
Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Paragraph 2 is up to date with all changes known to be in force on or before 21 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 7

LEARNING AND SKILLS COUNCIL FOR ENGLAND: TRANSFER SCHEMES

Staff transfer schemes

- 2 (1) This paragraph applies where a staff transfer scheme provides for the transfer of an employee of the LSC to a permitted transferee or so as to become employed in the civil service of the state.
- (2) The scheme must provide for the TUPE regulations to apply (to the extent that they would not otherwise apply) as if—
- (a) any transfer of functions (however effected and described) from the LSC to a permitted transferee or the Crown were a transfer of an undertaking;
 - (b) the transfer of the undertaking took effect on a designated date;
 - (c) the transfer of the undertaking were a relevant transfer for the purposes of the regulations;
 - (d) the employee had for those purposes been assigned to an organised grouping of resources or employees that was subject to the relevant transfer.

Commencement Information

II Sch. 7 para. 2 in force at 1.4.2010 by [S.I. 2010/303](#), art. 3, [Sch. 2](#) (with arts. 9-11)

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Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6