

Status: Point in time view as at 22/08/1996.

Changes to legislation: Electricity Act 1989, Paragraph 4 is up to date with all changes known to be in force on or before 20 June 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)

SCHEDULES

SCHEDULE 14

THE ELECTRICITY SUPPLY PENSION SCHEME

Protection for certain persons

- 4 (1) [^{F1}Chapter I of Part XIV of the Employment Rights Act 1996] shall apply for the purposes of paragraphs 2 and 3 as if—
- (a) those paragraphs were contained in that Act; and
 - (b) in that Schedule “associated employer”, in relation to a company participating in a relevant scheme, included any other company participating in such a scheme and any other company of which a company so participating has control, or two or more companies so participating together have control;

but regulations under paragraph 2 above may provide that no account shall be taken for those purposes of any person ceasing to be in continuous employment for such periods and in such circumstances as may be prescribed by the regulations.

- (2) For the purposes of sub-paragraph (1) above, a company has control, or two or more companies together have control, of another company (“the other company”) if—
- (a) that company, or each of those companies, is a member of the other company and that company controls, or those companies together control, the composition of the other company’s board of directors;
 - (b) that company holds, or those companies together hold, more than half in nominal value of the other company’s equity share capital;
 - (c) a company of which the company has control, or those companies together have control, has control of the other company; or
 - (d) two or more companies of which that company has control, or those companies together have control, together have control of the other company;

and subsections (2) to (4) of section 736 of the ^{M1}Companies Act 1985 (as originally enacted) shall, with any necessary modifications, apply for the purposes of this sub-paragraph as they apply for purposes of subsection (1) of that section.

Textual Amendments

- F1** Words in [Sch. 14 para. 4\(1\)](#) substituted (22.8.1996) by [1996 c. 18, ss. 240, 243](#), [Sch. 1 para. 43\(3\)\(a\)](#) (with [ss. 191-195, 202](#))

Marginal Citations

- M1** [1985 c. 6.](#)

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