
STATUTORY INSTRUMENTS

2002 No. 2822

**The Statutory Paternity Pay and Statutory
Adoption Pay (General) Regulations 2002**

PART 6

*Statutory paternity pay and statutory adoption pay: provisions
applicable to both statutory paternity pay and statutory adoption pay*

Change of employer

36. A person's employment shall, notwithstanding a change of employer, be treated as continuous employment with the second employer where—

- (a) the employer's trade or business or an undertaking (whether or not it is an undertaking established by or under an Act of Parliament) is transferred from one person to another;
- (b) by or under an Act of Parliament, whether public or local and whenever passed, a contract of employment between any body corporate and the person is modified and some other body corporate is substituted as his employer;
- (c) on the death of his employer, the person is taken into employment of the personal representatives or trustees of the deceased;
- (d) the person is employed by partners, personal representatives or trustees and there is a change in the partners, or, as the case may be, personal representatives or trustees;
- (e) the person is taken into the employment of an employer who is, at the time he entered his employment, an associated employer of his previous employer, and for this purpose "associated employer" shall be construed in accordance with section 231 of the Employment Rights Act 1996;
- (f) on the termination of his employment with an employer he is taken into the employment of another employer and those employers are governors of a school maintained by a local education authority and that authority.