



Industrial Training Act 1982

1982 CHAPTER 10

Establishment and winding up of industrial training boards

3B Transfer of staff employed by boards.

- (1) If arrangements are made (whether in connection with a transfer of assets under section 3A(1) above or otherwise) for any activities of an industrial training board to be carried on by some other person (“the transferee”) as from a particular date, this section shall have effect in relation to any employee of the board who, immediately before that date, was employed wholly or mainly in connection with those activities.
- (2) [^{F1}Transfer of Undertakings (Protection of Employment) Regulations 2006] shall apply in relation to any such employee of the board in accordance with subsection (3) below.
- (3) For the purposes of the application of those Regulations in relation to any such employee, the activities referred to in subsection (1) above shall (whether or not they would otherwise be so regarded) be regarded—
 - (a) as constituting an undertaking [^{F2}to which those Regulations apply] which is transferred from the board to the transferee on the date referred to in that subsection, and
 - (b) as being so transferred by a transfer to which those Regulations apply and which is completed on that date.
- (4) A certificate issued by an industrial training board, in connection with any such arrangements as are referred to in subsection (1) above, to the effect that a person was, immediately before the date referred to in that subsection, employed by the board wholly or mainly in connection with the activities to which the arrangements relate shall be conclusive evidence of the facts stated in the certificate.

Textual Amendments

- F1** Words in s. 3B(2) substituted (6.4.2006 with application in accordance with reg. 21(1)) by [The Transfer of Undertakings \(Protection of Employment\) Regulations 2006 \(S.I. 2006/246\)](#), reg. 1(2), [Sch. 2 para. 2\(2\)](#)

Changes to legislation: *There are currently no known outstanding effects for the Industrial Training Act 1982, Section 3B. (See end of Document for details)*

F2 Words in s. 3B(3)(a) substituted (6.4.2006 with application in accordance with reg. 21(1)) by [The Transfer of Undertakings \(Protection of Employment\) Regulations 2006 \(S.I. 2006/246\)](#), reg. 1(2), [Sch. 2 para. 2\(3\)](#)

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