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STATUTORY INSTRUMENTS

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**2006 No. 246**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Transfer of Undertakings (Protection  
of Employment) Regulations 2006**

<i>Made</i>	- - - -	<i>6th February 2006</i>
<i>Laid before Parliament</i>		<i>7th February 2006</i>
<i>Coming into force</i>		<i>6th April 2006</i>

**THE TRANSFER OF UNDERTAKINGS (PROTECTION  
OF EMPLOYMENT) REGULATIONS 2006**

1. Citation, commencement and extent
  2. Interpretation
  3. A relevant transfer
  4. Effect of relevant transfer on contracts of employment
  5. Effect of relevant transfer on collective agreements
  6. Effect of relevant transfer on trade union recognition
  7. Dismissal of employee because of relevant transfer
  8. Insolvency
  9. Variations of contract where transferors are subject to relevant insolvency proceedings
  10. Pensions
  11. Notification of Employee Liability Information
  12. Remedy for failure to notify employee liability information
  13. Duty to inform and consult representatives
  14. Election of employee representatives
  15. Failure to inform or consult
  16. Failure to inform or consult: supplemental
  17. Employers' Liability Compulsory Insurance
  18. Restriction on contracting out
  19. Amendment to the 1996 Act
  20. Repeals, revocations and amendments
  21. Transitional provisions and savings
- Signature

*Status: This is the original version (as it was originally made).*

## SCHEDULE 1 — APPLICATION OF THE REGULATIONS TO NORTHERN IRELAND

1. These Regulations shall apply to Northern Ireland, subject to the...
2. Sub-paragraph (1)(b) of regulation 3 and any other provision of...
3. Any reference in these Regulations— (a) to an employment tribunal...
4. For the words from “Paragraph (1)” to “the 1992 Act”...
5. For the words from “In this Regulation” to “Part XII...”
6. For paragraph (4) of regulation 9 there is substituted— In...
7. For the words from “Paragraph (2)” to “the employee’s employment...”
8. In regulation 2 for “the 1992 Act” there is substituted...
9. In regulation 5 for “sections 179 and 180 of the...”
10. (1) In regulation 10 for “the Pensions Schemes Act 1993”...
11. For a reference to a provision of the 1996 Act...
12. Any expression used in this Schedule which is defined in...

## SCHEDULE 2 — CONSEQUENTIAL AMENDMENTS

### *References to the 1981 Regulations*

1. In the following provisions, for “Transfer of Undertakings (Protection of...

### *Industrial Training Act 1982*

2. (1) Section 3B of the Industrial Training Act 1982 (transfer...

### *Ordnance Factories and Military Services Act 1984*

3. (1) Paragraph 2 of Schedule 2 to the Ordnance Factories...

### *Dockyard Services Act 1986*

4. (1) Section 1 of the Dockyard Services Act 1986 (transfer...

### *Dartford-Thurrock Crossing Act 1988*

5. (1) Schedule 5 to the Dartford-Thurrock Crossing Act 1988 (transfers...

### *Atomic Weapons Establishment Act 1991*

6. (1) Section 2 of the Atomic Weapons Establishment Act 1991...

### *Railways Act 1993*

7. In section 151 of the Railways Act 1993 (general interpretation),...

### *Employment Tribunals Act 1996*

8. In section 4 of the Employment Tribunals Act 1996 (composition...

### *Industrial Tribunals (Northern Ireland) Order 1996*

9. In Article 6 of the Industrial Tribunals (Northern Ireland) Order...

### *Employment Rights Act 1996*

10. In each of the following provisions of the Employment Rights...

*Employment Rights (Northern Ireland) Order 1996*

11. In each of the following provisions of the Employment Rights...

*Income Tax (Earnings and Pensions) Act 2003*

12. (1) The Income Tax (Earnings and Pensions) Act 2003 is...

*Pensions Act 2004*

13. (1) Section 257 of the Pensions Act 2004 (conditions for...

*Energy Act 2004*

14. (1) Paragraph 10 of Schedule 5 to the Energy Act...

Explanatory Note