

Status: Point in time view as at 31/05/1991.

Changes to legislation: Environmental Protection Act 1990, Cross Heading: Transfer of staff is up to date with all changes known to be in force on or before 08 August 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)

SCHEDULES

SCHEDULE 2

WASTE DISPOSAL AUTHORITIES AND COMPANIES

PART I

TRANSITION TO COMPANIES

Transfer of staff

- 16 (1) The ^{M1}Transfer of Undertakings (Protection of Employment) Regulations 1981 shall apply in relation to the relevant employees of an authority in accordance with subparagraph (2) below.
- (2) For the purposes of the application of those Regulations in relation to any of the relevant employees of an authority, the relevant part of the undertaking of the authority shall (whether or not it would otherwise be so regarded) be regarded—
- (a) as a part of an undertaking within the meaning of those Regulations which is transferred from the authority to the company on the vesting date, and
 - (b) as being so transferred by a transfer to which those Regulations apply and which is completed on that date.
- (3) Where a person is, in pursuance of section 32, to cease to be employed by an authority and to become employed by a company, none of the agreed redundancy procedures applicable to persons employed by waste disposal authorities shall apply to him.
- (4) For the purposes of this paragraph persons are “relevant employees” of an authority if they are to become, in pursuance of section 32, employees of a company to which the relevant part of the undertaking of the authority is to be transferred.

Marginal Citations

M1 [S.I.1981/1794](#)

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