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STATUTORY INSTRUMENTS

1976 No. 246

The Local Government Area Changes Regulations 1976

Schemes for the allocation of officers for transfer—Local authorities

67.—(1) Schemes for the allocation of officers for transfer shall be made by the councils of counties, districts, London boroughs, parishes and communities, the Greater London Council and the Common Council in accordance with the provisions of this regulation and regulation 69.

(a) (2) (a) Where the area of any authority to be dissolved by the order is not transferred as a whole to the area of one relevant authority a scheme for the allocation of all their officers for transfer shall be made by the first-mentioned authority unless the relevant authorities other than one notify the first-mentioned authority that no officers need be allocated for transfer to them.

(b) In sub-paragraph (a), "relevant authorities" means, in relation to any authority described in column (1) of the following table, the authorities specified in respect thereof in column (2).

TABLE

(1)	*(2)*
The council of any county	The councils of the counties in which the area of the county is to be comprised, and if any area of the county is to be comprised in Greater London the Greater London Council
The council of any district or London borough	The councils of the districts and London boroughs in which the area of the district or London borough is to be comprised, and if any area of a London borough is to be comprised in the City the Common Council
The parish authority of any parish or the community council of any community	The parish authorities of the parishes, and the community councils of communities with such councils, in which the area of the parish or community is to be comprised

(c) In sub-paragraph (a), the reference to all the officers of the authority does not include—

(i) any person who will by virtue of any agreement entered into between him and any authority enter into the employment of that authority before or on the appointed day; and

(ii) any person as regards any employment which, otherwise than by virtue of the dissolution of the authority, is to be terminated before or on the appointed day.

(3) Where any non-metropolitan county is to become a metropolitan county, with or without any alteration in its area, a scheme for the allocation of officers for transfer to the councils of the districts in the county shall be made by the council of the county.

(4) Where the area of any non-metropolitan district is to be wholly or substantially comprised in a metropolitan county, a scheme for the allocation of officers of the council of the non-metropolitan county for transfer to the councils of the metropolitan county and district shall be made by the council of the non-metropolitan county.

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(5) Where any metropolitan district is to be wholly or substantially comprised in a non-metropolitan county a scheme for the allocation of officers for transfer to the council of the non-metropolitan county shall be made by the council of the district unless the council of the county notify the council of the district that no officers need be allocated for transfer to them.

(6) A scheme for the allocation of officers for transfer may be made by any council described in paragraph (1) in any other circumstances in which they consider it appropriate to make a scheme and shall be made by such a council if they are notified by any other such council that they require a scheme to be made.

(7) Nothing in this regulation applies to—

any member of a police force;

any officer of a county council employed for police purposes, including the purposes of section 81 of the Road Traffic Regulation Act 1967; or

any member of a fire brigade.

(8) Subject to paragraphs (2)(c) and (7), paragraph (2)(a), in its application to any authority, applies to any officer who, immediately before the appointed day, will be in the employment of the authority.