

SCHEDULES

SCHEDULE 37

CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS COMING INTO FORCE ON 1ST NOVEMBER 1996

School Teachers' Pay and Conditions Act 1991 (c. 49)

- 101 (1) The School Teachers' Pay and Conditions Act 1991—
- (a) shall continue to have effect with the amendment set out in sub-paragraph (2) (originally made by Schedule 19 to the Education Act 1993); and
 - (b) shall be amended as provided in sub-paragraphs (3) and (4).
- (2) In section 2 (orders relating to statutory conditions of employment), in subsections (6) and (7) for “section 3” there is substituted “sections 3 and 3A”.
- (3) For the section 3A inserted by section 289 of the Education Act 1993 there is substituted—

“3A Special provisions for teachers on transfer of employment

- (1) This section applies where a school teacher employed to teach at an independent school—
 - (a) which becomes a county or voluntary school in pursuance of proposals published under section 35(1)(b) or, as the case may be, 41(1) of the Education Act 1996, or
 - (b) in place of which a grant-maintained school is established in pursuance of proposals published under section 212 of that Act, becomes employed (in the case of a county or voluntary school) by the local education authority or the governing body or (in the case of a grant-maintained school) by 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 an aided school receive notice given under subsection (2) above, they shall inform the local education authority.”
- (4) In section 5 (interpretation etc.)—
 - (a) in subsection (1)—

Status: This is the original version (as it was originally enacted).

- (i) in the definition of “school which has a delegated budget” for “Chapter III of Part I of the Education Reform Act 1988” there is substituted “Part II of the Education Act 1996”, and
- (ii) for “the Education Act 1944” there is substituted “that Act”; and
- (b) in subsection (5), for “sections 68 and 99(1) of the Education Act 1944” there is substituted “sections 496 and 497 of the Education Act 1996”.