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STATUTORY INSTRUMENTS

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**1998 No. 2194**

**TRANSFER OF FUNCTIONS**

**The Land Authority for Wales (Transfer of Staff) Order 1998**

*Made* - - - - *28th August 1998*  
*Laid before Parliament* *9th September 1998*  
*Coming into force* - - *1st October 1998*

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 136(4) and (5) and 154(1), (5) and (6) of the Government of Wales Act 1998<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Land Authority for Wales (Transfer of Staff) Order 1998 and shall come into force on 1st October 1998.
2. In this Order—
  - “the Agency” means the Welsh Development Agency;
  - “the Authority” means the Land Authority for Wales;
  - “the transfer date” means the date on which this order comes into force, and
  - “relevant employee” means any person who, immediately before the transfer date, was employed by the Authority under a contract of employment which would have continued but for the cessation of the functions of the authority.
3. The contract of employment between a relevant employee and the Authority shall have effect on and after the transfer date as if originally made between that employee and the Agency.
4. Without prejudice to article 3—
  - (a) all rights, powers, duties and liabilities of the Authority under, or in connection with, the contract of employment, shall, by virtue of this order, be transferred on the transfer date to the Agency; and
  - (b) anything done before the transfer date by, or in relation to, the Authority in respect of the contract of employment or the relevant employee, shall be deemed from that date to have been done by or in relation to the Agency.
5. Nothing in this order affects any right of a relevant employee to terminate his contract of employment if a substantial change is made in his working conditions, to his detriment, but no such right shall arise by reason only of the change of employer effected by this order.

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**Status:** This is the original version (as it was originally made).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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Signed by authority of the Secretary of State for Wales

28th August 1998

*Jon Owen Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

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## EXPLANATORY NOTE

*(This note does not form part of the Order)*

This order provides, in article 3, for the transfer of staff from the Land Authority for Wales, on the cessation of its functions, to the Welsh Development Agency with effect from 1st October 1998.

Article 4 provides for the transfer to the Agency of all rights and liabilities of the Authority under existing contracts of employment and preserves in effect anything done prior to the transfer date in relation to any contract of employment.

Article 5 preserves the right of any employee to terminate his contract of employment if there is a substantial change, to his detriment, in his working conditions.