

Changes to legislation: Environmental Protection Act 1990, Cross Heading: Transfer of staff is up to date with all changes known to be in force on or before 19 April 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

[^{F1}SCHEDULE 2]

WASTE DISPOSAL AUTHORITIES AND COMPANIES

Textual Amendments

- F1** Sch. 2 repealed (E.W.) (18.10.2005 for E. and 16.3.2006 for W.) by Clean Neighbourhoods and Environment Act 2005 (c. 16), ss. 47, 107, 108, Sch. 5 Pt. 4; S.I. 2005/2896, art. 3(g)(k) (with art. 6 (as amended by S.I. 2006/1002, art. 2)); S.I. 2006/768, art. 2(a)(d) (with art. 5 (as amended by S.I. 2006/2797, art. 11))

[^{F1}PART I]

TRANSITION TO COMPANIES

Textual Amendments

- F1** Sch. 2 repealed (E.W.) (18.10.2005 for E. and 16.3.2006 for W.) by Clean Neighbourhoods and Environment Act 2005 (c. 16), ss. 47, 107, 108, Sch. 5 Pt. 4; S.I. 2005/2896, art. 3 (with art. 6 (as amended by S.I. 2006/1002)); S.I. 2006/768, art. 2 (with art. 5 (as amended by S.I. 2006/2797))

[^{F1}Transfer of staff]

Textual Amendments

- F1** Sch. 2 repealed (E.W.) (18.10.2005 for E. and 16.3.2006 for W.) by Clean Neighbourhoods and Environment Act 2005 (c. 16), ss. 47, 107, 108, Sch. 5 Pt. 4; S.I. 2005/2896, art. 3(g) (with art. 6 (as amended by S.I. 2006/1002)); S.I. 2006/768, art. 2(d) (with art. 5 (as amended by S.I. 2006/2797))

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[^{F2}(1) The ^{M1}Transfer of Undertakings (Protection of Employment) Regulations 1981 shall apply in relation to the relevant employees of an authority in accordance with subparagraph (2) below.

- (2) For the purposes of the application of those Regulations in relation to any of the relevant employees of an authority, the relevant part of the undertaking of the authority shall (whether or not it would otherwise be so regarded) be regarded—
- (a) as a part of an undertaking within the meaning of those Regulations which is transferred from the authority to the company on the vesting date, and
 - (b) as being so transferred by a transfer to which those Regulations apply and which is completed on that date.

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- (3) Where a person is, in pursuance of section 32, to cease to be employed by an authority and to become employed by a company, none of the agreed redundancy procedures applicable to persons employed by waste disposal authorities shall apply to him.
- (4) For the purposes of this paragraph persons are “relevant employees” of an authority if they are to become, in pursuance of section 32, employees of a company to which the relevant part of the undertaking of the authority is to be transferred.]

Textual Amendments

- F2** [Sch. 2](#) repealed (E.W.) (18.10.2005 for E. and 16.3.2006 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#), ss. 47, 107, 108, [Sch. 5 Pt. 4](#); S.I. 2005/2896, [art. 3\(g\)](#) (with art. 6 (as amended by S.I. 2006/1002)); S.I. 2006/768, [art. 2\(d\)](#) (with art. 5 (as amended by S.I. 2006/2797))

Marginal Citations

- M1** [S.I.1981/1794](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)