



Employment Protection (Consolidation) Act 1978

1978 CHAPTER 44

[^{F1}PART I

EMPLOYMENT PARTICULARS

Textual Amendments

- F1** Ss. 1-6, Part I heading and cross heading substituted (30.11.1993) by 1993 c. 19, ss. 26, 50, Sch.4, **Sch. 9 para. 3**; S.I. 1993/2503, art. 2(2), **Sch.2**.

^{F2}*Written particulars of employment*

Textual Amendments

- F2** Ss. 1-6, Part I heading and cross heading substituted (30.11.1993) by 1993 c. 19, ss. 26, 50, Sch.4, **Sch. 9 para. 3**; S.I. 1993/2503, art. 2(2), **Sch.2**.

F3¹

Textual Amendments

- F3** S. 1 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F4²

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

Textual Amendments

F4 S. 2 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F63

Textual Amendments

F6 S. 3 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F74

Textual Amendments

F7 S. 4 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F85

Textual Amendments

F8 S. 5 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F106]

Textual Amendments

F10 S. 6 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F117

Textual Amendments

F11 Ss. 3, 7 repealed by Employment Act 1982 (c. 46, SIF 43:5), **Sch. 4**

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

Itemised pay statements

F12⁸

Textual Amendments

F12 S. 8 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F13⁹

Textual Amendments

F13 S. 9 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F14¹⁰

Textual Amendments

F14 S. 10 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Enforcement of rights under Part I

F15¹¹

Textual Amendments

F15 S. 11 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

PART II

RIGHTS ARISING IN COURSE OF EMPLOYMENT

Guarantee payments

F16¹²

Textual Amendments

F16 S. 12 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

*Changes to legislation: There are currently no known outstanding effects for the
 Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

F17 **13**

Textual Amendments

F17 S. 13 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F18 **14**

Textual Amendments

F18 S. 14 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F19 **15**

Textual Amendments

F19 S. 15 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F20 **16**

Textual Amendments

F20 S. 16 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F21 **17**

Textual Amendments

F21 S. 17 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F22 **18**

Textual Amendments

F22 S. 18 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Suspension from work on medical grounds

F23 **19**

Textual Amendments

F23 S. 19 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F24 **20**

Textual Amendments

F24 S. 20 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F25 **21**

Textual Amendments

F25 S. 21 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F26 **22**

Textual Amendments

F26 S. 22 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

[F27] Right not to suffer detriment in health and safety cases

Textual Amendments

F27 Ss. 22A-22C and cross heading inserted (30.8.1993) by 1993 c. 19, s. 28, **Sch. 5 para.1**; S.I. 1993/1908, art. 2(1), **Sch.1**.

F28 **22A**

Textual Amendments

F28 S. 22A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

F29 **22AA**

Textual Amendments
F29 S. 22AA repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F30 **22B**

Textual Amendments
F30 S. 22B repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F31 **22C]**

Textual Amendments
F31 S. 22C repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Trade union membership and activities

F32 **23**

Textual Amendments
F32 Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2).

F33 **24**

Textual Amendments
F33 Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F34 **25**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F34 Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2).

^{F35}**26**

Textual Amendments

F35 Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2).

^{F36}**26A**

Textual Amendments

F36 S. 26A substituted by Employment Act 1982 (c. 46), s. 11 (with saving in S.I. 1982/1656, **Sch. 2**) and repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Time off work

^{F37}**27**

Textual Amendments

F37 Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

^{F38}**28**

Textual Amendments

F38 Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

^{F39}**29**

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

Textual Amendments

F39 S. 29 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F40 **30**

Textual Amendments

F40 S. 30 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F41 **31**

Textual Amendments

F41 S. 31 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F42 **31A**

Textual Amendments

F42 S. 31A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F43 **31AA**

Textual Amendments

F43 S. 31AA repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F44 **32**

Textual Amendments

F44 S. 32 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

[^{F45}PART III

MATERNITY]

Textual Amendments

F45 Pt. III (ss. 33-38A, 39-44) substituted for Pt. III (ss. 33-48) and ss. 45-47 added as provisions of Pt. III (10.6.1994) by 1993 c. 19, ss.23, 25, Schs.2,3; S.I. 1994/1365, art. 2, Sch.

[^{F46}General right to maternity leave

Textual Amendments

F46 Pt. III (ss. 33-38A, 39-44) substituted for Pt. III (ss. 33-48) and ss. 45-47 added as provisions of Pt. III (10.6.1994) by 1993 c. 19, ss.23, 25, Schs.2,3; S.I. 1994/1365, art. 2, Sch.

33 General right to maternity leave.

F47

Textual Amendments

F47 S. 33 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

34 Commencement of maternity leave period.

F48

Textual Amendments

F48 S. 34 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

35 Duration of maternity leave period.

F49

Textual Amendments

F49 S. 35 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

36 Notice of commencement of leave.

F50

Textual Amendments

F50 S. 36 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

37 Requirement to inform employer of pregnancy etc.

F51

Textual Amendments

F51 S. 37 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

37A Requirement to inform employer of return during maternity leave period.

F52

Textual Amendments

F52 S. 37A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

38 Special provision where redundancy during maternity leave period.

F53

Textual Amendments

F53 S. 38 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

38A ^{F54} **Contractual right to maternity leave.**

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Textual Amendments

F54 S. 38A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

[^{F55}Right to return to work

Textual Amendments

F55 Pt. III (ss. 33-38A, 39-44 and cross heading) substituted for Pt. III (ss. 33-48) and ss. 45-47 added as provisions of Pt. III (10.6.1994) by 1993 c. 19, ss. 23, 25, Schs.2, 3; S.I. 1994/1365, art. 2, Sch.

^{F56}**39**

Textual Amendments

F56 S. 39 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

^{F57} 40

Textual Amendments

F57 S. 40 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F58} 41

Textual Amendments

F58 S. 41 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F59} 42

Textual Amendments

F59 S. 42 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F60} 43

Textual Amendments

F60 S. 43 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

44] ^{F61}

Textual Amendments

F61 S. 44 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F62} Suspension from work on maternity grounds

Textual Amendments

F62 Pt. III (ss. 33-38A, 39-44) substituted for Pt. III (ss. 33-48) and ss. 45-47, together with the heading, added as provisions of Pt. III (10.6.1994) by 1993 c. 19, ss. 23, 25, **Schs. 2,3**; S.I. 1994/1365, art. 2, **Sch.**

^{F63} 45

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

Textual Amendments

F63 S. 45 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F64}**46**

Textual Amendments

F64 S. 46 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

^{F65}**47]**

Textual Amendments

F65 S. 47 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

General provisions

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PART IV

TERMINATION OF EMPLOYMENT

Modifications etc. (not altering text)

C2 Pt. IV modified (3.4.1995) by 1994 c. 19, **s. 44(1)(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 7, **Sch. 3**

^{F67}**49**

Textual Amendments

F67 S. 49 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F68}**50**

Textual Amendments

F68 S. 50 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

F69 **51**

Textual Amendments

F69 S. 51 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F70 **52**

Textual Amendments

F70 S. 52 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F71 **53**

Textual Amendments

F71 S. 53 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

PART V

UNFAIR DISMISSAL

Modifications etc. (not altering text)

- C3** Pt. V modified by S.I. 1981/1794, **regs. 8(1)(4)**, 13
Pt. V (ss. 54-80) modified (3.4.1995) by 1994 c. 19, s. **44(1)(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 7, **Sch. 3**
Pt. V modified (E.W.) (ss. 54-80) (26.8.1994) by 1994 c. 20, s. 4, **Sch. 4 para. 7(1)(3)**; S.I. 1994/1841, **art. 2**
Pt. V modified (ss. 54-80) (*prosp.*) by 1995 c. 26, **ss. 46(5)(6)**, 180(1) (which c. 46 was repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202))
- C4** Pt. V (ss. 54-80) modified by S.I. 1989/901, arts. 3, 4(b), **Sch.**
- C5** Pt. V (ss. 54-80) modified (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), **ss.152(1)**, 153, 302.
Pt. V (ss. 54-80) excluded (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), **ss. 167(1)**, 302.
Pt. V: by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), **ss. 167(1)(2)(3)**, 302 it is provided (16.10.1992) that Pt. V of this Act shall have effect subject to the provisions of ss. 152-166 of that 1992 Act and that those sections shall be construed as one with this Part.

Right not to be unfairly dismissed

F72 **54**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F72 S. 54 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Meaning of unfair dismissal

^{F73}**55**

Textual Amendments

F73 S. 55 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F74}**56**

Textual Amendments

F74 S. 56 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F75}**56A**

Textual Amendments

F75 S. 56A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F76}**57**

Textual Amendments

F76 S. 57 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F77}**57A**

Textual Amendments

F77 S. 57A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

[^{F78}**57A** Dismissal of employee representatives.

The dismissal of an employee by an employer shall be regarded for the purposes of this Part as having been unfair if the reason for it (or, if more than one, the principal reason) was that the employee, being—

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

- (a) an employee representative for the purposes of Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 or Regulations 10 and 11 of the Transfer of Undertakings (Protection of Employment) Regulations 1981, or
 - (b) a candidate in an election in which any person elected will, on being elected, be such an employee representative,
- performed, or proposed to perform, any functions or activities as such an employee representative or candidate.]

Textual Amendments

F78 S. 57AA inserted (26.10.1995) by S.I. 1995/2587, reg. 14(1)

F79 58

Textual Amendments

F79 S. 58 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with savings in Sch. 3 para. 2).

F80 58A

Textual Amendments

F80 S. 58A repealed by Employment Act 1988 (c. 19, SIF 43:5), s. 33(2), Sch. 4

F81 59

Textual Amendments

F81 S. 59 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F82 60

Textual Amendments

F82 S. 60 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F83 60A

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F83 S. 60A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

^{F84} **61**

Textual Amendments

F84 S. 61 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F85} **62**

Textual Amendments

F85 S. 62 repealed (16.10.1992) by **Trade Union and Labour Relations (Consolidation) Act 1992** (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

^{F86} **62A**

Textual Amendments

F86 S. 62A inserted by **Employment Act 1990** (c. 38), **s. 9(1)** and repealed (16.10.1992) by **Trade Union and Labour Relations (Consolidation) Act 1992** (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2).

^{F87} **63**

Textual Amendments

F87 S. 63 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Exclusion of section 54

^{F88} **64**

Textual Amendments

F88 S. 64 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

F89 **64A**

Textual Amendments

F89 S. 64A (which was inserted with saving by Employment Act 1980 (c. 42, SIF 43:5), s. 8(1); S.I. 1980/1170) repealed (30.8.1993) by 1993 c. 19, ss. 49(1), 51, Sch. 7 para. 2, **Sch.10**; S.I. 1993/1908, art. 2(1), **Sch.1** (and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202))

F90 **65**

Textual Amendments

F90 S. 65 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F91 **66**

Textual Amendments

F91 S. 66 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Remedies for unfair dismissal

F92 **67**

Textual Amendments

F92 S. 67 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F93 **68**

Textual Amendments

F93 S. 68 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F94 **69**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F94 S. 69 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F95⁷⁰

Textual Amendments

F95 S. 70 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F96⁷¹

Textual Amendments

F96 S. 71 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Amount of compensation

F97⁷²

Textual Amendments

F97 S. 72 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F98^{72A}

Textual Amendments

F98 S. 72A (which was inserted by **Employment Act 1982 (c. 46), s. 6** (with savings in S.I. 1982/1656, **Sch. 2**)) repealed (16.10.1992) by **Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1** (with savings in Sch. 3 para. 2) and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F99⁷³

Textual Amendments

F99 S. 73 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

F100~~74~~

Textual Amendments

F100 S. 74 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F101~~75~~

Textual Amendments

F101 S. 75 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F102~~75A~~

Textual Amendments

F102 S. 75A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F103~~76~~

Textual Amendments

F103 S. 76 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F104~~76A~~

Textual Amendments

F104 Ss. 76A-79 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1** (with savings in Sch. 3 para. 2) and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F105~~76B~~,.....
76C

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F105 Ss. 76B, 76C repealed by [Employment Act 1982 \(c. 46, SIF 43:5\)](#), [Sch. 4](#) with saving in S.I. 1982/1656, [Sch. 2](#) and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, [Sch. 3 Pt. I](#) (with ss. 191-195, 202)

f^{F106}Interim relief

Textual Amendments

F106 Ss. 77-79 and cross heading inserted (30.8.1993) by 1993 c. 19, s. 28, [Sch. 5 para.10](#); S.I. 1993/1908, art. 2(1), [Sch.1](#) (previous versions of ss. 77-79 having been repealed (16.10.1992) by 1992 c. 52, [Sch. 1](#)).

F10777

Textual Amendments

F107 S. 77 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, [Sch. 3 Pt. I](#) (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. [1\(2\)](#) (with s. 16(2)); S.I. 1998/1658, art. 2, [Sch. 1](#)

F10877A

Textual Amendments

F108 S. 77A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, [Sch. 3 Pt. I](#) (with ss. 191-195, 202)

F10978

Textual Amendments

F109 S. 78 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, [Sch. 3 Pt. I](#) (with ss. 191-195, 202)

F11078A

Textual Amendments

F110 S. 78A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, [Sch. 3 Pt. I](#) (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. [1\(2\)](#) (with s. 16(2)); S.I. 1998/1658, art. 2, [Sch. 1](#)

F11179]

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F111 S. 79 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Teachers in aided schools

F112 **80**

Textual Amendments

F112 S. 80 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

PART VI

REDUNDANCY PAYMENTS

Modifications etc. (not altering text)

- C6** Pt. VI (ss. 81–120) modified by Local Government Act 1985 (c. 51, SIF 81:1), **s. 59(1)**
Pt. VI modified (3.4.1995) by 1994 c. 19, **s. 44(1)(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 7, **Sch. 3**
- C7** Pt. VI (ss. 81–120) excluded (S.) by Legal Aid (Scotland) Act 1986 (c. 47, SIF 77:2), s. 1, **Sch. 1 para. 10(2)**, Housing (Scotland) Act 1988 (c. 43, SIF 61), s. 1(2), **Sch. 1 para. 12(2)** and Enterprise and New Towns (Scotland) Act 1990 (c. 35, SIF 64), s. 1, **Sch. 1 para. 17(2)**
- C8** Pt. VI (ss. 81–120) excluded by Legal Aid Act 1988 (c. 34, SIF 77:1), **s. 45(4) Sch. 7 para. 7(3)(b)**, Housing Act 1988 (c. 50, SIF 61), s. 46(2), **Sch. 5 para. 10(2)**, Electricity Act 1989 (c. 29, SIF 44:1), ss. 56(2), 113(2), **Sch. 17 para. 35** and Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 137(4), **Sch. 10 para. 16**
- C9** Pt. VI (ss. 81-120) excluded (S.) (27. 11. 1991) by Natural Heritage (Scotland) Act 1991 (c. 28, SIF 46:1), s. 14, **Sch. 4 para.5**; S.I. 1991/2633, **art. 3**,Sch.
- C10** Pt. VI (ss. 81-120): certain functions, rights and liabilities of the London Residuary Body in relation to redundancy payments payable under Part VI of this Act, transferred (1.4.1992) to the London Pensions Fund Authority by S.I. 1992/331, **arts. 2(1)(g)(4)**, 3.

Right to redundancy payment

F113 **81**

Textual Amendments

F113 S. 81 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F114 **82**

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

Textual Amendments

F114 S. 82 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F115}**83**

Textual Amendments

F115 S. 83 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F116}**84**

Textual Amendments

F116 S. 84 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F117}**85**

Textual Amendments

F117 S. 85 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F118}**86**

Textual Amendments

F118 S. 86 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F119}**87**

Textual Amendments

F119 S. 87 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F120}**88**

Textual Amendments

F120 S. 88 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

F121⁸⁹

Textual Amendments

F121 S. 89 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F122⁹⁰

Textual Amendments

F122 S. 90 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F123⁹¹

Textual Amendments

F123 S. 91 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F124⁹²

Textual Amendments

F124 S. 92 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F125⁹³

Textual Amendments

F125 S. 93 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F126⁹⁴

Textual Amendments

F126 S. 94 repealed (30.8.1993) by 1993 c. 19, s. 51, **Sch.10** (with Sch. 9 para. 4); S.I. 1993/1908, art. 2(1), **Sch.1**

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

F127 **95**

Textual Amendments

F127 S. 95 repealed (30.8.1993) by 1993 c. 19, s. 51, **Sch.10**; S.I. 1993/1908, art. 2(1), **Sch.1**

F128 **96**

Textual Amendments

F128 S. 96 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F129 **97**

Textual Amendments

F129 S. 97 repealed by **Employment Act 1980** (c. 42, SIF 43:5), **Sch. 2**

F130 **98**

Textual Amendments

F130 S. 98 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F131 **99**

Textual Amendments

F131 S. 99 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F132 **100**

Textual Amendments

F132 S. 100 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F133 **101**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F133 S. 101 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F134 **102**

Textual Amendments

F134 S. 102 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Redundancy Fund

F135 **103**

Textual Amendments

F135 S. 103 repealed by **Employment Act 1990** (c. 38, SIF 43:5), s. 16(2), **Sch. 3**

F136 **104**

Textual Amendments

F136 S. 104 repealed by **Employment Act 1989** (c. 38, SIF 43:1), ss. 17(a), 29(4)(6), Sch. 7 Pt. II, **Sch. 9 para. 4**

F137 **104A**

Textual Amendments

F137 S. 104A inserted by **Wages Act 1986** (c. 48, SIF 43:2), s. **27(3)** and repealed by **Employment Act 1989** (c. 38, SIF 43:1), ss. 17(a), 29(4)(6), Sch. 7 Pt. II, **Sch. 9 para. 4**

F138 **105**

Textual Amendments

F138 S. 105 repealed by **Employment Act 1990** (c. 38, SIF 43:5), ss. 13(4), 16(2), **Sch. 3**

F139 **106**

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

Textual Amendments

F139 S. 106 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F140 **107**

Textual Amendments

F140 S. 107 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F141 **108**

Textual Amendments

F141 S. 108 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F142 **109**

Textual Amendments

F142 S. 109 repealed by **Employment Act 1990** (c. 38, SIF 43:5), s. 16(2), **Sch. 3**

Miscellaneous and supplemental

F143 **110**

Textual Amendments

F143 S. 110 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F144 **111**

Textual Amendments

F144 S. 111 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F145 **112**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F145 S. 112 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F146 **113**

Textual Amendments

F146 S. 113 repealed by Wages Act 1986 (c. 48, SIF 43:2), ss. 28, 32(2)(3), Sch. 5 Pt. I, **Sch. 6 para. 10**

F147 **114**

Textual Amendments

F147 S. 114 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F148 **115**

Textual Amendments

F148 S. 115 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F149 **116**

Textual Amendments

F149 S. 116 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F150 **117**

Textual Amendments

F150 S. 117 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F151 **118**

Textual Amendments

F151 S. 118 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

^{F152}**119**

Textual Amendments

F152 S. 119 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F153}**120**

Textual Amendments

F153 S. 120 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

PART VII

INSOLVENCY OF EMPLOYER

^{F154}**121**

Textual Amendments

F154 S. 121 repealed by **Insolvency Act 1985** (c. 65, SIF 66), s. 235, **Sch. 10 Pt. IV**

^{F155}**122**

Textual Amendments

F155 S. 122 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

^{F156}**123**

Textual Amendments

F156 S. 123 repealed (7.2.1994) by 1993 c. 48, s. 188, **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

^{F157}**124**

Textual Amendments

F157 S. 124 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, **art. 2, Sch. 1**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

F158 **125**

Textual Amendments

F158 S. 125 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F159 **126**

Textual Amendments

F159 S. 126 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F160 **127**

Textual Amendments

F160 S. 127 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

PART VIII

RESOLUTION OF DISPUTES RELATING TO EMPLOYMENT

Industrial tribunals

F161 **128**

Textual Amendments

F161 S. 128 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with ss. 1(2), 38) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F162 **129**

Textual Amendments

F162 S. 129 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F163 **130**

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

Textual Amendments

F163 S. 130 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38, Sch. 2 para. 6) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

^{F164}**131**

Textual Amendments

F164 S. 131 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Recoupment of certain benefits

^{F165}**132**

Textual Amendments

F165 S. 132 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38) and subject to an amendment (2.9.1996) by 1995 c. 18, s. 41(4), **Sch. 2 para. 2**; S.I. 1996/2208, **art. 2(a)** and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Conciliation officers

^{F166}**133**

Textual Amendments

F166 S. 133 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

^{F167}**134**

Textual Amendments

F167 S. 134 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Employment Appeal Tribunal

^{F168}**135**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F168 S. 135 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38)

F169 **136**

Textual Amendments

F169 S. 136 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38) and subject to an amendment (2.12.1996) by 1995 c. 50, s. 70(4), **Sch. 6 para. 2**; S. 1996/1474, art. 2(3), Sch. Pt. III (with art. 3); S.R. 1996/280, art. 2, **Sch. Pt. II** (with art. 3) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

F170 **136A**

Textual Amendments

F170 S. 136A repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

PART IX

MISCELLANEOUS AND SUPPLEMENTAL

Extension of employment protection legislation

F171 **137**

Textual Amendments

F171 S. 137 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. **1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Crown employment

138 Application of Act to Crown employment.

F172(1)

F172(2)

F172(3)

F172(4)

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

^{F172}(5)

^{F172}(6)

(7) For the purposes of the application of the provisions of this Act in relation to Crown employment in accordance with subsection (1)—

^{F172}(a)

^{F172}(b)

^{F172}(c)

^{F172}(d)

^{F173}(e)

^{F172}(f)

^{F172}(8)

Textual Amendments

F172 S. 138(1)-(6)(7)(a)-(d)(f)(8) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F173 S. 138(7)(e) repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38)

[^{F174}138A] Application of Act to armed forces.

(1) The provisions of this Act which apply, by virtue of section 138, to service as a member of the naval, military or air forces of the Crown are—

Part I;

in Part II, sections 19 to 22 and 31A;

Part III;

in Part IV, section 53;

Part V, except sections 57A [^{F175}57AA,] and 80;

Part VIII; and

this Part.

(2) Her Majesty may, by Order in Council,—

(a) amend subsection (1) above by making additions to, or omissions from, the provisions for the time being specified in that subsection by an Order under this subsection; and

(b) make any provision apply to service as a member of the naval, military or air forces of the Crown subject to such exceptions and modifications as may be specified in the Order.

(3) Subject to subsection (5) below, modifications made under subsection (2) above may include provision precluding the making of a complaint or reference to any [^{F176}employment tribunal] unless the person aggrieved has availed himself of the service procedures for the redress of complaints applicable to him.

(4) Where modifications include the provision authorised by subsection (3) above the Order in Council shall also include provision designed to secure that the service procedures for the redress of complaints result in a determination, or what is to be treated under the Order as a determination, in sufficient time to enable a complaint or reference to be made to an [^{F176}employment tribunal].

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

- (5) No provision shall be made by virtue of subsection (3) above which has the effect of substituting, for any period specified as the normal period for a complaint or reference on any matter to an [^{F176}employment tribunal], a period longer than six months.
- (6) No recommendation shall be made to Her Majesty to make an Order in Council under subsection (2) above unless a draft of the Order has been laid before Parliament and approved by a resolution of each House of Parliament.
- (7) In this section—

“the normal period for a complaint or reference”, in relation to any matter within the jurisdiction of an [^{F176}employment tribunal], means the period specified in the relevant enactment as the period within which the complaint or reference must be made, disregarding any provision permitting an extension of that period at the discretion of the tribunal; and

“the service procedures for the redress of complaints” means the procedures, excluding those which relate to the making of a report on a complaint to Her Majesty, referred to in sections 180 and 181 of the ^{M1}Army Act 1955, sections 180 and 181 of the ^{M2}Air Force Act 1955 and section 130 of the ^{M3}Naval Discipline Act 1957.]

Textual Amendments

- F174** S. 138A inserted (10.6.1994) by 1993 c. 19, s. 31(2); S.I. 1994/1365, art. 2, Sch.
- F175** Words in s. 138A(1) inserted (26.10.1995) by S.I. 1995/2587, reg. 14(5)
- F176** Words in s. 138A(3)-(5)(7) substituted (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Marginal Citations

- M1** 1955 c. 18.
- M2** 1955 c. 19.
- M3** 1957 c. 53.

House of Commons staff

139 Provisions as to House of Commons staff.

- (1) The provisions of Parts I ^{F177} . . . , II, III ^{F178} , V and VIII, and this Part and section 53 shall apply to relevant members of House of Commons staff as they apply to persons in Crown employment within the meaning of section 138 and accordingly for the purposes of the application of those provisions in relation to any such members—
 - ^{F179}(a)
 - ^{F179}(b)
 - ^{F179}(c)
 - ^{F180}(d)
 - ^{F179}(e)
- ^{F179}(2)
- ^{F179}(3)
- ^{F179}(4)

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

- F179(5)
- F179(6)
- F179(7)
- F179(8)
- F179(9)

Textual Amendments

- F177** Words in s. 139(1) repealed (30.11.1993) by 1993 c. 19, ss. 49(1), 51, Sch. 7 para. 4, **Sch. 10**; S.I. 1993/2503, art. 2(2), **Sch. 2**
- F178** Words repealed by **Social Security Act 1986** (c. 50, SIF 113:1), s. 86(2), **Sch. 11**
- F179** S. 139(1)(a)-(c)(e)(2)-(9) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment to s. 139(2)(6) (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**
- F180** S. 139(1)(d) repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38)

Modifications etc. (not altering text)

- C11** S. 139 modified (2.12.1996) by 1995 c. 50, s. 65(2) (with ss. 59, 64); S.I. 1996/1474, art. 2(3), **Sch. Pt. III** (with art. 3)

[^{F181} House of Lords staff

Textual Amendments

- F181** S. 139A and cross heading inserted (30.11.1993) by 1993 c. 19, s. 49(1), **Sch. 7 para.11**; S.I. 1993/2503, art. 2(2), **Sch.2**

139A ^{F182}**Provisions as to House of Lords staff.**

- F183(1)
- F183(2)
- (3) For the purposes of the application of the enactments applied by subsection (1) in relation to a relevant member of the House of Lords staff—
 - ^{F184}(a)
 - ^{F183}(b)
- F183(4)
- F183(5)
- F183(6)]

Textual Amendments

- F182** S. 139A inserted (30.11.1993) by 1993 c. 19, s. 49(1), **Sch. 7 para. 11**; S.I. 1993/2503, art. 2(2), **Sch. 2**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

- F183** S. 139A(1)(2)(3)(b)(4)-(6) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment to s. 139A(2) (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**
- F184** S. 139A(3)(a) repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38)

Contracting out of provisions of Act

F185 140

Textual Amendments

- F185** S. 140 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, **s. 1(2)** (with s. 16(2)); S.I. 1998/1658, art. 2, **Sch. 1**

Excluded classes of employment

F186 141

Textual Amendments

- F186** S. 141 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F187 142

Textual Amendments

- F187** S. 142 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F188 143

Textual Amendments

- F188** S. 143 repealed by Employment Act 1982 (c. 46, SIF 43:5), **Sch. 4**

F189 144

Textual Amendments

- F189** S. 144 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

F190 **145**

Textual Amendments
F190 S. 145 repealed by Dock Work Act 1989 (c. 13, SIF 43:5), s. 7(1), Sch. 1 Pt. I

F191 **146**

Textual Amendments
F191 S. 146 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F192 **146A**

Textual Amendments
F192 S. 146A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F193 **147**

Textual Amendments
F193 S. 147 repealed by Employment Act 1982 (c. 46, SIF 43:5), Sch. 4

Supplementary provisions

F194 **148**

Textual Amendments
F194 S. 148 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F195 **149**

Textual Amendments
F195 S. 149 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F196 **150**

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F196 S. 150 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F197 **151**

Textual Amendments

F197 S. 151 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F198 **152**

Textual Amendments

F198 S. 152 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F199 **153**

Textual Amendments

F199 S. 153 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F200 **154**

Textual Amendments

F200 S. 154 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F201 **155**

Textual Amendments

F201 S. 155 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F202 **156**

Textual Amendments

F202 S. 156 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

*Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)*

F203 **157**

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Textual Amendments

F203 S. 157 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F204 **158**

.....
Textual Amendments

F204 S. 158 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F205 **159**

.....
Textual Amendments

F205 S. 159 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F206 **160**

.....
Textual Amendments

F206 S. 160 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Changes to legislation:

There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978.