

SCHEDULES

SCHEDULE 7

TRANSITION

The Board: transfers of employment

- 6 (1) The Board shall make, not later than such date as the Lord Chancellor may determine, an offer of employment by the Board to such of the persons employed immediately before that date by the Law Society for the purpose of their functions under the 1974 Act as fall within such descriptions as the Lord Chancellor designates for the purposes of this paragraph or are persons whom the Board wishes to employ.
- (2) The terms of the offer shall be such that they are, taken as a whole, not less favourable to the person to whom the offer is made than the terms on which he is employed on the date on which the offer is made.
- (3) An offer made in pursuance of this paragraph shall not be revocable during the period of 3 months commencing with the date on which it is made.
- 7 (1) Where a person becomes an employee of the Board on acceptance of an offer made under paragraph 6, then, for the purposes of the Employment Protection (Consolidation) Act 1978, his period of employment with the Law Society shall count as a period of employment by the Board, and the change of employment shall not break the continuity of the period of employment.
- (2) Where an offer is made under paragraph 6 to any person, none of the agreed redundancy procedures applicable to employees of the Law Society shall apply to him.
- (3) Where a person employed by the Law Society ceases to be so employed—
- (a) on becoming a member of the staff of the Board on accepting an offer under paragraph 6, or
 - (b) having unreasonably refused such an offer,
- Part VI of the Employment Protection (Consolidation) Act 1978 shall not apply to him and he shall not be treated for the purposes of any scheme in force under section 19 of the 1974 Act as having been retired on redundancy.
- (4) Where a person to whom an offer under paragraph 6 has been made continues in employment in the Law Society after having not unreasonably refused that offer he shall be treated for all purposes as if no offer under paragraph 6 had been made to him.
- 8 (1) Any dispute as to whether an offer purporting to be made under paragraph 6 complies with that paragraph shall be referred to and be determined by an industrial tribunal.
- (2) An industrial tribunal shall not consider a complaint referred to it under subparagraph (1) above unless the complaint is presented to the tribunal before the end of the period of 3 months beginning with the date of the offer of employment or within such further period as the tribunal considers reasonable in a case where it is satisfied

Status: This is the original version (as it was originally enacted).

that it was not reasonably practicable for the complaint to be presented before the end of the period of 3 months.

- (3) An appeal shall lie to the Employment Appeal Tribunal on a question of law arising from the decision of, or in proceedings before, an industrial tribunal under this paragraph.
 - (4) Except as mentioned in sub-paragraph (3) above, no appeal shall lie from the decision of an industrial tribunal under this paragraph.
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- (1) In the event of the Board assuming under section 3(4) any of the functions specified in that subsection the Lord Chancellor shall by regulations make such provision corresponding to paragraphs 6, 7 and 8 in respect of employees to whom this paragraph applies as appears to him to be appropriate.
 - (2) This paragraph applies to persons employed—
 - (a) in the civil service of the State, or
 - (b) by a magistrates' courts committee,and so employed wholly or mainly in connection with the functions referred to in sub-paragraph (1) above.