



Learning and Skills Act 2000

2000 CHAPTER 21

PART V

MISCELLANEOUS AND GENERAL

Transfers: further provision

94 Stamp duty

- (1) A transfer effected by virtue of section 89 or 91 is not to give rise to liability to stamp duty.
- (2) Stamp duty is not to be chargeable on a scheme made under section 90, 92 or 93.

95 Contracts of employment

- (1) This section applies if rights and liabilities under a contract of employment are transferred by virtue of—
 - (a) section 89 or 91, or
 - (b) a scheme under section 90, 92 or 93.
- (2) Anything done by or in relation to the transferor in respect of the employee before the day on which the transfer takes effect is to be treated on and after that day as done by or in relation to the transferee.
- (3) For the purposes of Part XI of the Employment Rights Act 1996 (redundancy payments etc) the employee is not to be regarded as having been dismissed by virtue of the transfer.
- (4) For the purposes of that Act the employee's period of employment with the transferor is to count as a period of employment with the transferee, and the change of employment is not to break the continuity of the period of employment.
- (5) The preceding provisions do not prejudice any right of the employee to terminate the contract of employment if a substantial change is made to his detriment in his working

Status: This is the original version (as it was originally enacted).

conditions, but no such right arises by reason only of the change in employer effected by the transfer.

- (6) For the purposes of this section—
- (a) the transferor is the person from whom the rights and liabilities are transferred;
 - (b) the transferee is the person to whom the rights and liabilities are transferred.