
STATUTORY INSTRUMENTS

2014 No. 16

**The Collective Redundancies and Transfer of Undertakings
(Protection of Employment) (Amendment) Regulations 2014**

Effect of relevant transfer on contracts of employment which incorporate provisions of collective agreements

7.—(1) After regulation 4, insert—

“Effect of relevant transfer on contracts of employment which incorporate provisions of collective agreements

4A.—(1) Where a contract of employment, which is transferred by regulation 4(1), incorporates provisions of collective agreements as may be agreed from time to time, regulation 4(2) does not transfer any rights, powers, duties and liabilities in relation to any provision of a collective agreement if the following conditions are met—

- (a) the provision of the collective agreement is agreed after the date of the transfer; and
- (b) the transferee is not a participant in the collective bargaining for that provision.

(2) For the purposes of regulation 4(1), the contract of employment has effect after the transfer as if it does not incorporate provisions of a collective agreement which meet the conditions in paragraph (1).”.

(2) The amendment made by paragraph (1) applies in relation to a TUPE transfer which takes place on or after 31st January 2014.