
STATUTORY INSTRUMENTS

2001 No. 866

TERMS AND CONDITIONS OF EMPLOYMENT

The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) (Amendment) Order 2001

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|-------------------------------|---------|------------------------|
| <i>Made</i> | - - - - | <i>8th March 2001</i> |
| <i>Laid before Parliament</i> | | <i>9th March 2001</i> |
| <i>Coming into force</i> | - - | <i>31st March 2001</i> |

The Secretary of State, in exercise of the powers conferred upon him by sections 209(1)(b) and 236 of the Employment Rights Act 1996(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) (Amendment) Order 2001 and shall come into force on 31st March 2001.

(2) In this Order, “the principal Order” means the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999(2).

Amendments to the principal Order

2.—(1) The principal Order shall be amended as follows.

(2) In section 2 of Schedule 1, after paragraph 7 insert—

“7A. SEERA Limited.”

(3) In section 3 of Schedule 1, for “or a city college for the technology of the arts” in paragraph 8, substitute “, a city college for the technology of the arts or a city academy”.

(4) In section 4 of Schedule 1, after paragraph 11 insert—

“11A. Careers Enterprise (Futures) Limited.”

(5) In section 8 of Schedule 1—

(a) after paragraph 2 insert—

(1) 1996 c. 18.

(2) S.I.1999/2277, to which there are amendments not relevant to this Order.

“**2A.** New Charter Building Company Limited.

2B. New Charter Housing Trust Limited”.

(b) after paragraph 4 insert—

“**4A.** Tynedale Housing Company Limited.”

(6) In section 10 of Schedule 1—

(a) after paragraph 6 insert—

“**6A.** The Children and Family Court Advisory and Support Service.”

(b) after paragraph 9 insert—

“**9A.** Enfield Leisure Centres Limited.”

(7) In section 4 of Part II of Schedule 2, after paragraph 19 insert—

“**20.** A person who, during the period of employment, performed a function of a local education authority pursuant to a direction given by the Secretary of State under section 497A(4) of the Education Act 1996.”

8th March 2001

Alan Johnson
Parliamentary Under-Secretary of State for
Competitiveness
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Order)

The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 modifies certain provisions of the Employment Rights Act 1996 concerning redundancy payments in their application to individuals employed by local authorities or certain other bodies, most of which are local or regional. The effect of the modifications is that an individual's service with a succession of employers is treated as continuous for the purpose of determining his entitlement to a redundancy payment or the amount of any such payment.

This order amends the 1999 Order by adding to the list of bodies, set out in Schedule 1 to that Order, to whose employees that Order applies. The principal additions are city academies, which are provided for amendments to section 482 of the Education Act 1996 (c. 56) made by section 130 of the Learning and Skills Act 2000 (c. 21), and the Children and Family Court Advisory and Support Service established by the Criminal Justice and Courts Act 2000 (c. 43). The other bodies added are registered companies concerned with planning and development, careers guidance, social housing or leisure facilities.

This Order also amends the 1999 Order by adding persons directed by the Secretary of State to take over functions of a local education authority to the list of employers, set out in Schedule 2 to that Order, service with whom is to be treated as part of an individual's continuous employment. Such directions are provided for in section 497(4) of the Education Act 1996; section 497A was inserted by section 8 of the School Standards and Framework Act 1998 (c. 31).