

*Status: Point in time view as at 09/11/2001.*

*Changes to legislation: There are currently no known outstanding effects for the National Audit Act 1983, SCHEDULE 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

Section 3(7).

#### THE NATIONAL AUDIT OFFICE: SUPPLEMENTARY PROVISIONS

##### *Incorporation of Comptroller and Auditor General*

- 1 The person for the time being holding the office of Comptroller and Auditor General shall by that name be a corporation sole.

##### *Transfer of staff of Exchequer and Audit Department*

- 2 (1) It shall be the duty of the Comptroller and Auditor General to make, by such date as the Commission may determine, an offer of employment as a member of the staff of the National Audit Office to each person employed in the civil service of the State in the Exchequer and Audit Department immediately before the coming into force of this Act; and the terms of the offer must be such that they are, taken as a whole, not less favourable to the person to whom the offer is made than the terms on which he is employed on the date on which the offer is made.
- (2) An offer made in pursuance of this paragraph shall not be revocable during the period of three months beginning with the date on which it is made.
- (3) Where a person becomes a member of the staff of the National Audit Office in consequence of this paragraph then, for the purposes of the [<sup>F1</sup>the Employment Rights Act 1996], his period of employment in the civil service of the State shall count as a period of employment as a member of the staff of that Office and the change of employment shall not break the continuity of the period of employment.
- (4) Where an offer is made to any person in pursuance of this paragraph none of the agreed redundancy procedures applicable to persons employed in the civil service of the State shall apply to him; and if he ceases to be employed as mentioned in subparagraph (1) above—
- (a) on becoming a member of the staff of the National Audit Office in consequence of this paragraph; or
- (b) having unreasonably refused an offer made to him in pursuance of this paragraph,
- he shall not, on ceasing to be so employed, be treated for the purposes of any scheme under section 1 of the <sup>M1</sup>Superannuation Act 1972 as having been retired on redundancy.

#### Textual Amendments

- F1** Words in [Sch. 2 para. 2\(3\)](#) substituted (22.8.1996) by [1996 c. 18, ss. 240, 243](#), [Sch. 1 para. 22](#) (with [ss. 191-195, 202](#))

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**Marginal Citations**

**M1** 1972 c. 11.

*Parliamentary disqualification*

- 3 (1) In Part III of Schedule 1 to the <sup>M2</sup>House of Commons Disqualification Act 1975 (disqualifying offices) there shall be inserted at the appropriate place the words “Member of the staff of the National Audit Office”.
- (2) A corresponding amendment shall be made in Part III of Schedule 1 to the <sup>M3</sup>Northern Ireland Assembly Disqualification Act 1975.

**Marginal Citations**

**M2** 1975 c. 24.

**M3** 1975 c. 25.

*Public records*

- 4 In Part II of the Table in paragraph 3 of the Schedule 1 to the <sup>M4</sup>Public Records Act 1958 there shall be inserted at the appropriate place the words “National Audit Office”.

**Marginal Citations**

**M4** 1958 c. 51.

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