



Local Government (Wales) Act 1994

1994 CHAPTER 19

PART V

RESIDUARY MATTERS AND STAFF

42 Transfers of staff.

- (1) This section applies to any person (“a designated employee”) who, immediately before 1st April 1996 was employed by an abolished body under a contract of employment which would have continued but for the abolition of that body and who is designated, or falls within a class or description of person designated, for the purposes of this section by an order made, at any time, by the Secretary of State.
- (2) The contract of employment between a designated employee and the abolished body concerned shall not be terminated by the abolition of the body but shall have effect from 1st April 1996 as if originally made between him and such new employer as may be specified by the relevant designation order under this section.
- (3) Such an order may specify as the new employer a new principal council or the Residuary Body.
- (4) Without prejudice to subsection (2)—
 - (a) all the rights, powers, duties and liabilities of the abolished body under, or in connection with, the contract shall by virtue of this section be transferred on 1st April 1996 to the new employer; and
 - (b) anything done before 1st April 1996 by or in relation to the abolished body in respect of the contract or the designated employee shall be deemed from that date to have been done by or in relation to the new employer.
- (5) Nothing in this section affects any right of a designated employee to terminate his contract of employment if a substantial change is made in his working conditions, to his detriment, but no such right shall arise by reason only of the change of employer effected by this section.

*Changes to legislation: There are currently no known outstanding effects for the
Local Government (Wales) Act 1994, Section 42. (See end of Document for details)*

- (6) A class or description of person may be specified by an order under subsection (1) by reference to such list or other document or documents as may be identified in accordance with the order.
- (7) In this section “abolished body” means an old authority or any joint board which ceases to exist as a result of section 59.

Modifications etc. (not altering text)

- C1** Ss. 40-45 applied (with modifications) (23.11.1995) by S.I. 1995/2803, art. 16 (with transitional provisions in Schs. 6-8)

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Section 42.