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STATUTORY INSTRUMENTS

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**2005 No. 2532**

The National Blood Authority and United Kingdom Transplant (Abolition) Order 2005

**Transfer of officers**

9.—(1) This paragraph applies in relation to an officer of UKT who on 30<sup>th</sup> September 2005 is wholly or mainly engaged in the performance of the functions of UKT.

(2) Any officer to whom paragraph (1) applies shall, on 1st October 2005, be transferred to the employment of NHSBT.

(3) The contract of employment of an officer transferred under paragraph (2)—

- (a) is not terminated by the transfer; and
- (b) has effect from the time of the transfer as if originally made between the officer and NHSBT.

(4) Without prejudice to paragraph (3)—

- (a) all the rights, powers, duties and liabilities of UKT, under or in connection with its contract of employment with an officer transferred under paragraph (2), shall by virtue of this paragraph be transferred to NHSBT; and
- (b) anything done before the date of the transfer by or in relation to UKT, in respect of the officer or his contract of employment, shall be deemed to have been done by or in relation to NHSBT.

(5) Paragraphs (2) to (4) do not transfer an officer's contract of employment, or the rights, powers, duties and liabilities under or in connection with it, if that officer has objected to the transfer to NHSBT and has informed UKT of that objection by 30th September 2005.

(6) Where an officer has objected as mentioned in paragraph (5), his contract of employment with UKT shall be terminated immediately before the date on which the transfer would occur, but he shall not be treated, for any purpose, as having been dismissed from UKT.

(7) This article is without prejudice to any right of an officer to terminate his contract of employment if a substantial change is made to his detriment in his working conditions; but no such right shall arise by reason only that, under this article, the identity of his employer changes unless the officer shows that, in all the circumstances, the change is a significant change and is to his detriment.