

Changes to legislation: There are currently no known outstanding effects for the Scottish Development Agency Act 1975, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 15.

MEMBERS AND STAFF OF THE CORPORATION AND THE COUNCIL

Transfer of Staff

- [^{F1} In the case of persons to be employed by them on and after the date of the commencement of this Act, who immediately before that date are employed either by the Corporation or the Council, the Agency shall ensure that—
- (a) so long as he continues in the employment of the Agency and until he is served with a statement in writing specifying new terms and conditions of employment, each such person enjoys terms and conditions of employment not less favourable, taken as a whole, than those which he enjoyed as a member of the Corporation's or Council's staff immediately before joining the Agency's staff; and
 - (b) the said new terms and conditions are such that, so long as he is engaged in duties reasonably comparable to those in which he was engaged immediately before he joined the Agency's staff, the terms and conditions of his employment, taken as a whole, are not less favourable than those which he then enjoyed.]

Textual Amendments

- F1** Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.

Compensation for members or staff of the Corporation or the Council

- [^{F2} The Secretary of State may, out of moneys provided by Parliament, pay to any person who was a member of the Corporation or Council immediately before the commencement of this Act and who is not appointed a member of the Agency such sums by way of compensation for loss of office as he may, with the consent of the Minister for the Civil Service, determine.]

Textual Amendments

- F2** Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.

- [^{F3} The Secretary of State shall by regulations require the Agency to pay, in such cases and to such extent as may be determined by or under the regulations, compensation to or in respect of persons hitherto employed by the Corporation or Council who

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suffer loss of employment or loss or diminution of emoluments or pension rights in consequence of the provisions of this Act.]

Textual Amendments

F3 Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.

[^{F4} Different regulations may be made under paragraph 3 above in relation to different classes of persons, and any such regulations may be so framed as to have effect as from a date prior to the making thereof, so, however, that so much of any regulations as provides that any provision thereof is to have effect as from a date earlier than the making thereof shall not place any person other than the Agency in a worse position than he would have been in if the regulations had been made to have effect only as from the date of the making thereof.]

Textual Amendments

F4 Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.

[^{F5} Regulations under paragraph 3 above—
 (a) may prescribe the procedure to be followed in making claims for compensation, and the manner in which and the person by whom the question whether any or what compensation is payable is to be determined, and
 (b) may apply, with or without modifications, the provisions of any other rules or regulations relating to similar matters.]

Textual Amendments

F5 Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.

Continuity of employment

[^{F6} For the purposes of—
 [^{F7}the Employment Rights Act 1996]
 there shall be deemed to have been no break in the employment of any person who is transferred by virtue of section 15 of this Act from the employment of one body to that of another body.]

Textual Amendments

F6 Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.

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F7 Words in [Sch. 3 para. 6](#) substituted (22.8.1996) by virtue of [1996 c. 18, s. 240](#), [Sch. 1 para. 7](#) (with [ss. 191-195, 202](#)).

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