

SCHEDULE 3

Article 14

TRANSFER OF STAFF

Interpretation

1. In this Schedule—

“contract of employment” means a contract under which a person works for another person whether under a contract of service or apprenticeship or otherwise but does not include a contract for services;

“designated list” means a list marked with the name of the relevant National Park authority followed by the words “Designated List” which is signed by the Secretary of State for the Environment, one copy of which is deposited with the relevant transferor authority and one with the relevant National Park authority.

“employee” means a person employed under a contract of employment.

Transfer of Staff

2.—(1) This paragraph shall apply to any employee (“a designated employee”)—

- (a) who immediately before 1st April 1997 (the “transfer date”) was employed by a transferor authority;
- (b) whose employment with that authority would continue but for the transfer of relevant functions to a National Park authority and;
- (c) whose name is mentioned in a designated list.

(2) The contract of employment of a designated employee shall not be terminated on the transfer date but shall have effect as if originally made between that employee and the National Park authority mentioned at the head of that list.

(3) This paragraph is without prejudice to any provision of the Transfer of Undertakings (Protection of Employment) Regulations 1981⁽¹⁾.

(1) S.I.1981/1794, amended by the Trade Union Reform and Employment Rights Act 1993 (c. 19).