schemes Order or paragraphs (2) to (12) shall be transferred on 1st April 1974 to the employment of the authority specified in respect of such council in column (2).

This paragraph does not apply to any council to which paragraph (9) or (10) is applied by paragraph (11) or (12).

Transfers: Members of fire brigades

7.—(1) Every member of a fire brigade maintained in pursuance of the Fire Services Act 1947, other than that maintained by the Greater London Council or by the Council of the Isles of Scilly, who is below the rank of assistant chief officer, and who is serving as such a member immediately before 1st April 1974, shall, if on 1st April 1974 he is not a member of a fire brigade for a new

(5) (1973 III, p. 6401).

(6) (1973 III, p. 6452).

county otherwise than by virtue of this article, on that date be transferred to and become a member of the fire brigade—

- (a) if immediately before 1st April 1974 he is serving as an instructor at the central training institution or is undergoing training, for the new county in which the premises in or from which he wholly or mainly performed his duties as a member of a fire brigade immediately before he began to serve as such an instructor or immediately before he began his training, as the case may be, are situate,
- (b) in any other case, for the new county in which the premises in or from which he wholly or mainly performs his duties as a member of a fire brigade immediately before 1st April 1974 are situate.

(2) Every member transferred by paragraph (1) shall have the same rank and the same service for purposes of pay as he would have had but for the provisions of this article.

(3) Every member of such a fire brigade of or above the rank of assistant chief officer who is serving as such a member immediately before 1st April 1974, shall, if on 1st April 1974 he is not a member of a fire brigade for a new county otherwise than by virtue of this article, on that date be transferred to and become a member of the fire brigade for the new county in which the premises in or from which he wholly or mainly performs his duties as such member are situate.

(4) Every member transferred by paragraph (3) shall hold the rank of assistant chief officer but shall be treated for the purposes of his pay, pension and other conditions of employment as if he had continued to hold the rank he held immediately before 1st April 1974 in the fire brigade in which he was then serving.

(5) Any member transferred by paragraph (3) shall on 30th June 1974 or, in the case of any such member who has appealed on grounds of hardship to a Staff Appeals Tribunal—

- (a) if his appeal is allowed, on the expiration of 3 months from the decision of the Tribunal or 30th September 1974, whichever is the later;
- (b) in any other case, on the date of the decision of the Tribunal,

cease to be a member of the fire brigade to which he was transferred unless before then he has accepted and taken up an appointment as a member of that brigade or has resigned.

(6) Where a report, complaint or other allegation is received before 1st April 1974 from which it appears that a person transferred by paragraph (1) or (3) may have committed an offence against discipline within the meaning of the Fire Services (Discipline) Regulations 1948⁽⁷⁾, any disciplinary proceedings, including any appeal, arising therefrom under those regulations may be continued as if the alleged offence had been committed while he was a member of the fire brigade to which he was transferred, and, accordingly, those regulations shall have effect subject to any necessary modifications.

Transfers: Officers of authorities for water supply, etc

8.—(1) Nothing in this article applies to any officers transferred by a scheme made under the Water Schemes Order.

(2) Any officer of—

the Greater London Council;

the council of any London borough or the Common Council of the City of London; or

any new town development corporation,

employed in the discharge of functions which will after 31st March 1974 be exercised by water authorities, and—

(7) (Rev.VII, p. 757; 1948 I, p. 1059).

- (a) being so employed wholly or mainly in premises which are to be used, after 31st March 1974, by a water authority; or
- (b) operating wholly or mainly from such premises; or
- (c) being otherwise so employed wholly or substantially so,

shall be transferred on 1st April 1974 to the employment of the water authority referred to in (a) or (b) or to the employment of the water authority in whose area he is wholly or mainly employed as described in (c).

In this paragraph the relevant area of any water authority, in relation to any functions, is the area of the authority for the purposes of those functions as defined in the order made under section 2(4) or 3(10) of the Water Act 1973 establishing that authority.

(3) Any officer of the Port of London Authority employed wholly or mainly in the discharge of functions which will after 31st March 1974 be exercised by the Thames Water Authority shall be transferred on 1st April 1974 to the employment of that Authority.

(4) Any officer of an authority named in column (1) of Schedule 2 shall be transferred on 1st April 1974 to the employment of the authority specified in respect of such authority in column (2).

Transfers: Officers of other bodies

9.—(1) Any officer of a body named in column (1) of Schedule 3 shall be transferred on 1st April 1974 to the employment of the body specified in respect of such body in column (2).

(2) Any officer employed by a parish council constituted under Part V of Schedule 1 to the Act in respect of any matter described in item 13a in Schedule 2 to the Local Authorities (England) (Property etc.) Order 1973 as amended by the Local Authorities etc. (England) (Property etc.: Further Provision) Order 1974⁽⁸⁾ shall be transferred on 1st April 1974 to the employment of the district council specified in column (4) of the said item.

Transfers: Officers employed through agency of joint committees

10.—(1) Nothing in this article applies to—

- (a) any person transferred by a scheme under the Schemes Order or the Water Schemes Order;
- (b) any person transferred by article 6, 7, 8 or 9.

(2) Subject to paragraph (1), this article has effect in relation to officers employed through the agency of a joint committee constituted under section 91 of the Local Government Act 1933 or by or under any other enactment.

(3) Where such a committee, under section 263(5) of the Act, continues to exist on and after 1st April 1974 as if appointed under Part VI of the Act by new authorities, any officer employed through the agency of the committee shall be transferred on 1st April 1974 to the employment of such new authorities.

(4) Where by reason of any provision made in or under the Act such a committee ceases to exist, any officer employed through the agency of the committee shall be transferred on 1st April 1974 to the employment of the new authority exercising on and after that date the functions for the purposes of which the joint committee was constituted.

⁽⁸⁾ (1974 I p. 1276).

Supplementary provision as to transfers

11.—(1) Any question by any officer whether he is or is not employed in any manner specified in article 6 or 8 shall be determined in accordance with the arrangements set out in the Appeals Memorandum or the Water Staffs Appeals Memorandum.

(2) The council of any administrative county, county borough or county district shall ensure that any officer to be transferred by or under article 6 is informed as to—

- (a) the provisions of article 6 which are applicable to such council;
- (b) the authority to whom the officer would be transferred by or under article 6; and
- (c) the provisions of the Appeals Memorandum which are applicable.

(3) Any authority from whom any officers are to be transferred by or under article 8 shall ensure that any such officer is informed as to—

- (a) the authority to whom the officer would be transferred by or under that article; and
- (b) the provisions of the Water Staffs Appeals Memorandum which are applicable.

(4) Where on 31st March 1974 any officer has not taken up the duties of his employment he shall be deemed, in the application of articles 6 and 8, to be employed in, or to be operating from, the premises in which he would be employed or from which he would be operating if he had taken up such duties.

(5) Where any officer is on 31st March 1974 absent from his normal duties for the purpose of undergoing training articles 6 and 8 shall apply—

- (a) if it was part of the arrangements under which he is so absent that at the completion of such training he should be employed in a place, situation or employment different from the place, situation or employment which he occupied prior to the commencement of the training, as if he was, on 31st March 1974, occupying such different place, situation or employment;
- (b) otherwise as if he was, on 31st March 1974, occupying the place, situation or employment which he occupied immediately prior to the commencement of such training.

(6) Where any officer is on 31st March 1974 absent from his normal duties otherwise than for the purposes of undergoing training he shall be deemed, in the application of articles 6 and 8, to be discharging such duties, and to be discharging them in, or from, the premises in, or from, which he normally discharges them.

Appeals

12. Appeals may be made by officers and shall be determined in accordance with the arrangements set out in the Appeals Memorandum or the Water Staffs Appeals Memorandum.

Appeals made under article 3(5) of the Local Government (Staff Transfer Schemes and Community Councils) Order 1974⁽⁹⁾ shall be determined in accordance with the arrangements set out in the Appeals Memorandum.

Protection of officers transferred

13.—(1) Every officer transferred—

- (a) by or under article 6, 7, 8, 9 or 10 or a determination given on an appeal arising out of such article;
- (b) by a scheme made under the Schemes Order, a determination given under article 5(1) thereof or a determination given on an appeal by an officer made in accordance with article

⁽⁹⁾ (1974 I, p. 482).

3(5) of the Local Government (Staff Transfer Schemes and Community Councils) Order 1974; or

- (c) by a scheme made under the Water Schemes Order, a determination given under article 7(1) thereof or an appeal by an officer made in accordance with article 8 thereof,

to the employment of any body shall, so long as he continues in that employment by virtue of the transfer and until he is served with a statement in writing referring to the relevant order and specifying new terms and conditions of employment, enjoy terms and conditions of employment not less favourable than those which he enjoyed immediately before 1st April 1974.

In this paragraph, “the relevant order” means —

- (i) in the case of an officer transferred by or under article 6, 7, 8, 9 or 10, by a determination given on an appeal arising out of such article, or under article 14, this order;
- (ii) in the case of an officer transferred as described in (b), the Schemes Order; and
- (iii) in the case of an officer transferred as described in (c), the Water Schemes Order.

(2) A statement of new terms and conditions of employment shall not be served—

- (a) in the case of any officer who has appealed on grounds of hardship to a Staff Appeals Tribunal or a Water Staff Appeals Tribunal or in relation to whom an appeal has been made to such a Tribunal under article 11(1)—

(i) if an appeal on grounds of hardship is allowed, until—

an alternative transfer or employment has been arranged; or

if no alternative transfer or employment is arranged, the expiration of 3 months from the decision of the Tribunal or 30th September 1974 whichever is the later,

(ii) in any other case, until the decision on the appeal has been notified;

- (b) in the case of an officer to whom article 11(5)(a) applies, unless such officer otherwise agrees, until he has been occupying the different place, situation or employment therein referred to for one month.

(3) Subject to paragraph (2), a statement of new terms and conditions of employment may be served before 1st April 1974.

(4) A statement of new terms and conditions of employment shall be served on every officer before 1st April 1975.

(5) If after service of a statement of new terms and conditions of employment upon him (whether before 1st April 1974 or otherwise) an officer appeals on grounds of hardship as aforesaid, or an appeal is made in relation to him to a Staff Appeals Tribunal or a Water Staff Appeals Tribunal under article 11(1), the statement shall cease to have effect, paragraph (1) shall have effect as if the statement had not been served, and a new statement shall be served only in accordance with paragraph (2)(a).

(6) The new terms and conditions of employment shall be such that—

- (a) so long as the officer is engaged in duties reasonably comparable to those in which he was engaged immediately before 1st April 1974, the scale of his salary or remuneration is not less favourable than that which he enjoyed immediately before 1st April 1974; and

(b) the other terms and conditions of his employment are not less favourable than those which he enjoyed immediately before 1st April 1974.

(7) Where between 1st April 1974 and the service of the statement of new terms and conditions of employment upon any officer the scale of the salary or remuneration which such officer enjoyed

immediately before 1st April 1974 is improved, paragraph 6(a) shall have effect as if the scale as improved had been so enjoyed.

(8) Where the new terms and conditions of employment involve any diminution of the scale of the salary or remuneration of an officer they shall not come into effect until the date, not earlier than the expiration of 3 months from the service of the statement thereof, specified in that statement.

(9) Any question by an officer whether duties are reasonably comparable within the meaning of paragraph (6) shall be determined in accordance with the arrangements set out in the Appeals Memorandum or the Water Staffs Appeals Memorandum.

(10) An officer may appeal in respect of new terms and conditions of employment in accordance with the arrangements set out in the Appeals Memorandum or the Water Staffs Appeals Memorandum.

(11) Any statement of new terms and conditions of employment shall contain a statement of the provisions of paragraphs (9) and (10) and copies of the Appeals Memorandum or the Water Staffs Appeals Memorandum shall be made available for reference by the authority by whom the statement is served.

(12) In this article, “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.

(13) A written statement given in accordance with section 4(1) of the Contracts of Employment Act 1972 shall not be regarded as a statement of new terms and conditions of employment for the purposes of this article unless the statement so indicates.

Secondary transfers

14. Any officer (other than a member of a fire brigade) transferred as mentioned in article 13(1) to the employment of any authority may, before 1st January 1975 or the expiration of 2 months from the service upon him of the statement of new terms and conditions of employment under article 13, whichever is the later, be transferred by the said authority, with the agreement of any other authority, and of the officer, to the employment of that authority, and article 13 shall thereupon apply to such officer as it applies to officers transferred by the article, scheme or determination mentioned in article 13.

Apprenticeships

15. Any contract of apprenticeship entered into between any person (other than a member of a fire brigade) and the council of an administrative county, county borough or county district shall have effect as a contract entered into between such person and the authority to whose employment he is transferred or would have been transferred if he had been in the employment of such council.

Saving for training arrangements

16. Where any officer transferred as mentioned in article 13(1) or under article 14 is undergoing training under arrangements which have not been discharged before 1st April 1974, those arrangements shall continue to apply with the substitution, for the authority in whose employment the officer was prior to the commencement of the training, of the authority to whose employment he has been transferred as aforesaid.

Saving for dispensations

17. Any dispensation from the requirements of any regulation granted to the authority from whom any officer is transferred as mentioned in article 13(1) or under article 14 shall have effect, in relation

to such officer, as if it has been granted to the authority to whose employment he has been transferred as aforesaid.

Saving for extensions of service

18. Any extension of service under section 7(1) of the Local Government Superannuation Act 1937 effective on 1st April 1974 in relation to an officer transferred as mentioned in article 13(1) or under article 14 shall continue to have effect as if it had been made by the authority to whose employment he is transferred as aforesaid.

Travelling and removal expenses

19. Any additional travelling expenses, and any removal or incidental expenses, reasonably incurred by any officer in consequence of the abolition by the Act or the Water Act 1973 of the authority by whom he was employed shall be reimbursed by the authority to whose employment he is transferred as mentioned in article 13(1) or under article 14.

Commencing points on scales

20. Where, in relation to any officer—

- (a) on the scale of salary or remuneration applicable to him immediately before 1st April 1974 he would have become entitled to an increment on that date; and
- (b) by reason of any appointment effective as from 1st April 1974 made by the authority to whom he is transferred, any other scale of salary or remuneration becomes applicable to him as from that date,

any term of his employment as to his commencing point on such other scale shall be applicable as if his employment before, and on and after, the said date were continuous employment under one authority.

Notices to terminate contracts of employment

21.—(1) This article applies to contracts of employment resulting from the operation of article 6, 8, 9 or 10, any scheme made under the Schemes Order or the Water Schemes Order, a determination under article 5(1) of the Schemes Order or article 7(1) of the Water Schemes Order or a determination given on an appeal against a particular transfer.

(2) Notice to terminate any contract of employment to which this article applies may, with his consent, be given to any officer before 1st April 1974 by the authority to whose employment he would be transferred on that date.

(3) A notice to terminate any contract of employment to which this article applies shall, unless the officer to whom it is given otherwise agrees, not come into operation earlier than the expiration of 3 months from the service thereof.

19th March 1974

Anthony Crosland
Secretary of State for the Environment

19th March 1974

John Morris
Secretary of State for Wales

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SCHEDULE 1

Article 6(13)

OFFICERS OF COUNCILS OF ADMINISTRATIVE COUNTIES,
COUNTY BOROUGHS AND COUNTY DISTRICTS

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
<i>England</i>	
The county council of Berkshire	The County Council of Berkshire
The county council of Buckingham	The County Council of Buckinghamshire
The county council of Chester	The County Council of Cheshire
The county council of Durham	The County Council of Durham
The county council of East Suffolk	The County Council of Suffolk
The county council of East Sussex	The County Council of East Sussex
The county council of Gloucestershire	The County Council of Gloucestershire
The county council of Hampshire	The County Council of Hampshire
The county council of Lancaster	The County Council of Lancashire
The county council of Lincoln, Parts of Lindsey	The County Council of Lincolnshire
The county council of Northumberland	The County Council of Northumberland
The county council of Nottinghamshire	The County Council of Nottinghamshire
The county council of Somerset	The County Council of Somerset
The county council of Staffordshire	The County Council of Staffordshire
The county council of Surrey	The County Council of Surrey
The county council of Warwickshire	The County Council of Warwickshire
The county council of Worcestershire	The County Council of Hereford and Worcester
The county council of Yorkshire, East Riding	The County Council of Humberside
The county council of Yorkshire, North Riding	The County Council of North Yorkshire
The county council of Yorkshire, West Riding	The County Council of West Yorkshire
The council of the county borough of Teesside	The District Council of Middlesbrough
The council of the borough of Whitley Bay	The Borough Council of North Tyneside
The council of the urban district of Ashton-in-Makerfield	The Borough Council of Wigan
The council of the urban district of Billinge-and-Winstanley	The Borough Council of St. Helens
The council of the urban district of Golborne	The Borough Council of Wigan
The council of the urban district of Lakes	The District Council of South Lakeland
The council of the urban district of Queensbury and Shelf	The Borough Council of Bradford

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The council of the urban district of Ramsbottom	The Borough Council of Bury
The council of the urban district of Seaton Valley	The Borough Council of Blyth Valley
The council of the urban district of Thurrock	The Borough Council of Thurrock
The council of the urban district of Turton	The Borough Council of Bolton
The council of the rural district of Axbridge	The District Council of Sedgemoor
The council of the rural district of Basford	The District Council of Broxtowe
The council of the rural district of Blackburn	The Borough Council of Ribble Valley
The council of the rural district of Blofield and Flegg	The District Council of Broadland
The council of the rural district of Bridlington	The Borough Council of North Wolds
The council of the rural district of Brixworth	The District Council of Daventry
The council of the rural district of Bucklow	The Borough Council of Macclesfield
The council of the rural district of Burnley	The Borough Council of Burnley
The council of the rural district of Castle Ward	The District Council of Castle Morpeth
The council of the rural district of Chelmsford	The District Council of Chelmsford
The council of the rural district of Chesterfield	The District Council of North East Derbyshire
The council of the rural district of Chester-le-Street	The District Council of Chester-le-Street
The council of the rural district of Chichester	The District Council of Chichester
The council of the rural district of Clutton	The District Council of Wansdyke
The council of the rural district of Croft	The District Council of Richmondshire
The council of the rural district of Cuckfield	The District Council of Mid Sussex
The council of the rural district of Darlington	The District Council of Sedgely
The council of the rural district of Dartford	The District Council of Sevenoaks
The council of the rural district of Dorking and Horley	The District Council of Mole Valley
The council of the rural district of Droitwich	The District Council of Wychavon
The council of the rural district of Easington	The District Council of Easington
The council of the rural district of East Refford	The District Council of Bassetlaw
The council of the rural district of Eastry	The District Council of Dover
The council of the rural district of Epping and Ongar	The District Council of Epping Forest
The council of the rural district of Eton	The District Council of Beaconsfield
The council of the rural district of Gloucester	The Borough Council of Tewkesbury

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<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The council of the rural district of Hemsworth	The District Council of Wakefield
The council of the rural district of Hertford	The District Council of East Hertfordshire
The council of the rural district of Kettering	The District Council of Kettering
The council of the rural district of Lichfield	The District Council of Lichfield
The council of the rural district of Lotheringland	The District Council of Waveney
The council of the rural district of Market Bosworth	The Borough Council of Hinckley and Bosworth
The council of the rural district of Meriden	The Borough Council of Solihull
The council of the rural district of Norman Cross	The District Council of Huntingdon
The council of the rural district of Northampton	The District Council of South Northamptonshire
The council of the rural district of Osgoldcross	The District Council of Selby
The council of the rural district of Pershore	The District Council of Wychavon
The council of the rural district of Preston	The Borough Council of South Ribble
The council of the rural district of Ringwood and Fordingbridge	The District Council of New Forest
The council of the rural district of Runcorn	The District Council of Vale Royal
The council of the rural district of St. Albans	The District Council of St. Albans
The council of the rural district of St. Thomas	The District Council of East Devon
The council of the rural district of Shifnal	The District Council of Bridgnorth
The council of the rural district of Skipton	The District Council of Craven
The council of the rural district of Sodbury	The District Council of Northavon
The council of the rural district of South East Derbyshire	The District Council of Erewash
The council of the rural district of Stockton	The District Council of Stockton-on-Tees
The council of the rural district of Stokesley	The District Council of Hambleton
The council of the rural district of Stratford-on-Avon	The District Council of Stratford-on-Avon
The council of the rural district of Strood	The District Council of Medway
The council of the rural district of Tadcaster	The District Council of Selby
The council of the rural district of Thirsk	The District Council of Hambleton
The council of the rural district of Thornbury	The District Council of Northavon
The council of the rural district of Tonbridge	The District Council of Tunbridge Wells
The council of the rural district of Wantage	The District Council of Vale of White Horse
The council of the rural district of Watford	The District Council of Three Rivers

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The council of the rural district of Wellingborough	The Borough Council of Wellingborough
The council of the rural district of West Lancashire	The District Council of West Lancashire
The council of the rural district of Wetherby	The Borough Council of Leeds
The council of the rural district of Wharfedale	The Borough Council of Leeds
The council of the rural district of Whiston	The Borough Council of Knowsley
The council of the rural district of Wigan	The Borough Council of Wigan
The council of the rural district of Winchester	The Borough Council of Winchester
The council of the rural district of Winslow	The District Council of Aylesbury Vale
The council of the rural district of Workshop	The District Council of Bassetlaw
The council of the rural district of Worthing	The District Council of Arun
The council of the rural district of Wortley	The District Council of Sheffield
<i>Wales</i>	
The county council of Brecon	The County Council of Powys
The county council of Denbigh	The County Council of Clwyd
The county council of Glamorgan	The County Council of Mid Glamorgan
The county council of Merioneth	The County Council of Gwynedd
The county council of Monmouthshire	The County Council of Gwent
The council of the urban district of Bedwellty	The District Council of Islwyn
The council of the urban district of Caerphilly	The District Council of Rhymney Valley
The council of the urban district of Gelligaer	The District Council of Rhymney Valley
The council of the rural district of Aled	The District Council of Colwyn
The council of the rural district of Cardiff	The Borough Council of Vale of Glamorgan
The council of the rural district of Cowbridge	The Borough Council of Vale of Glamorgan
The council of the rural district of Crickhowell	The District Council of Brecknock
The council of the rural district of Gwyrfai	The District Council of Arfon
The council of the rural district of Hawarden	The District Council of Alyn and Deeside
The council of the rural district of Hiraethog	The District Council of Colwyn
The council of the rural district of Magor and St. Mellons	The Borough Council of Newport
The council of the rural district of Neath	The Borough Council of Neath
The council of the rural district of Pontypool	The District Council of Monmouth
The council of the rural district of Vaynor and Penderyn	The District Council of Brecknock

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<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The council of the rural district of Wrexham	The Borough Council of Wrexham Maelor

SCHEDULE 2

Article 8(4)

OFFICERS OF AUTHORITIES FOR WATER SUPPLY, ETC

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The Avon and Dorset River Authority	The Wessex Water Authority
The Essex River Authority	The Anglian Water Authority
The Kent River Authority	The Southern Water Authority
The Severn River Authority	The Severn-Trent Water Authority
Any other river authority, the Conservators of the River Thames, the Lee Conservancy Catchment Board or the Isle of Wight River and Water Authority	The water authority in whose area the area of the authority named in column (1) is comprised
Any joint board who are statutory water undertakers other than a joint water board within the meaning of the Water Act 1973	The water authority within whose area of supply for water supply purposes the limits of supply of the transferor authority are comprised, or where water is supplied only to constituent members of the transferor authority, the water authority within whose area for water supply purposes the limits of supply of the constituent members, or a majority of the constituent members, are comprised
Any joint sewerage board or joint committee of sewerage authorities	The water authority within whose area for sewerage and sewage disposal purposes the area of the transferor authority is comprised
The Metropolitan Water Board	The Thames Water Authority
The Clywedog Reservoir Joint Authority	The Severn-Trent Water Authority
The Cuxton Committee incorporated by the North West Kent Joint Water Act 1936	The Southern Water Authority
The Hartley Committee so incorporated	The Mid Kent Water Company

SCHEDULE 3

Article 9(1)

OFFICERS OF OTHER BODIES

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
<i>England</i>	
The Lincolnshire County Committee	The County Council of Lincolnshire
The Yorkshire County Committee	The County Council of North Yorkshire
The council of any borough included in a rural district	The parish council of the parish replacing the borough
The parish council of Abbots Langley	The Parish Council of Abbots Langley
The parish council of Altcarr	The Parish Council of Altcarr
The parish council of Aston	The Parish Council of Aston
The parish council of Birtley	The Parish Council of Birtley
The parish council of Blagdon	The Parish Council of Blagdon
The parish council of Bold	The Parish Council of Bold
The parish council of Brafield-on-the-Green	The Parish Council of Brafield on the Green
The parish council of Burnham	The Parish Council of Burnham
The parish council of Burrington	The Parish Council of Burrington
The parish council of Charlwood	The Parish Council of Charlwood
The parish council of Christchurch East	The Parish Council of Bransgore
The parish council of Collingtree	The Parish Council of Collingtree
The parish council of Compton Martin	The Parish Council of Compton Martin
The parish council of Corton	The Parish Council of Corton
The parish council of Datchworth	The Parish Council of Datchworth
The parish council of East Harptree	The Parish Council of East Harptree
The parish council of Ecton	The Parish Council of Ecton
The parish council of Great Houghton	The Parish Council of Great Houghton
The parish council of Harraton	The Parish Council of North Lodge
The parish council of Harworth	The Parish Council of Harworth Bircotes
The parish council of Heighington	The Parish Council of Heighington
The parish council of Horley	The Parish Council of Horley
The parish council of Kislingbury	The Parish Council of Kislingbury
The parish council of Little Houghton	The Parish Council of Little Houghton
The parish council of Lydiate	The Parish Council of Lydiate
The parish council of Milton Malsor	The Parish Council of Milton Malsor

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(1) <i>Transferor authority</i>	(2) <i>Transferee authority</i>
The parish council of Newton Longville	The Parish Council of Newton Longville
The parish council of Orton Longueville	The Parish Council of Orton Longueville
The parish council of Orton Waterville	The Parish Council of Orton Waterville
The parish council of Overstone	The Parish Council of Overstone
The parish council of Redbourn	The Parish Council of Redbourn
The parish council of Reedham	The Parish Council of Reedham
The parish council of Rothersthorpe	The Parish Council of Rothersthorpe
The parish council of St. Michael Rural	The Parish Council of St. Michael
The parish council of Shenley Brook End	The Parish Council of Shenley Brook End
The parish council of Shifnal	The Parish Council of Shifnal
The parish council of Slaugham	The Parish Council of Slaugham
The parish council of Sopley	The Parish Council of Sopley
The parish council of Thorpe St. Andrew	The Parish Council of Thorpe St. Andrew
The parish council of Upton	The Parish Council of Upton
The parish council of West Harptree	The Parish Council of West Harptree
The parish council of Wexham	The Parish Council of Wexham
The parish council of Whaddon	The Parish Council of Whaddon
The parish council of Wootton	The Parish Council of Wootton
The parish council of Worth	The Parish Council of Worth
The parish meeting or the representative body of the parish of Alwalton	The Parish Council of Alwalton
The parish meeting or the representative body of the parish of Courteenhall	The Parish Meeting of Courteenhall
The parish meeting or the representative body of the parish of Herringfleet	The Parish Council of Herringfleet
The parish meeting or the representative body of the parish of Loxton	The Parish Council of Loxton
The parish meeting or the representative body of the parish of South Biddick	The Parish Council of South Biddick
The parish meeting or the representative body of the parish of Tattenhoe	The Parish Council of Shenley Brook End
The parish meeting or the representative body of the parish of Ubley	The Parish Council of Ubley
The representative body of any parish not included in the preceding items	The parish meeting of the parish
The Lake District Planning Board	The Lake District Special Planning Board

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<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The Peak Park Planning Board	The Peak Park Joint Planning Board
The West Riding (Local Authorities) Superannuation Joint Committee	The County Council of West Yorkshire
The Bucklow (Superannuation) Joint Committee	The County Council of Cheshire
The Central Lancashire (Local Authorities) Joint Superannuation Committee	The County Council of Greater Manchester
The East Cheshire (Local Authorities) Joint Superannuation Committee	The County Council of Greater Manchester
The South-East Lancashire (Local Authorities) Joint Superannuation Joint Committee	The County Council of Greater Manchester
The Cotswold District Joint Superannuation Committee	The County Council of Gloucestershire
The Durham (Local Authorities) Superannuation Joint Committee	The County Council of Durham
The Lichfield (Superannuation) Joint Committee	The County Council of Staffordshire
The Northumberland (Local Authorities) Superannuation Joint Committee	The County Council of Northumberland
The West Lancashire (Superannuation) Joint Committee	The County Council of Merseyside
Any joint committee established by a scheme of combination made under section 2 of the Local Government Superannuation Act 1937 and not expressly named in this Schedule.	The council of the county within which the areas, or the greater part of the areas, of the constituent authorities of the joint committee are situated.
<i>Wales</i>	
Any separate parish council	The community council which replaces the parish council
In any group of parishes, the common parish council and the parish meeting of every parish in the group	The community council which replaces the parish council
The parish meeting of any parish not included in the last preceding item	The council of the district in which the area of the parish is comprised
The Snowdonia Park Joint Advisory Committee	The County Council of Gwynedd
The Carmarthen (Superannuation) Joint Committee	The County Council of Dyfed
The Hawarden-Prestatyn (Superannuation) Joint Committee	The County Council of Clwyd
The Mid Glamorgan (Superannuation) Joint Committee	The County Council of Mid Glamorgan

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<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The West Monmouthshire Omnibus Board <i>England and Wales</i>	The District Council of Islwyn
Any burial board, joint burial board or joint committee which ceases to exist by virtue of section 214(1) (b) of the Act	The authority or authorities exercising the functions specified in paragraph 1 of Schedule 26 of the Act in relation to the cemeteries and crematoria of the board or committee
Any joint board which ceases to exist by virtue of section 263(2)(b) of the Act	The authority in whom the functions of the board are vested by section 263(2)(a) of the Act
Any joint board which ceases to exist by virtue of section 263(3) of the Act	The local authority which becomes the port health authority for the district of the board under the said section 263(3)
Any local fisheries committee for a sea fisheries district	The committee as reconstituted
Any body constituted by an order under section 112(1) of the Local Government Act 1933 or any enactment replaced by that provision, uniting any county boroughs or county districts	The council of the district in which the area of the county boroughs or county districts, or the greater part of the area, is comprised
The British Waterworks Association	The National Water Council
The Association of River Authorities	The National Water Council
The Water Supply Industry Training Board	The National Water Council
The Association of Municipal Corporations	The Association of Metropolitan Authorities
The County Councils Association	The Association of County Councils
The Rural District Councils Association	The Association of District Councils
The Urban District Councils Association	The Association of District Councils
The Local Government Information Office	The Association of Metropolitan Authorities

EXPLANATORY NOTE

This Order makes general provision for the transfer to the authorities established by or under the Local Government Act 1972 and the Water Act 1973 of persons employed by local authorities and other bodies which cease to exist by virtue of those Acts, and for the protection of the interests of those persons.

Copies of the “Appeals Memorandum” may be obtained from the Local Government Staff Commission for England, 20 Grosvenor Hill, London, W.1., and the Local Government Staff Commission for Wales, Pearl Assurance House, Greyfriars Road, Cardiff. Copies of the “Water

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Staffs Appeals Memorandum” may be obtained from the Water Services Staff Commission for England and Wales, 20 Grosvenor Hill, London, W.1.