

SCHEDULE 3 TRANSFERS OF STAFF AND PROPERTY

PART 1

STAFF TRANSFERS TO THE AUTHORITY AND THE AGENCY

Staff transfer orders

- 2 (1) The Scottish Ministers may by order (a “staff transfer order”) make provision for or in connection with—
 - (a) the transfer of persons employed, by virtue of section 9 of the 1967 Act (employees other than constables), by police authorities or joint police boards from any such authority or board to the Authority;
 - (b) the transfer of constables from police forces to relevant service;
 - (c) the transfer of constables from central service to relevant service.
- (2) A staff transfer order may in particular—
 - (a) prescribe rules by which the transfer of persons, or classes of person, specified in the order can be determined;
 - (b) provide that persons, or classes of person, so specified are to become members of the Agency.
- (3) Where a staff transfer order makes provision such as is mentioned in paragraph (a) of sub-paragraph (1), the order may include provision requiring the police authority or joint police board concerned to make a scheme in relation to the transfer of the staff to whom the order relates.
- (4) Where a staff transfer order makes provision such as is mentioned in paragraph (b) of sub-paragraph (1), the order may include provision requiring the maintaining authority for the police force concerned to make a scheme in relation to the transfer of the staff to whom the order relates.
- (5) For the purposes of sub-paragraph (4), the maintaining authority in relation to a police force is—
 - (a) where the force is for an area which is not combined by virtue of an amalgamation scheme under the 1967 Act, the police authority for that area;
 - (b) where the force is for an area consisting of police areas combined by virtue of such a scheme, the joint police board constituted under the scheme.
- (6) Where a staff transfer order makes provision such as is mentioned in paragraph (c) of sub-paragraph (1), the Scottish Ministers must make a scheme in relation to the transfer of the staff to whom the order relates.
- (7) A staff transfer order may include provision requiring a scheme made by virtue of sub-paragraph (4) to include provision as to the terms and conditions which are to have effect in relation to constables who are to be on relevant service.
- (8) Terms and conditions such as are mentioned in sub-paragraph (7) may be included in a scheme only with the approval of the Scottish Ministers.
- (9) A scheme made under sub-paragraph (6) may include provision—

Status: This is the original version (as it was originally enacted).

- (a) for central service to have effect from a time specified in the scheme as relevant service;
- (b) as to the terms and conditions which are to have effect in relation to constables who are to be on relevant service.