
STATUTORY INSTRUMENTS

1994 No. 3262

**The Police and Magistrates' Courts Act 1994 (Commencement
No. 5 and Transitional Provisions) Order 1994**

Transfer of civilian employees

- 6.—(1) Every person who —
- (a) immediately before 1st April 1995 is employed by an old police authority (whether or not that old police authority is a body corporate separate from a county council), and
 - (b) but for the provisions of this Order, would continue to be so employed,
- shall, on that date, transfer to, and become an employee of, the new police authority.
- (2) Every person who —
- (a) during the period of two months ending with 31st March 1995 is employed by the council of a county in an undertaking that is provided wholly for police purposes, and
 - (b) but for the provisions of this Order, would continue to be so employed,
- shall, on the relevant date, transfer to, and become an employee of, the new police authority whose police area as listed in Schedule 1A to the 1964 Act⁽¹⁾ consists of or includes the county of the council by which the person is so employed.
- (3) Every person who—
- (a) immediately before 1st April 1995 is employed for police purposes by the council of a county, and
 - (b) but for the provisions of this Order, would continue to be so employed,
- shall, on that date, transfer to, and become an employee of, the new police authority whose police area as listed in Schedule 1A to the 1964 Act consists of or includes the county of the council by which the person is so employed where, prior to that date, the council of the county and the new police authority agree to the transfer.
- (4) Where there is a dispute between the council of a county and the relevant new police authority as to whether a person falls within paragraph
- (2) above —
- (a) the council and the authority may nominate and appoint a person to determine the dispute in accordance with article 10(3) below, or
 - (b) if the council and the authority are unable to agree that the dispute should be so determined or on the person to be nominated, either of them may require the Secretary of State to nominate and appoint such a person.
- (5) The contract of employment between a person who is transferred by virtue of this article or a determination under article 10(3) below shall be deemed to have effect from the relevant date as if originally made between him and the new police authority.
- (6) In this article “the relevant date” means —

⁽¹⁾ Schedule 1A was inserted by Schedule 1 to the 1994 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) 1st April 1995, or
- (b) where there is a dispute between the council of a county and the relevant new police authority as to whether any person falls within paragraph (2) above and the nominated person determines under article 10(3) below that the person does so fall, the date of his determination.