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STATUTORY INSTRUMENTS

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**1999 No. 2790**

**The Employment Relations (Northern Ireland) Order 1999**

*Miscellaneous*

**Transfer of undertakings**

**37.**—<sup>F1</sup>(1) The Department may by regulations make TUPE-like provision in relation to the treatment of employees in circumstances other than those to which the main part of the TUPE regulations applies.

(2) In this Article—

- (a) the “main part of the TUPE regulations” means so much of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246) as relates to the treatment of employees on the transfer of an undertaking, business or part of an undertaking or business;
- (b) “TUPE-like provision” means provision which is the same or similar to that made by the main part of the TUPE regulations.

(2A) The circumstances mentioned in paragraph (1) include circumstances in which there is no transfer, or no transfer to which the main part of the TUPE regulations applies.]

(3) Regulations under this Article shall be subject to negative resolution.

**F1** Art. 37(1)-(2A) substituted (31.12.2020) for art. 37(1)(2) by [The Employment Rights \(Amendment\) \(Northern Ireland\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/538\)](#), reg. 1(1), **Sch. para. 1** (with Sch. para. 3); 2020 c. 1, Sch. 5 para. 1(1)

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Employment Relations (Northern Ireland) Order 1999, Section 37.