



Public Libraries and Museums Act 1964

1964 CHAPTER 75

The public library service

11 Supplemental provisions as to transfers of officers, assets and liabilities

- (1) A library authority to which an officer is transferred by the operation of any provision of this Act shall be under a duty to secure that—
 - (a) so long as he continues in the employment of the authority by virtue of the transfer and until he is served with a statement in writing of new terms and conditions of employment, he enjoys terms and conditions of employment not less favourable than those he enjoyed immediately before the date of transfer; and
 - (b) the said new terms and conditions are such that—
 - (i) so long as he is engaged in duties reasonably comparable to those in which he was engaged immediately before the date of transfer, the scale of his salary or remuneration, and
 - (ii) the other terms and conditions of his employment,are not less favourable than those he enjoyed immediately before the date of transfer.
- (2) Section 60(2) of the Local Government Act 1958 (which requires provision to be made by regulations for the payment in certain cases of compensation for loss of employment or loss or diminution of emoluments) shall apply as respects persons—
 - (a) who suffer loss of employment or loss or diminution of emoluments in consequence of their transfer by the operation of any provision of this Act, or
 - (b) who, being officers of a county council or a joint board established under section 5 of this Act, suffer loss of employment or loss or diminution of emoluments in consequence of a reduction in the library area of the county council or joint board resulting from the approval of the council of a non-county borough or urban district as a library authority,as it applies in the cases there provided.
- (3) Where any library officers or library assets and liabilities have been transferred by the operation of this Act from one local authority to another, those authorities may by

Status: This is the original version (as it was originally enacted).

agreement provide for the making of such adjustments in relation to their respective property, rights and liabilities as appear to them to be desirable having regard to the transfer, and any such agreements may in particular provide for the making of payments by either party thereto.

- (4) Where it appears to the Secretary of State that having regard to any such transfer it is desirable that any such adjustment as is mentioned in subsection (3) above (including any payment by either of the authorities concerned) should be made, he may, subject to any agreement made under that subsection and after consultation with the authorities concerned, by directions make provision for that adjustment.
- (5) Where any question arises as to whether any library officers or library assets and liabilities have been transferred by the operation of this Act from one local authority to another, that question shall be determined by the Secretary of State.
- (6) The provisions of Schedule 1 to this Act shall have effect as respects superannuation and other benefits in the cases there provided.