STATUTORY INSTRUMENTS

2013 No. 1784

TERMS AND CONDITIONS OF EMPLOYMENT

The Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) (Amendment) Order 2013

Made - - - -	*16th July 2013*
Laid before Parliament	*19th July 2013*
Coming into force - -	*19th August 2013*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 209(1)(b) and 236 of the Employment Rights Act 1996(**a**).

Citation and commencement

1. This Order may be cited as the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) (Amendment) Order 2013 and comes into force on 19th August 2013.

Amendment to the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999

2.—(1) Part 2 of Schedule 2 to the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999(**b**) (employers with whom employment may constitute relevant service) is amended as follows.

(2) In section 6 (police, fire and civil defence), after paragraph 1 insert—

"**1A.** A police authority established under section 3 of the Police Act 1996(**c**).

1B. The Metropolitan Police Authority established under section 5B of the Police Act 1996.".

Home Office
16th July 2013

Damian Green
Minister of State

(**a**) 1996 c. 18.
(**b**) S.I. 1999/2277. Section 6 of Part 2 of Schedule 2 was amended by S.I. 2000/1042.
(**c**) 1996 c. 16. Section 3 was repealed by paragraph 5 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13). Section 5B was inserted by section 310(1) of the Greater London Authority Act 1999 (c. 29) and repealed by paragraph 7 of Schedule 16 to the Police Reform and Social Responsibility Act 2011.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Part 2 of Schedule 2 to the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999 ("the principal Order"). Police authorities established under section 3 of the Police Act 1996, and the Metropolitan Police Authority established under section 5B of that Act, are added to section 6 of that Part (police, fire and civil defence). Those bodies were abolished by the Police Reform and Social Responsibility Act 2011 and replaced by police and crime commissioners and the Mayor's Office for Policing and Crime, respectively.

Part 1 of Schedule 2 to the principal Order modifies sections 146, 155 and 162 of the Employment Rights Act 1996 ("the 1996 Act"). These sections concern entitlement to redundancy payments under the 1996 Act. Section 146 of the 1996 Act is modified so that, when the principal Order applies, the references in sections 138 and 141 of the 1996 Act to re-engagement by an employer or an offer from an employer include re-engagement or an offer from any employer specified in Part 2 of Schedule 2 to the principal Order. Sections 155 and 162 of the 1996 Act are amended so that, when the principal Order applies, the phrase "continuously employed" in those sections is substituted by "employed in relevant service". "Relevant service" is defined in those sections as continuous employment with one, or successive employment with two or more, employers specified in Part 2 of Schedule 2 to the principal Order.

The principal Order applies to any person who immediately before the occurrence of a relevant event is employed by an employer in Schedule 1 to the principal Order. A "relevant event" is defined as any event by which a person may become entitled to a redundancy payment under the 1996 Act. Any employer specified in Schedule 1 to the principal Order is also specified in Part 2 of Schedule 2 to the principal Order.

Police and crime commissioners and the Mayor's Office for Policing and Crime were added to Schedule 1 of the principal Order by the Local Policing Bodies (Consequential Amendments and Transitional Provision) Order 2012(**a**), in substitution for the abolished police authorities, and chief constables and the Commissioner of the Metropolitan Police were also added to Schedule 1 by the same instrument.

A full regulatory impact assessment has not been produced for this Order as no impact on the private or voluntary sectors is foreseen.

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(**a**) S.I. 2012/2733.

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