
STATUTORY INSTRUMENTS

2006 No. 246

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

Transitional provisions and savings

21.—(1) These Regulations shall apply in relation to—

- (a) a relevant transfer that takes place on or after 6 April 2006;
- (b) a transfer or service provision change, not falling within sub-paragraph (a), that takes place on or after 6 April 2006 and is regarded by virtue of any enactment as a relevant transfer.

(2) The 1981 Regulations shall continue to apply in relation to—

- (a) a relevant transfer (within the meaning of the 1981 Regulations) that took place before 6 April 2006;
- (b) a transfer, not falling within sub-paragraph (a), that took place before 6 April 2006 and is regarded by virtue of any enactment as a relevant transfer (within the meaning of the 1981 Regulations).

(3) In respect of a relevant transfer that takes place on or after 6 April 2006, any action taken by a transferor or transferee to discharge a duty that applied to them under regulation 10 or 10A of the 1981 Regulations shall be deemed to satisfy the corresponding obligation imposed by regulations 13 and 14 of these Regulations, insofar as that action would have discharged those obligations had the action taken place on or after 6 April 2006.

(4) The duty on a transferor to provide a transferee with employee liability information shall not apply in the case of a relevant transfer that takes place on or before 19 April 2006.

(5) Regulations 13, 14, 15 and 16 shall not apply in the case of a service provision change that is not also a transfer of an undertaking, business or part of an undertaking or business that takes place on or before 4 May 2006.

(6) The repeal of paragraph 4 of Schedule 9 to the Trade Union Reform and Employment Rights Act 1993 does not affect the continued operation of that paragraph so far as it remains capable of having effect.