
STATUTORY INSTRUMENTS

2006 No. 246

**The Transfer of Undertakings (Protection
of Employment) Regulations 2006**

Employers' Liability Compulsory Insurance

17.—(1) Paragraph (2) applies where—

- (a) by virtue of section 3(1)(a) or (b) of the Employers' Liability (Compulsory Insurance) Act 1969⁽¹⁾ (“the 1969 Act”), the transferor is not required by that Act to effect any insurance; or
- (b) by virtue of section 3(1)(c) of the 1969 Act, the transferor is exempted from the requirement of that Act to effect insurance.

(2) Where this paragraph applies, on completion of a relevant transfer the transferor and the transferee shall be jointly and severally liable in respect of any liability referred to in section 1(1) of the 1969 Act, in so far as such liability relates to the employee's employment with the transferor.