



Local Government Act 1985

1985 CHAPTER 51

PART VI

STAFF

52 Power to transfer staff.

- (1) This section applies to any person who—
 - (a) immediately before the abolition date is in the service of the Greater London Council or a metropolitan county council (in this section referred to as his “employing council”) under a contract of employment which would have continued but for the abolition of that council; and
 - (b) is designated for the purposes of this section by an order made by the Secretary of State.
- (2) The contract of employment between a person to whom this section applies and his employing council shall not be terminated by the abolition of that council but shall have effect from the abolition date as if originally made between him and such successor authority (“the new employer”) as may be specified in relation to that person by the order designating him for the purposes of this section.
- (3) Without prejudice to subsection (2) above—
 - (a) all the employing council’s rights, powers, duties and liabilities under or in connection with a contract to which that subsection applies shall by virtue of this section be transferred on the abolition date to the new employer; and
 - (b) anything done before the abolition date by or in relation to the employing council in respect of that contract or the employee shall be deemed from that date to have been done by or in relation to the new employer.
- (4) Subsections (2) and (3) above are without prejudice to any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions but no such right shall arise by reason only of the change of employer effected by this section.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Section 52. (See end of Document for details)

- (5) An order under this section may designate a person either individually or as a member of a class or description of employees.
- (6) In this section “successor authority” means a London borough council, the Common Council, a metropolitan district council, a new authority and any other body to which functions or property of the Greater London Council or a metropolitan county council are transferred by or under this Act or any other enactment.

Modifications etc. (not altering text)

C1 S. 52 amended by [S.I. 1986/399](#), [arts. 1, 4](#)

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1985, Section 52.