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**Changes to legislation:** Police and Fire Reform (Scotland) Act 2012, Paragraph 2 is up to date with all changes known to be in force on or before 09 April 2024. 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 6 TRANSFER OF STAFF, PROPERTY ETC.

### *Joint board staff*

- 2 (1) A transferring employee's contract of employment has effect on and after the appointed day as if originally made between the employee and SFRS.
- (2) The rights, powers, duties and liabilities of the joint board under or in connection with the contract of employment are by virtue of this paragraph transferred to SFRS on the appointed day.
- (3) Anything done before the appointed day by or in relation to the joint board in respect of the contract of employment or the transferring employee is to be treated on and after that day as having been done by or in relation to SFRS.
- (4) If, before the appointed day, a transferring employee informs the joint board that the person does not wish to become an employee of SFRS—
- (a) sub-paragraphs (1) to (3) do not apply in relation to the transferring employee, and
  - (b) the transferring employee's contract of employment is terminated on the appointed day.
- (5) A transferring employee is not to be treated for any purpose as being dismissed by reason of the operation of any provision of this paragraph in relation to the employee.
- (6) Nothing in this paragraph affects any right of a transferring employee to terminate the employee's contract of employment if a substantial detrimental change in the employee's working conditions is made.
- (7) No such right arises by reason only that, by virtue of this paragraph, the identity of the transferring employee's employer changes.

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#### **Commencement Information**

**II** Sch. 6 para. 2 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, Sch.

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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):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)