



School Teachers' Pay and Conditions Act 1991

1991 CHAPTER 49

[3A ^{F1}Special provisions for teachers on transfer of employment.

[This section applies where—

- ^{F2}(1) (a) a community, foundation or voluntary or community or foundation special school is established in place of an independent school in pursuance of proposals published under section 28 or 31 of the School Standards and Framework Act 1998, and
- (b) a school teacher employed to teach at that independent school becomes employed by the local education authority or (as the case may be) the governing body in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 1981.]
- (2) A pay and conditions order shall not apply to the statutory conditions of employment of such a teacher unless he gives notice in writing to the new employer that the order is to so apply.
- (3) Where the governing body of [^{F3}a foundation, voluntary aided or foundation special school] receive notice given under subsection (2) above, they shall inform the local education authority.]

Textual Amendments

- F1** S. 3A (which was inserted (1.4.1994) by 1993 c. 35, s. 289; S.I. 1994/507, art. 4, Sch. 2) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), Sch. 37 Pt. I para. 101(3) (with ss. 1(4), 561, 562, Sch. 39)
- F2** S. 3A(1) substituted (1.9.1999) by 1998 c. 31, s. 140(1), Sch. 30 para. 27(a) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1
- F3** Words in s. 3A(3) substituted (1.9.1999) by 1998 c. 31, s. 140(1), Sch. 30 para. 27(b) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

Changes to legislation:

School Teachers' Pay and Conditions Act 1991, Section 3A is up to date with all changes known to be in force on or before 25 May 2023. 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.

[View outstanding changes](#)

Commencement Orders yet to be applied to the School Teachers' Pay and Conditions Act 1991

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2003/1115 art. 23 commences \(2002 c. 32\)](#)
- [S.I. 2003/1667 art. 2-5 commences \(2002 c. 32\)](#)