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**Changes to legislation:** Children's Hearings (Scotland) Act 2011, Cross Heading: Staff transfer orders is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULE 4 TRANSFER OF STAFF AND PROPERTY TO CHS

### *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 SCRA to CHS,
  - (b) the transfer of persons employed by local authorities from authorities to CHS.
- (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) require—
    - (i) in relation to persons employed by SCRA, SCRA and CHS acting jointly, or
    - (ii) in relation to persons employed by a local authority specified in the order, the local authority and CHS acting jointly,to make a scheme in relation to the transfer of the persons to whom the order relates.
- (3) Sub-paragraphs (4) and (5) apply where—
- (a) an order includes a requirement of the sort mentioned in sub-paragraph (2) (b)(i) and SCRA and CHS are unable to comply with the requirement, or
  - (b) an order includes a requirement of the sort mentioned in sub-paragraph (2) (b)(ii) and the local authority and CHS are unable to comply with the requirement.
- (4) The Scottish Ministers may determine the content of the scheme.
- (5) The scheme is to be treated as if made in accordance with the requirement imposed by the order.

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#### **Commencement Information**

**II** Sch. 4 para. 2 in force at 24.6.2013 by S.S.I. 2013/195, arts. 2, 3

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)