

SCHEDULE

Constitution

PART 2

Staff

General

9.—^[F1](1) The South East Wales CJC may make such arrangements for staffing as it considers appropriate subject to—

- (a) the provisions of this Part of this Schedule, and
- (b) paragraph 2 of Schedule 1 to the Corporate Joint Committees (General) (Wales) Regulations 2021⁽¹⁾.

^[F2](2) The South East Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the South East Wales CJC of its functions.]

Textual Amendments

- F1** Sch. para. 9(1): Sch. para. 9 renumbered as Sch. para. 9(1) (3.12.2021) by [The Corporate Joint Committees \(General\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/1349\)](#), regs. 1(2), **36(12)(a)**
- F2** Sch. para. 9(2) inserted (3.12.2021) by [The Corporate Joint Committees \(General\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/1349\)](#), regs. 1(2), **36(12)(b)**

Commencement Information

- I1** Sch. para. 9 in force at 1.4.2021, see [reg. 1\(2\)](#)

Terms and conditions

10.—(1) Where the South East Wales CJC appoints staff under paragraph 9, they are to be appointed on terms and conditions (including terms and conditions as to remuneration) substantially similar to those of officers within a constituent council undertaking responsibilities which the South East Wales CJC considers to be reasonably comparable.

^[F3](2) But sub-paragraph (1)—

- (a) is subject to section 41 of the Localism Act 2011, and
- (b) does not prevent the South East Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.]

Textual Amendments

- F3** Sch. para. 10(2) substituted (3.12.2021) by [The Corporate Joint Committees \(General\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/1349\)](#), regs. 1(2), **36(13)**

Commencement Information

- I2** Sch. para. 10 in force at 1.4.2021, see [reg. 1\(2\)](#)

(1) [S.I. 2021/327 \(W. 85\)](#).

Staff from other authorities

11.—(1) A devolved Welsh authority (within the meaning given by the Government of Wales Act 2006(2)) may enter into an agreement with the South East Wales CJC for the placing of staff of the authority at the disposal of the South East Wales CJC for the purposes of exercising its functions, on such terms as may be provided by the agreement.

(2) Where a member of staff of a devolved Welsh authority is placed at the disposal of the South East Wales CJC by virtue of an agreement under subparagraph (1), the member of staff is to be treated as a member of staff of the South East Wales CJC for the purposes of—

- (a) these Regulations;
- (b) paragraph 2 of Schedule 1 to the Corporate Joint Committees (General) (Wales) Regulations 2021;
- (c) any other enactment relating to the administration of the South East Wales CJC or the exercise of its functions.

[^{F4}(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the South East Wales CJC by virtue of such an agreement is service rendered to the authority.]

Textual Amendments

- F4** Sch. para. 11(3) inserted (3.12.2021) by [The Corporate Joint Committees \(General\) \(No. 2\) \(Wales\) Regulations 2021 \(S.I. 2021/1349\)](#), regs. 1(2), **36(14)**

Commencement Information

- I3** Sch. para. 11 in force at 1.4.2021, see [reg. 1\(2\)](#)

Placing staff at the disposal of other authorities

12.—(1) The South East Wales CJC may enter into an agreement with—

- (a) another corporate joint committee (within the meaning given by Part 5 of the Local Government and Elections (Wales) Act 2021);
- (b) another devolved Welsh authority (within the meaning given by the Government of Wales Act 2006),

for the placing of staff of the South East Wales CJC at the disposal of the other committee or the authority for the purposes of that committee or authority's functions, on such terms as may be provided by the agreement.

(2) Where a member of staff of the South East Wales CJC is placed at the disposal of another body by virtue of an agreement under sub-paragraph (1)—

- (a) for superannuation purposes, service rendered by the member of staff is service rendered to the South East Wales CJC, and
- (b) for the purposes of any enactment relating to the administration of the other devolved Welsh authority or the exercise of its functions, the member of staff is to be treated as a member of staff of that authority.

(2) [2006 c. 32](#). See section 157A and Schedule 9A as inserted by the Wales Act [2017 \(c. 4\)](#) section 4 and Schedule 3.

.....
Commencement Information

I4 Sch. para. 12 in force at 1.4.2021, see [reg. 1\(2\)](#)

Consultation with staff about agreements under paragraph 11 or 12

13. No agreement may be entered into under paragraph 11(1) or 12(1) unless every member of staff to whom it relates has been consulted.

.....
Commencement Information

I5 Sch. para. 13 in force at 1.4.2021, see [reg. 1\(2\)](#)

Transfer of staff

14. Where a member of staff appointed by the South East Wales CJC has been transferred to the CJC from a constituent council, the provisions of the Transfer of Undertaking (Protection of Employment) Regulations 2006⁽³⁾ other than regulations 4(6) and 10 apply to the transfer, whether or not it is a relevant transfer for the purposes of those regulations.

.....
Commencement Information

I6 Sch. para. 14 in force at 1.4.2021, see [reg. 1\(2\)](#)

(3) [S.I. 2006/246.](#)

Changes to legislation:

There are currently no known outstanding effects for the The South East Wales Corporate Joint Committee Regulations 2021, PART 2.