1985 No. 346

TERMS AND CONDITIONS OF EMPLOYMENT

Transfer of Undertakings (Voluntary Schools) Order (Northern Ireland) 1985

Made . . . . . 4th December 1985

Coming into operation . . . 11th December 1985

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department of Economic Development(**a**) in exercise of the powers conferred by section 26(5) and (6) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(**b**) and now vested in it(**c**) and of every other power enabling it in that behalf hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Transfer of Undertakings (Voluntary Schools) Order (Northern Ireland) 1985 and shall come into operation on 11th December 1985.

Interpretation

2. Article 3 shall be construed as if it were contained in the Education and Libraries (Northern Ireland) Order 1972(**d**).

Modification of Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965

3.—(1) Where, in accordance with the provisions of the Education (Northern Ireland) Order 1984(**e**), a Board of Governors is constituted for a school or schools in place of a maintained school committee or the governing body of a voluntary grammar school, the coming of the school or schools under the control and management of the Board of Governors shall—

(*a*) for the purposes of section 23 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (renewal of contract of employment or re-engagement of employee on change of ownership of a business) be treated as a change in the ownership of a business; and

(*b*) for the purposes of paragraph 10(2) of Schedule 1 to that Act (transfer of business not to break continuity of employment) be treated as the transfer of a business from one person to another.

(2) In their application by virtue of the said section 23 as modified by paragraph (1), sections 12(3) and 13(3) of the said Act of 1965 shall have effect as if the words "before the ending of his employment under the previous contract" were omitted.

(**a**) Formerly Department of Manpower Services: *see* S.I. 1982/846 (N.I. 11)
(**b**) 1965 c. 19 (N.I.)
(**c**) By S.R. & O. (N.I.) 1973 No. 504
(**d**) S.I. 1972/1263 (N.I. 12)
(**e**) S.I. 1984/1156 (N.I. 6)