
STATUTORY INSTRUMENTS

2001 No. 3962

The Local Government Commission for
England (Transfer of Functions) Order 2001

Transfer of Staff

5.—(1) This article applies to any person other than the Chief Executive who immediately before 1st April 2002 is an employee of the English Commission.

(2) Article 2 shall not operate so as to terminate the contract of employment of any such person but any such contract shall have effect from 1st April 2002 as if originally made between that person and the Electoral Commission.

(3) On 1st April 2002—

- (a) all the rights, powers, duties and liabilities of the English Commission under or in connection with any such contract shall transfer to the Electoral Commission; and
- (b) anything done before that date by or in relation to the English Commission in respect of that contract or an employee of the English Commission shall be deemed to have been done by or in relation to the Electoral Commission.

(4) Paragraphs (2) and (3) are without prejudice to any right of an employee arising apart from this Order to terminate his contract of employment without notice 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 paragraph (2).

(5) This article is without prejudice to any provision of the Transfer of Undertakings (Protection of Employment) Regulations 1981(1).

(6) In this article “employee of the English Commission” means any individual who works whether under a contract of service or apprenticeship or otherwise but does not include anyone who provides services under a contract for services.