

2008 No. 360

POLICE

**The Police Support Staff (Transfer of Employment) Regulations
(Northern Ireland) 2008**

Made - - - - - *22nd August 2008*

Coming into operation *1st October 2008*

To be laid before Parliament

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 5(1) and 76(2) of the Police (Northern Ireland) Act 2000(a). In accordance with section 5(5) of that Act he has before making these Regulations consulted the Northern Ireland Policing Board, the Chief Constable of the Police Service of Northern Ireland, and such organisations as appear to him to represent the interests of persons affected by these Regulations.

Citation, commencement and interpretation

1. These Regulations may be cited as the Police Support Staff (Transfer of Employment) Regulations (Northern Ireland) 2008 and shall come into operation on 1st October 2008.

Interpretation

2. In these Regulations—

“relevant person” means a person to whom section 5 of the Police (Northern Ireland) Act 2000 applies;

“the prescribed date” means 1st October 2008.

Transfer of Staff

3.—(1) Each relevant person shall on the prescribed date transfer to, and become an employee of, the Board.

(2) A contract of employment by which a relevant person is employed in the civil service shall have effect from the prescribed date as if originally made between that person and the Board.

(3) Without prejudice to paragraph (2) above—

(a) all the rights, powers, duties and liabilities of the employer under, or in connection with, a contract to which that paragraph applies shall, by virtue of this Regulation, be transferred to the Board on the prescribed date;

(b) anything done before the prescribed date by, or in relation to, the employer in respect of that contract or that employee, shall be deemed from that date to have been done by, or in relation to, the Board.

(4) Paragraphs (2) and (3) are without prejudice to any right of a relevant person to terminate his contract of employment if a substantial change is made to his detriment in his working conditions.

(5) For the purposes of this Regulation, if a relevant person is employed in the civil service on terms which do not constitute a contract of employment—

- (a) that person is to be treated as employed in the civil service by virtue of a contract of employment;
- (b) the terms of that employment are to be regarded as constituting the terms of that contract.

Paul Goggins
Minister of State

Northern Ireland Office
22nd August 2008

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations transfer civil servants who are seconded to work as police support staff to the employment of the Northern Ireland Policing Board with effect from 1st October 2008.

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