
STATUTORY INSTRUMENTS

1994 No. 1715

**The Duncan of Jordanstone College of
Art (Closure) (Scotland) Order 1994**

Transfer of staff

6.—(1) Where a person is employed immediately before 1st August 1994 by the governing body of the College his contract of employment shall have effect on and after 1st August 1994 as if originally made between him and the University.

(2) Without prejudice to paragraph (1) above—

- (a) all the rights, powers, duties and liabilities of the governing body of the College under or in connection with a contract to which that paragraph applies shall by virtue of this paragraph be transferred to the University on 1st August 1994; and
- (b) anything done before that date by or in relation to the governing body of the College in respect of that contract or the employee shall be deemed on and after that date to have been done by or in relation to the University.

(3) Paragraphs (1) and (2) above are without prejudice to any right of an employee to terminate his contract of employment if the terms and conditions of his employment are changed substantially to his detriment, but such change shall not be taken to have occurred by reason only of the fact that his employer is changed by virtue of this Article.

(4) Where a person—

- (a) has, prior to 1st August 1994, entered into a contract of employment with the governing body of the College which is to come into effect on or after that date; and
- (b) would, if the contract had come into effect before that date, have been an employee to whom the provisions of this Article would have applied,

he shall be treated for the purposes of this Article as if he were such an employee.