
STATUTORY INSTRUMENTS

1996 No. 501

LOCAL GOVERNMENT, ENGLAND AND WALES

WALES

**The Local Government Reorganisation
(Wales) (Staff) Order 1996**

Made - - - - *29th February 1996*
Laid before Parliament *6th March 1996*
Coming into force - - *1st April 1996*

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 42(1), (3) and (6) and 63(5) of the Local Government (Wales) Act 1994⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Local Government Reorganisation (Wales) (Staff) Order 1996 and shall come into force on 1st April 1996.

2. In this Order—

“the 1994 Act” means the Local Government (Wales) Act 1994;

“the deposited list” means the list entitled “List referred to in the Local Government Reorganisation (Wales) (Staff) Order 1996” signed by authority of the Secretary of State, bearing the same date as the date of the making of this Order, and deposited as mentioned in article 4;

“old authority” means a district council or county council or joint board which ceases to exist as a result of the 1994 Act;

“new authority” means a county council or county borough council which is established under the 1994 Act and a National Park authority established by the National Park Authorities (Wales) Order 1995⁽²⁾.

3. This order shall not apply to any person who is an employee of an old authority—

(a) whose contract of employment provides for the termination of that contract on 31st March 1996;

(1) 1994 c. 19. By virtue of article 16 of the National Park Authorities (Wales) Order 1995 (S.I.1995/2803), sections 40 to 45 of the 1994 Act are applied to the transfer of staff to a National Park authority in Wales.
(2) S.I. 1995/2803.

- (b) who is dismissed with effect from 31st March 1996 (unless that person is later reinstated with effect from that date);
- (c) who terminates his contract of employment as at 31st March 1996;
- (d) for the transfer of whose employment provision is made in a combination scheme made under section 6 of the Fire Services Act 1947(3);
- (e) for the transfer of whose employment provision is made in a scheme made under section 3 of the Environment Act 1995(4);
- (f) who is employed wholly or mainly in connection with the discharge of the functions of the Welsh Joint Education Committee(5).

4.—(1) The deposited list shall be deposited at the offices of the Secretary of State at Cathays Park, Cardiff.

(2) Any person shall be entitled—

- (a) to inspect and make copies of the deposited list at all reasonable times; and
- (b) upon application to the Secretary of State, to be supplied with copies of the deposited list on payment of such reasonable sum as the Secretary of State may determine.

5.—(1) Subject to article 3, any person—

- (a) who, immediately before 1st April 1996, was employed by an old authority,
- (b) whose contract of employment would have continued but for the abolition of that authority, and
- (c) who falls within any of the numbered categories specified in column 1 of the Schedule to this Order,

is hereby designated for the purposes of section 42 of the 1994 Act.

(2) In relation to any person designated under paragraph (1), the new authority named or described in column 2 of the Schedule opposite the relevant entry in column 1 shall be the specified new employer of that person for the purposes of section 42 of the 1994 Act.

Signed by authority of the Secretary of State for Wales

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

29th February 1996

(3) 1947 c. 41.

(4) 1995 c. 25.

(5) The order for the establishment of the Welsh Joint Education Committee made under paragraph 3 of Part II of Schedule 1 to the Education Act 1944 and the amending orders made under that paragraph are revoked with effect from the 1st April 1996 by virtue of the Welsh Joint Education Committee (Revocation) Order 1995.

SCHEDULE

Article 5

(1) Categories of employees of old authorities	(2) New Authority
Category 1	
Any person employed by one of the following authorities except—	
(a) in relation to Arfon Borough Council or Powys County Council, a person who falls within Category 2;	
(b) a person who falls within Category 4; and	
(c) a person who falls within Category 6.	
Aberconwy Borough Council	Aberconwy and Colwyn County Borough Council
Alyn and Deeside District Council	Flintshire County Council
Arfon Borough Council	Caernarfonshire and Merionethshire County Council
Brecknock Borough Council	Powys County Council
Cardiff City Council	Cardiff County Council
Carmarthen District Council	Carmarthenshire County Council
Colwyn Borough Council	Aberconwy and Colwyn County Borough Council
Cyngor Dosbarth Ceredigion	Cardiganshire County Council
Cyngor Dosbarth Dwyfor	Caernarfonshire and Merionethshire County Council
Cynon Valley Borough Council	Rhondda, Cynon, Taff County Borough Council
Delyn Borough Council	Flintshire County Council
Dinefwr Borough Council	Carmarthenshire County Council
Islwyn Borough Council	Caerphilly County Borough Council
Llanelli Borough Council	Carmarthenshire County Council
Meirionydd District Council	Caernarfonshire and Merionethshire County Council
Merthyr Tydfil Borough Council	Merthyr Tydfil County Borough Council
Monmouth Borough Council	Monmouthshire County Council
Montgomeryshire District Council	Powys County Council
Neath Borough Council	Neath and Port Talbot County Borough Council
Newport Borough Council	Newport County Borough Council
Port Talbot Borough Council	Neath and Port Talbot County Borough Council
Powys County Council	Powys County Council
Preseli Pembrokeshire District Council	Pembrokeshire County Council

(1) Categories of employees of old authorities	(2) New Authority
Radnorshire District Council	Powys County Council
Rhondda Borough Council	Rhondda, Cynon, Taff County Borough Council
Rhuddlan Borough Council	Denbighshire County Council
Rhymney Valley District Council	Caerphilly County Borough Council
South Pembrokeshire District Council	Pembrokeshire County Council
Swansea City Council	Swansea County Council
Torfaen Borough Council	Torfaen County Borough Council
Vale of Glamorgan Borough Council	The Vale of Glamorgan County Borough Council
Wrexham Maelor Borough Council	Wrexham County Borough Council
Ynys Môn—Isle of Anglesey Borough Council	Anglesey County Council
Milford Port Health Authority	Pembrokeshire County Council
Category 2	
Any person specified by name in, or within a class or description set out in, any of the numbered Parts of the deposited list referred to below:—	
Arfon Borough Council	
Part 1 Blaenau Gwent Borough Council	Aberconwy and Colwyn County Borough Council
Part 2 (a)	Blaneau Gwent County Borough Council
(b)	Monmouthshire County Council
Clwyd County Council	
Part 3 (a)	Aberconwy and Colwyn County Borough Council
(b)	Denbighshire County Council
(c)	Flintshire County Council
(d)	Powys County Council
(e)	Wrexham County Borough Council
Dyfed County Council	
Part 4 (a)	Cardiganshire County Council
(b)	Carmarthenshire County Council
(c)	Pembrokeshire County Council
(d)	Pembrokeshire Coast National Park Authority
Glyndŵr District Council	

(1) Categories of employees of old authorities	(2) New Authority
Part 5 (a)	Denbighshire County Council
(b)	Powys County Council
(c)	Wrexham County Borough Council
Gwent County Council	
Part 6 (a)	Blaenau Gwent County Borough Council
(b)	Caerphilly County Borough Council
(c)	Monmouthshire County Council
(d)	Newport County Borough Council
(e)	Torfaen County Borough Council
(f)	Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Monmouthshire County Council, Newport County Borough Council and Torfaen County Borough Council
Gwynedd County Council	
Part 7 (a)	Aberconwy and Colwyn County Borough Council
(b)	Anglesey County Council
(c)	Caernarfonshire and Merionethshire County Council
(d)	Snowdonia National Park Authority
(e)	Anglesey County Council and Caernarfonshire and Merionethshire County Council
Lliw Valley Borough Council	
Part 8 (a)	Neath and Port Talbot County Borough Council
(b)	Swansea County Council
Mid Glamorgan County Council	
Part 9 (a)	Bridgend County Borough Council
(b)	Caerphilly County Borough Council
(c)	Cardiff County Council
(d)	Merthyr Tydfil County Borough Council
(e)	Rhondda, Cynon, Taff County Borough Council
(f)	The Vale of Glamorgan County Borough Council

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(1) Categories of employees of old authorities	(2) New Authority
(g)	Bridgend County Borough Council, Merthyr Tydfil County Borough Council and Rhondda, Cynon, Taff County Borough Council
(h)	Bridgend County Borough Council, Caerphilly County Borough Council, Cardiff County Council, Merthyr Tydfil County Borough Council, Rhondda, Cynon, Taff County Borough Council and the Vale of Glamorgan County Borough Council
Ogwr Borough Council	
Part 10 (a)	Bridgend County Borough Council
(b)	The Vale of Glamorgan County Borough Council
Powys County Council	
Part 11	Brecon Beacons National Park Authority
South Glamorgan County Council	
Part 12 (a)	Cardiff County Council
(b)	The Vale of Glamorgan County Borough Council
Taff-Ely Borough Council	
Part 13 (a)	Cardiff County Council
(b)	Rhondda, Cynon, Taff County Borough Council
West Glamorgan County Council	
Part 14 (a)	Neath and Port Talbot County Borough Council
(b)	Swansea County Council
Category 3	
Any person employed jointly by two or more old authorities in connection with the functions of a joint committee which continues to exist on and after 1 April 1996 by virtue of section 59(11) and (12) of the 1994 Act.	The new authorities by whom, or in connection with whom, the committee is deemed to have been appointed by virtue of section 59(12) of the 1994 Act.
Category 4	
Any person employed by one of the constituent authorities of a joint committee (being a committee which continues to exist on and after 1st April 1996 by virtue of section 59(11) and (12) of the 1994 Act) wholly or mainly in connection with the functions of that committee except a person who falls within categories 2 or 6.	The new authority whose area includes the whole of the area of the old authority by whom the person was employed or, in cases where the area of that old authority falls within the areas of two or more new authorities, the new authority whose area includes the greater or greatest part of the area of the old authority.

(1) Categories of employees of old authorities	(2) New Authority
Category 5 Any person employed jointly by two or more old authorities in connection with the functions of a joint committee which ceases to exist as a result of the 1994 Act.	The new authority within whose area the functions of the former committee will be carried out.
Category 6 Any person employed by one of the constituent authorities of a joint committee which ceases to exist as a result of the 1994 Act, where that person is employed wholly or mainly in connection with the functions of that committee except a person who falls within category 2.	The new authority within whose area the functions of the former committee will be carried out.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates, for the purposes of section 42 of the Local Government (Wales) Act 1994, staff of district and county councils and the Milford Port Health Authority which are subject to abolition on 1st April 1996. It specifies a new county council, county borough council or National Park authority in Wales as their new employer.

Section 42 provides that the employment contract of staff so designated has effect as if originally made between them and the new employer specified in the Order.