



Local Government Act 1929

1929 CHAPTER 17

PART VII

PROPERTY LIABILITIES AND OFFICERS.

Transfer of Officers.

119 Transfer of poor law officers.

Subject to the provisions of this Part of this Act, any person who having been on the twelfth day of November, nineteen hundred and twenty-eight, an officer of a poor law authority is at the appointed day an officer of the same or any other poor law authority shall on the appointed day, as respects that office, be transferred as follows:—

- (a) where the area of the authority of which he is an officer at the appointed day is wholly comprised within one county or county borough, he shall be transferred to and become an officer of the council of that county or county borough;
- (b) where the area of the poor law authority of which he is an officer at the appointed day is not wholly comprised within one county or county borough, then—
 - (i) if the officer is at the appointed day employed in or about any poor law institution, he shall be transferred to and become an officer of the council to whom that institution is transferred;
 - (ii) if the officer at the appointed day acts exclusively for a district which is wholly comprised within one county or county borough, he shall be transferred to and become an officer of the council of that county or county borough;
 - (iii) in any other case he shall be transferred to and become an officer of such council or councils as may be agreed between the councils concerned, or, if no agreement is arrived at two months before the appointed day, such council or councils as the Minister may by order determine; and where he is transferred to more than one council the proportion of his salary or remuneration attributable to the functions

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in respect of which he is transferred to the respective councils shall be determined by such agreement or order as aforesaid.

120 Transfer of road officers.

Subject as hereinafter provided, any person who, having been on the twelfth day of November, nineteen hundred and twenty-eight, a road officer employed by any highway authority, is at the appointed day a road officer of a rural district council shall, on the appointed day, as respects that office, be transferred as follows:—

- (a) where the district of the council of which he is a road officer at the appointed day is wholly comprised within one county he shall be transferred to and become an officer of the council of that county;
- (b) where the district of the council of which he is a road officer at the appointed day is not wholly comprised within one county he shall be transferred to and become an officer of such county council as may be agreed between the councils concerned, or, if no agreement is arrived at two months before the appointed day, such county council as the Minister of Transport may by order determine:

Provided that, where in pursuance of Part III of this Act functions as respects any county roads are delegated as from the appointed day by a county council to a rural district council, the two councils may agree for the transfer or retention to or by either such council of any road officers or for the joint user by both councils of the services of any officer and, subject to any such agreement, so long as the rural district council exercise those functions, the foregoing provisions of this section shall not apply with respect to the officers of that rural district council, but as from the date on which such functions cease to be exercisable by the district council by reason of the relinquishment of functions by the district council or the determination of the delegation of the functions by the county council, the said provisions and the provisions of this Act relating to the superannuation and compensation of road officers shall apply with respect to the district council and their officers as if that date were the appointed day.

121 Tenure and distribution of transferred officers.

- (1) Every transferred officer shall hold office by the same tenure and on the same conditions as immediately before the appointed day, and while performing similar duties shall, in respect thereof, receive not less salary or remuneration than the salary or remuneration to which he would have been entitled if this Act had not been passed.
- (2) The council to whom functions are transferred under this Act may employ a transferred officer in the discharge of such of their functions as they may think proper, and every officer shall perform such duties in relation to those functions as may be directed by the council.

122 Provisions as to registration officers.

Every person who is a registration officer on the appointed day shall hold office by the same tenure and on the same conditions as immediately before the appointed day, and, for the purpose of the Poor Law Officers Superannuation Act, 1896, and the provisions of this Part of this Act relating to superannuation, shall be deemed to be an officer transferred to the service of the council to whom the functions of the board of guardians in relation to the registration district or sub-district for which he acts are transferred under Part II of this Act.