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STATUTORY INSTRUMENTS

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**1996 No. 388**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

The North Yorkshire (District of  
York) (Staff Transfer) Order 1996

|                               |         |                           |
|-------------------------------|---------|---------------------------|
| <i>Made</i>                   | - - - - | <i>21st February 1996</i> |
| <i>Laid before Parliament</i> |         | <i>1st March 1996</i>     |
| <i>Coming into force</i>      | - -     | <i>1st April 1996</i>     |

The Secretary of State, in exercise of his powers under section 17(1) and 26(5)(b) of the Local Government Act 1992(1), and of all other powers enabling him in that behalf, hereby makes the following Order:—

**Citation, Commencement and Application**

1.—(1) This Order may be cited as the North Yorkshire (District of York) (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 North Yorkshire (District of York) (Structural and Boundary Changes) Order 1995.(2)

**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;

“designated list” means the list marked ‘The North Yorkshire (District of York) (Staff Transfer) Order 1996 Designated List’ which is signed by the Secretary of State for the Environment, one copy of which is deposited with the York District Council and one in the offices of the Secretary of State for the Environment;

“employee” means a person employed under a contract of employment.

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(1) 1992 c. 19.  
(2) S.I.1995/610.

### **Transfer of Staff**

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

- (a) who immediately before 1st April 1996 (“the reorganisation date”) was employed by the North Yorkshire County Council, the Harrogate Borough Council, the Ryedale District Council, the Selby District Council or the York City Council;
- (b) whose employment would continue but for the abolition of the York City Council and the boundary changes to the other four councils; and
- (c) whose name is mentioned in the designated list.

(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 York District Council.

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

Signed by authority of the Secretary of State

Department of the Environment  
21st February 1996

*Paul Beresford*  
Parliamentary Under Secretary of State,

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order is supplemental to the North Yorkshire (District of York) (Structural and Boundary Changes) Order 1995 which alters the structure of local government in the county of North Yorkshire and the District of York. This Order specifies the staff employed by the North Yorkshire County Council, the Harrogate Borough Council, the Ryedale District Council, the Selby District Council and the York City Council whose employment is to be transferred to the York District Council.