
EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the winding up of the South Yorkshire Residuary Body in pursuance of a scheme submitted by that Body to the Secretary of State under section 67 of the Local Government Act 1985.

Articles 2 to 9 have effect on 30th June (“the transfer date”). Article 2 provides for mortgages and for property that the Residuary Body has agreed to sell, or which is the subject of an option to purchase, to transfer to the council of the metropolitan borough of Rotherham; and for other property to vest in the council of the district in which it is situated. Article 2(3) provides for the distribution of money attributable to mortgages and the disposal of property transferred to Rotherham.

Article 3 provides for the distribution of monies belonging to the Residuary Body and provides for the Residuary Body to set aside a special fund to meet their expenditure between the transfer date and 31st July 1989. Article 4 provides for the transfer of remaining functions (in relation to contracts of employment etc. and pensions) to the South Yorkshire Pensions Authority, except in relation to those employees who remain in employment with the Residuary Body on and after the transfer date.

Article 5 provides for payment or recovery of the former South Yorkshire County Council’s entitlement to block grant to be made to or from the district councils in the county. Article 6 transfers the remaining rights and liabilities of the Residuary Body to the Pensions Authority or Rotherham. Articles 7 and 8 make consequential provision for the treatment of capital receipts. Article 9 requires Rotherham to notify the other councils and the Secretary of State of the amounts of a capital nature which are likely to be available for distribution and which are, in fact, distributed.

Article 10 winds the Residuary Body up on 31st July 1989, transferring its remaining functions, property, rights and liabilities to Rotherham for the benefit of all the councils in the county or, insofar as they relate to contracts of employment to the Pensions Authority.

Article 11 confers on Rotherham the Residuary Body’s remaining functions in relation to its accounts.

Article 12 makes general provision for apportioning among the councils in the county the sums received and paid by Rotherham. Article 13 provides for continuity in the exercise of functions, and article 14 for the treatment of the employment of the Residuary Body’s staff who take up other local government service as continuous for superannuation purposes. Article 15 provides for the handling of complaints of maladministration by the Residuary Body.