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STATUTORY INSTRUMENTS

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**1996 No. 387**

**The South Gloucestershire District  
Council (Staff Transfer) Order 1996**

**Citation, Commencement and Application**

1.—(1) This Order may be cited as the South Gloucestershire District Council (Staff Transfer) Order 1996 and shall come into force on 1st April 1996.

(2) This Order makes provisions which are consequential or supplementary to the Avon (Structural Change) Order 1995(1).

**Interpretation**

2. In this Order—

“contract of employment” means a contract under which a person works for another person whether under a contract of service or apprenticeship or otherwise but does not include a contract for services;

“employee” means a person employed under a contract of employment including a person employed under a fixed term contract the expiry date for which is after 31st March 1996, but does not include a person whose employment is on a temporary basis and who on 31st March 1996 has had a continuous period of employment (when calculated in accordance with section 151 of, and Schedule 13 to, the Employment Protection (Consolidation) Act 1978(2)) of less than two years.

**Transfer of Staff**

3.—(1) This article shall apply to any employee (a “designated employee”) who—

- (a) immediately before 1st April 1996 (“the reorganisation date”) was employed by the Kingswood Borough Council or the Northavon District Council;
- (b) whose employment would continue but for the abolition of those two councils; and
- (c) whose name is not mentioned in the Schedule to this Order.

(2) The contract of employment of a designated employee shall not be terminated on the reorganisation date but shall have effect as if originally made between that employee and the South Gloucestershire District Council.

(3) This article is without prejudice to any provision of the Transfer of Undertakings (Protection of Employment) Regulations 1981(3)

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(1) S.I. 1995/493.

(2) 1978 c. 44 to which there are amendments not relevant to these regulations.

(3) S.I. 1981/1974 as amended by section 33 of the Trade Union Reform and Employment Rights Act 1993 c. 19.