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STATUTORY INSTRUMENTS

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**1999 No. 2790**

**The Employment Relations (Northern Ireland) Order 1999**

*Miscellaneous*

**Transfer of undertakings**

**37.**—(1) This Article applies where regulations under section 2(2) of the European Communities Act 1972 (general implementation of Treaties) make provision for the purpose of implementing, or for a purpose concerning, a Community obligation of the United Kingdom which relates to the treatment of employees on the transfer of an undertaking or business or part of an undertaking or business.

(2) The Department may by regulations make the same or similar provision in relation to the treatment of employees in circumstances other than those to which the Community obligation applies (including circumstances in which there is no transfer, or no transfer to which the Community obligation applies).

(3) Regulations under this Article shall be subject to negative resolution.