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## STATUTORY INSTRUMENTS

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### 1979 No. 1737

#### The Greater London Council Housing (Staff Transfer and Protection) Order 1979

##### Provision as to schemes

5.—(1) Where land or housing accommodation is to be transferred to an authority by a transfer of property order on two or more days, a scheme may specify that, in relation to any officer allocated for transfer to that authority, the appointed day shall be one of those days.

(2) Each scheme shall take into account any arrangements or agreements that may have been made under section 101 or 113 of the Local Government Act 1972.

(3) In preparing a scheme the Greater London Council shall—

- (a) consult the transferee authority and representative bodies, and
- (b) (i) notify any officer likely to be allocated for transfer of such likelihood, and supply to him a copy of this order, and
- (ii) take into consideration any representations made by such officer.

(4) Upon making a scheme the Greater London Council shall—

- (a) transmit copies thereof to the transferee authority and representative bodies, and
- (b) supply to every officer thereby allocated a copy of the scheme and (unless such copy has already been supplied) a copy of this order.

(5) Any scheme may, subject as mentioned in paragraph (6), be amended by the Greater London Council, but—

- (a) no substantive amendment shall be made without consultation with the transferee authority and representative bodies, and
- (b) upon making any amendment, the Greater London Council shall—
  - (i) transmit copies of the scheme as amended, or of the amendment, to the transferee authority and representative bodies, and
  - (ii) supply to every officer affected by the amendment particulars of his allocation and (unless such copy has already been supplied) a copy of this order.

(6) No officer shall be allocated for transfer unless the action described in paragraph 3(b) has been taken in relation to him.

(7) If notice is given by a transferee authority that they are dissatisfied with the provisions of a scheme as made or amended—

- (a) the question shall be determined—
  - (i) by agreement between that authority and the Greater London Council, or
  - (ii) failing agreement as mentioned in (i) above, by a person agreed on by those authorities, or
  - (iii) in default of agreement as mentioned in (ii) above, by a person appointed by the Secretary of State;

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- (b) section 31 of the Arbitration Act 1950 shall have effect for the purpose of the determination of a question under sub-paragraph (a)(ii) or (iii) as if such determination were an arbitration under any other Act within the meaning of that section; and
- (c) upon a determination under this paragraph which involves a variation of a scheme, the Greater London Council shall vary it in accordance with the determination and—
  - (i) transmit copies of the scheme as varied, or of the variation, to the transferee authority and representative bodies, and
  - (ii) supply to every officer affected by the variation particulars of his allocation and (unless such copy has already been supplied) a copy of this order.
- (8) In any scheme, any allocation of a person not in the whole-time employment of the Greater London Council shall be limited to the extent of his employment with that council.
- (9) Any question by a relevant officer in relation to the application of a scheme to him shall be raised and determined as described in article 17, and on the determination of such question the Greater London Council shall make any necessary amendment of the scheme.
- (10) In this article, “representative bodies” means—
  - (a) for the purposes of paragraphs (3), (4) and (5), bodies representative of transferee authorities and bodies representative of officers, and
  - (b) for the purposes of paragraph (7), bodies representative of officers,which appear to the Greater London Council to be concerned.