
STATUTORY INSTRUMENTS

2003 No. 1964

**The Education (Modification of Enactments
Relating to Employment) (England) Order 2003**

General modifications of employment enactments

4. Without prejudice to the generality of article 3, where an employee employed at a school having a delegated budget is dismissed by the authority following notification of such a determination as is mentioned in article 3(1)(d)—

- (a) section 92 of the 1996 Act(1) has effect as if the governing body had dismissed him and as if references to the employer's reasons for dismissing the employee were references to the reasons for which the governing body made its determination; and
- (b) Part X of the 1996 Act(2) has effect in relation to the dismissal as if the governing body had dismissed him, and the reason or principal reason for which the governing body did so had been the reason or principal reason for which it made its determination.

(1) Section 92(1) is amended by S.I.2002/2034, section 92(2) is amended by the Employment Act 2002, section 92(3) is amended by the Employment Act 2002 and by S.I. 1999/1436, section 92(4) is amended by the Employment Relations Act 1999, section 92(4A) is inserted by the Employment Act 2002 and section 92(6) is amended by S.I. 2002/2034.

(2) Part X of the 1996 Act is amended by the Police (Health and Safety) Act 1997, the Employment Rights (Dispute Resolution) Act 1998, the National Minimum Wage Act 1998, the Public Interest Disclosure Act 1998, the Teacher and Higher Education Act 1998, the Employment Relations Act 1999, the Tax Credits Act 1999, the Welfare Reform and Pensions Act 1999, the Employment Act 2002, the Police Reform Act 2002, the Tax Credits Act 2002, S.I. 1996/1513, S.I. 1998/1833, S.I 1999/1436, S.I. 1999/1925, S.I. 1999/3323, S.I. 2000/1551, S.I. 2002/2034 and S.I. 2002/2927.