



Atomic Weapons Establishment Act 1991

1991 CHAPTER 46

2 Provisions applying to the transfer of certain employees.

- (1) [^{F1}The Transfer of Undertakings (Protection of Employment) Regulations 2006] shall apply to the transfer of the undertaking or any part of it whether or not, apart from this provision, the undertaking would be treated as [^{F2}an undertaking to whose transfer those Regulations apply].
- (2) For the purposes of those Regulations, the services of the qualified employees together with the rights in or over the premises and property used for the purposes of the undertaking shall be treated as [^{F3}a part of that undertaking to whose transfer those Regulations apply] whether or not the company which is to become their employer also carries on designated activities.
- (3) Where in pursuance of the arrangements referred to in section 1(3) above a company is to become the employer of any person, none of the agreed redundancy procedures applicable to persons employed in the civil service of the Crown shall apply to him.
- (4) Where in pursuance of the arrangements referred to in section 1(3) above—
 - (a) a person ceases to be employed in the civil service of the Crown on becoming employed by a company; and
 - (b) he would not have so ceased if it were not for those arrangements,he shall not, on so ceasing, be treated for the purposes of any scheme under section 1 of the ^{M1}Superannuation Act 1972, or any pension scheme maintained by the United Kingdom Atomic Energy Authority, as having retired on redundancy.

Textual Amendments

- F1** Words in s. 2(1) substituted (6.4.2006 with application in accordance with reg. 21(1)) by [The Transfer of Undertakings \(Protection of Employment\) Regulations 2006 \(S.I. 2006/246\)](#), reg. 1(2), [Sch. 2 para. 6\(2\)\(a\)](#)
- F2** Words in s. 2(1) substituted (6.4.2006 with application in accordance with reg. 21(1)) by [The Transfer of Undertakings \(Protection of Employment\) Regulations 2006 \(S.I. 2006/246\)](#), reg. 1(2), [Sch. 2 para. 6\(2\)\(b\)](#)

Changes to legislation: There are currently no known outstanding effects for the Atomic Weapons Establishment Act 1991, Section 2. (See end of Document for details)

F3 Words in s. 2(2) substituted (6.4.2006 with application in accordance with reg. 21(1)) by [The Transfer of Undertakings \(Protection of Employment\) Regulations 2006 \(S.I. 2006/246\)](#), reg. 1(2), **Sch. 2 para. 6(3)**

Marginal Citations

M1 1972 c. 11.

Changes to legislation:

There are currently no known outstanding effects for the Atomic Weapons Establishment Act 1991, Section 2.