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*Status: Point in time view as at 22/08/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Telecommunications Act 1984, Paragraph 37. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 5

#### GENERAL TRANSITIONAL PROVISIONS AND SAVINGS

##### PART II

###### PROVISIONS AND SAVINGS COMING INTO FORCE ON TRANSFER DATE

- 37 (1) It is hereby declared for the avoidance of doubt that—
- (a) the effect of section 60 of this Act in relation to any contract of employment with British Telecommunications in force immediately before the transfer date is merely to modify the contract (as from that date) by substituting the successor company as the employer (and not to terminate the contract or vary it in any other way); and
  - (b) that section is effective to vest the rights and liabilities of British Telecommunications under any agreement or arrangement for the payment of pensions, allowances or gratuities in the successor company along with all other rights and liabilities of British Telecommunications;
- and accordingly for the purposes of any such agreement or arrangement (as it has effect by virtue of paragraph 36 above in relation to employment with the successor company or with a wholly owned subsidiary of that company) any period of employment with British Telecommunications shall count as employment with the successor company or (as the case may be) with a wholly owned subsidiary of that company.
- (2) Nothing in sub-paragraph (1) above shall be taken as applying in relation to the excepted liabilities or to the deed of covenant by virtue of which those liabilities subsist.

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