
Changes to legislation: Energy Act 2013, Cross Heading: Content of a staff transfer scheme is up to date with all changes known to be in force on or before 18 March 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

SCHEDULE 11

TRANSFERS TO THE OFFICE FOR NUCLEAR REGULATION

PART 2

STAFF TRANSFER SCHEMES

Content of a staff transfer scheme

- 4 (1) A staff transfer scheme may make provision for giving full effect to an employee's transfer into the employment of the ONR as a result of the scheme.
- (2) Provision made by virtue of sub-paragraph (1) may include provision—
- (a) that has the same or similar effect as the TUPE regulations (so far as those regulations do not apply in relation to the transfer);
 - (b) modifying the law (including provision made by an Act or subordinate legislation) applicable to the employee's employment;
 - (c) about the pension entitlements of the employee enjoyed immediately before the transfer.
- 5 (1) A staff transfer scheme may apply to all, or to any specified class or description of, the employees falling within paragraph 3(2) or to specified employees so falling.
- (2) “Specified” means specified in the scheme.
- 6 (1) A staff transfer scheme may make provision enabling an employee to object to the transfer which would otherwise be effected by the scheme including provision as to how such an objection is to be made and as to the consequences of it.
- (2) A staff transfer scheme may make provision allowing an employee to be treated as being temporarily assigned to the ONR for a period limited by the scheme, whether at the employee's election or in the exercise of a discretion conferred on the Secretary of State by the scheme.
- (3) Provision made by virtue of sub-paragraph (2) may include provision—
- (a) allowing the employee to elect to end the period of temporary assignment by agreeing to become an employee of the ONR or by objecting to the transfer under sub-paragraph (1);
 - (b) as to the consequences of the expiry of the period of temporary assignment without such an election having been made;
 - (c) as to the employee's pay (and the liability to pay it) and the terms and conditions on which the employee is engaged.

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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. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)