
Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Development of Rural Wales Act 1976, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

STAFF OF COUNCIL FOR SMALL INDUSTRIES IN RURAL AREAS

Scope of Schedule

- 1 This Schedule applies to any person employed by the Council on the day appointed for section 25 of this Act to come into operation who was employed by the Council on work relating wholly or mainly to the Council's activities in Wales for such period preceding that day as may be prescribed by the Secretary of State by regulations under this paragraph.

Terms of employment with the Agency

- 2 The Agency shall ensure, in the case of any person to whom this Schedule applies who transfers from the employment of the Council to the employment of the Agency, that—
- (a) so long as he continues in the employment of the Agency and until he is served with a statement in writing specifying new terms and conditions of employment, each such person enjoys terms and conditions of employment not less favourable, taken as a whole, than those which he enjoyed as a member of the staff of the Council immediately before joining the Agency's staff; and
 - (b) the said new terms and conditions are such that, so long as he is engaged in duties reasonably comparable to those in which he was engaged immediately before he joined the Agency's staff, the terms and conditions of his employment, taken as a whole, are not less favourable than those which he then enjoyed.

Compensation to staff of the Council

- 3 (1) The Secretary of State shall by regulations require the Agency to pay, in such circumstances and to such extent as may be determined by or under the regulations, compensation to or in respect of any person to whom this Schedule applies for loss of employment or for loss or diminution of emoluments or pension rights in consequence of the events specified in sub-paragraph (2) below.
- (2) The said events are—
- (a) for the purpose of compensation to a person for loss of employment—

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- (i) dismissal of that person from his employment with the Agency in a case where he has transferred to that employment from his employment with the Council; or
- (ii) dismissal of that person from his employment with the Council in a case where he has remained in the employment of the Council;
- (b) for the purpose of compensation to a person for loss or diminution of emoluments or pension rights, the variation of the terms or conditions of his employment—
 - (i) with the Agency in a case where he has transferred to that employment from his employment with the Council and has been served with a notice under paragraph 2 above specifying new terms and conditions of his employment which are, taken as a whole, less favourable than those on which he was employed before service of the notice; or
 - (ii) with the Council in a case where he has remained in the employment of the Council.

4 Different regulations may be made under paragraph 3 above in relation to different classes of persons, and any such regulations may be so framed as to have effect as from a date prior to the making thereof, so, however, that so much of any regulations as provides that any provision therein is to have effect as from a date earlier than the making thereof shall not place any person other than the Agency in a worse position than he would have been in if the regulations had been made to have effect only as from the date of the making thereof.

- 5 Regulations under paragraph 3 above—
- (a) may prescribe the procedure to be followed in making claims for compensation, and the manner in which and the person by whom the question whether any or what compensation is payable is to be determined, and
 - (b) may apply, with or without modifications, the provisions of any other rules or regulations relating to similar matters.

Continuity of employment

- 6 For the purposes of—
 [^{F1}the ^{M1}Employment Protection (Consolidation) Act 1978],
 there shall be deemed to have been no break in the employment of any person to whom this Schedule applies who transfers from the employment of the Council to the employment of the Agency.

Textual Amendments

F1 Words substituted by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 16 para. 26](#)

Marginal Citations

M1 1978 c. 44.

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