



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART XII

MISCELLANEOUS, GENERAL AND TRANSITIONAL

General

217 Continuity of employment in cases of voluntary transfer.

- (1) This section applies to a person if—
- (a) at some time before 16th May 1975, or on that date but otherwise than by virtue of provision made by an order under section 216 above, he enters the employment of a new local authority (in this section referred to as “his new employment”), and
 - (b) had he continued until 16th May 1975 in the employment (in this section referred to as “his previous employment”) which he last held before he entered his new employment or (if he did so continue) had he then ceased to be in that employment by reason only of Part I of this Act, provision would have been made by an order under section 216(2) of this Act for his transfer on that date to the employment of a specified local authority.
- (2) Where this section applies to a person, then for the purposes of [^{F1}paragraph 10 of Part II of Schedule 1 to the ^{M1}Trade Union and Labour Relations Act 1974] (qualifying period for protection from unfair dismissal) and [^{F2}section 49 of the ^{M2}Employment Protection (Consolidation) Act 1978] (minimum periods of notice)—
- (a) the period of employment in his previous employment shall count as a period of employment in his new employment, and
 - (b) the change of employment shall not break the continuity of the period of employment.

Textual Amendments

F1 Words substituted by virtue of Trade Union and Labour Relations Act (c. 52), Sch. 4 para. 7

Status: Point in time view as at 01/04/2018.

Changes to legislation: Local Government (Scotland) Act 1973, Section 217 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F2 Words substituted by virtue of [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), [Sch. 15 para. 4](#)

Marginal Citations

M1 1974 c. 52.

M2 1978 c. 44.

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