
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 177

The Service Provision Change (Protection of Employment) Regulations (Northern Ireland) 2006

Interpretation

2.—(1) In these Regulations—

“assigned” means assigned other than on a temporary basis;

“collective agreement”, “collective bargaining” and “trade union” have the same meanings respectively as in the 1992 Order;

“contract of employment” means any agreement between an employee and his employer determining the terms and conditions of his employment;

“employee” means any individual who works for another person whether under a contract of service or apprenticeship or otherwise but does not include anyone who provides services under a contract for services and references to a person’s employer shall be construed accordingly;

“insolvency practitioner” has the meaning given to the expression by Article 3 of the Insolvency (Northern Ireland) Order 1989(1);

“recognised” has the meaning given to the expression by Article 39(2) of the 1992 Order;

“service provision change” means a service provision change to which these Regulations apply by virtue of regulations 3 and 21;

“the transferor” in relation to any service provision change means the person who carried out the activities to which the change relates prior to that change and “transferee” means the person who carries out the activities as a result of the change;

“the 1992 Order” means the Industrial Relations (Northern Ireland) Order 1992(2);

“the 1996 Order” means the Employment Rights (Northern Ireland) Order 1996(3);

“the 1996 Tribunals Order” means the Industrial Tribunals (Northern Ireland) Order 1996(4).

(2) In these Regulations, references to “organised grouping of employees” shall include a single employee.

(3) For the purposes of these Regulations the representative of a trade union recognised by an employer is an official or other person authorised to carry on collective bargaining with that employer by that trade union.

(4) The Interpretation Act (Northern Ireland) 1954 (5) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(1) S.I. 1989/2405 (N.I. 19)
(2) S.I. 1992/807 (N.I. 5)
(3) S.I. 1996/1919 (N.I. 16)
(4) S.I. 1996/1921 (N.I. 18)
(5) 1954 c. 33 (N.I.)