

Employment Act 1982

1982 CHAPTER 46

An Act to provide for compensation out of public funds for certain past cases of dismissal for failure to conform to the requirements of a union membership agreement; to amend the law relating to workers, employers, trade unions and employers' associations; to make provision with respect to awards by industrial tribunals and awards by, and the procedure of, the Employment Appeal Tribunal; and for connected purposes.

[28th October 1982]

Extent Information

Sch. 1

E1 For the extent of this Act see s. 22(5) as repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 301(1)(2), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).

Modifications etc. (not altering text)

C1 Act applied by S.I. 1976/766, art. 3 as amended by S.I. 1984/1149, art. 2

Commencement Information

Act partly in force at Royal Assent see s. 22(2); Act wholly in force at 2.1.1983.

Textual Amendments
F1 S. 1 repealed by Companies Consolidation (Consequential Provisions) Act 1985 (c. 9, SIF 27), s. 29,

Unfair dismissal

F²2

Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

Textu F2	s. 2 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302,Sch. 1 (with Sch. 3 para. 2).
F ³ 3	•••••
Texti	ıal Amendments
F3	S. 3 (which was not reproduced in Statutes in Force) is repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with Sch. 3 para. 2).
^{F4} 4	•••••
Textu F4	nal Amendments S. 4 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302,Sch. 1 (with Sch. 3 para. 2).
^{F5} 5	
Texti	ial Amendments
F5	S. 5 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with Sch. 3 para. 2).
^{F6} 6	
Textu	nal Amendments
F6	S. 6 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with Sch. 3 para. 2).
^{F7} 7	
Textu F7	ral Amendments S. 7 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss.

300(1), 302, **Sch.1** (with Sch. 3 para. 2).

Status: Point in time view as at 21/03/1997.

Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

^{F8} 8	
Textu F8	al Amendments S. 8 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss.
	300(1), 302, Sch. 1 (with Sch. 3 para. 2).
^{F9} 9	•••••
Textu	al Amendments
F9	S. 9 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
	Action short of dismissal
^{F10} 10	
Textu F10	al Amendments S. 10 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
^{F11} 11	
To4	al Amondments
F11	al Amendments S. 11 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
	Union membership or recognition requirements in contracts
^{F12} 12	
Textu F12	al Amendments S. 12 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
F13 _{1 2}	500(1), 50=, 2011 1 (11111 5011. 5 para. 2).

Status: Point in time view as at 21/03/1997.

Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

Textu	al Amendments
F13	S. 13 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
^{F14} 14	
Textu	al Amendments
F14	S. 14 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
	Trade disputes
^{F15} 15	
	al Amendments S. 15 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
^{F16} 16	
Toytu	al Amendments
	S. 16 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
^{F17} 17	
Toytu	al Amendments
F17	S. 17 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
^{F18} 18	
	al Amendments
F18	S. 18 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss.

300(1), 302, **Sch. 1** (with Sch. 3 para. 2).

Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

^{F19} 19
Textual Amendments F19 S. 19 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c.52), ss. 300(1), 302, Sch. 1 (with Sch. 3 para. 2).
Periods of continuous employment
F ²⁰ 20
Textual Amendments F20 S. 20 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Supplemental
(2) Schedule 3 to this Act (which makes minor and consequential amendments) shall have effect. F21(3)
F21 S. 21(1)(3) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
22 Short title, commencement and extent.
(1) This Act may be cited as the Employment Act 1982.
(2) This Act, except section 2 and Schedule 1, shall not come into operation until such day as the Secretary of State may appoint by order made by statutory instrument, and different days may be so appointed for different purposes.
(3) An order under this section may contain such transitional and supplemental provision as appear to the Secretary of State to be necessary or expedient.
F22(4)
F22(5)
Textual Amendments F22 S. 22(4)(5) repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992

(c. 52), ss. 300(1), 302, **Sch. 1** (with s. 300(3), Sch. 3 para 2).

Status: Point in time view as at 21/03/1997.

Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

Modifications etc. (not altering text)

C2 Power of appointment conferred by s. 22(2) fully exercised: S.I. 1982/1656

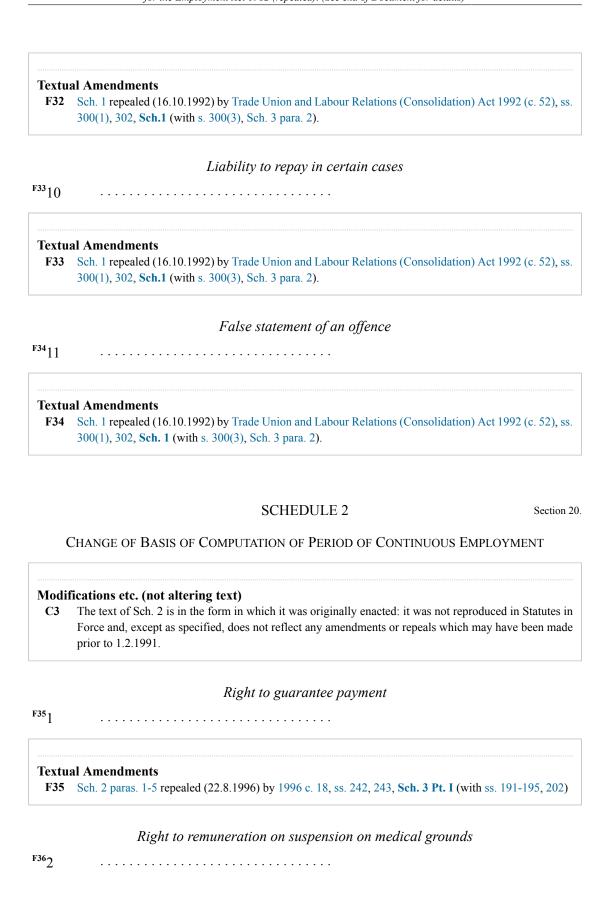
Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

SCHEDULES

F23SCHEDULE 1

F23	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Power of Secretary of State to make payments
F241	
	al Amendments
F24	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Conditions of eligibility
F252	
Textu	al Amendments
F25	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), so 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Maximum amount of compensation
F ²⁶ 3	
Textu	al Amendments
F26	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Construction of references to date of dismissal
⁷²⁷ 4	

Textu	al Amendments
F27	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss.
	300(1), 302, Sch.1 (with s. 300(3), Sch. 3 para. 2).
	Making an application
F285	
Textu	al Amendments
F28	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Reference of questions to appointed person
^{F29} 6	
Textu	al Amendments
F29	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss.
	300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Canaidanation of analication
F307	Consideration of application
	al Amendments
F30	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with s. 300(3), Sch. 3 para. 2).
	Notification of decision
F318	
	al Amendments
F31	Sch. 1 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with s. 300(3), Sch. 3 para. 2).
	December C.L.
E22 .	Reconsideration of decision
F329	



Textual Amendments
F36 Sch. 2 paras. 1-5 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Dight to minimum povied of notice
Right to minimum period of notice
F373
Textual Amendments
F37 Sch. 2 paras. 1-5 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Right to written statement of reasons for dismissal
F384
Textual Amendments
F38 Sch. 2 paras. 1-5 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
100 Sen. 2 parts. 1 3 repeated (22.0.1770) by 1770 c. 10, 33. 212, 213, Sen. 0 1 t. 1 (with 35. 171 173, 202)
Right not to be unfairly dismissed
F395
Textual Amendments
F39 Sch. 2 paras. 1-5 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Rights in connection with redundancy
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$6 ^{\text{F40}}(1) \dots \dots$
$^{\text{F41}}(2) \cdot \cdot$
(3)
F41(A)
$^{\text{F41}}(4) \cdot \cdot$
$^{\text{F41}}(5) \cdot \cdot$
Textual Amendments
F40 Sch. 2 para. 6(1) repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992
(c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
F41 Sch. 2 para. 6(2)(4)(5) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
F42 Sch. 2 para. 6(3) repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), Sch. 7 Pt. I

	Computation of period of continuous employment
7 F43(1) · · · ·	
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, ,	
F44(3) · · · ·	
Textual Ameno	lments
	ra. 7(1)(2) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) ra. 7(3) repealed (6.2.1995) by S.I. 1995/31, reg. 6, Sch.
Minor a	nd consequential amendments relating to sections 1 to 4 of the 1978 Act
8 F45(1) · · · ·	
^{F45} (2) · · · ·	
^{F45} (3) · · · ·	
F45(4) · · · ·	
٠	
` /	ction 146 of that Act (miscellaneous excluded classes of employment—
F45(a	
^{F46} (b)
Textual Amend	Iments
	ara. 8(1)-(4), (5)(a) repealed (30.11.1993) by 1993 c. 19, s. 51, Sch. 10; S.I. 1993/2503, art.
	ra. 8(5)(b) repealed (6.2.1995) by S.I. 1995/31, reg. 6, Sch.
	Other consequential amendments
^{F47} 9	-
Textual Amend F47 Sch. 2 pa	Iments ra. 9 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 Act 1982 (repealed). (See end of Document for details)

SCHEDULE 3

Section 21.

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

C4 The text of Sch. 3(1)–(7)(9) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

MINOR AMENDMENTS

^{F48} 1	Unfair dismissal: effective date of termination
Textu F48	al Amendments Sch. 3 Pt. I para. 1 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
^{F49} 2	Continuity of employment in certain schools
Textu F49	al Amendments Sch. 3 Pt. I para. 2 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
3	Insolvent employers: payments to employees F50
Textu F50	al Amendments Sch. 3 para. 3 repealed by Insolvency Act 1985 (c. 65, SIF 66), s. 235(3), Sch. 10 Pt. IV
F514	
Textu F51	al Amendments Sch. 3 Pt. I para. 4 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
5	F52

Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

Textua	l Amendments
F52	Sch. 3 para. 5 repealed by Employment Act 1989 (c. 38, SIF 43:1), s.29(4), Sch. 7 Pt. II
	Application of the 1978 Act to employed spouses
F53 -	
F536	
Textua	l Amendments
F53	Sch. 3 Pt. I para. 6 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
	Interest on awards made by or on appeal from industrial tribunals
F547	
,	
Textua	l Amendments
F54	Sch. 3 Pt. I paras. 7-9 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)
134	501. 5 1. 1 paras. 7 5 Tepeared (22.0.1550) by 1550 c. 17, 55. 15, 10, 501. 5 1 t. 1 (with 5. 50)
	Employment Appeal Tribunal
F55 o	
F558	
Textua	l Amendments
F55	Sch. 3 Pt. I paras. 7-9 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)
F569	
Textua	l Amendments
F56	Sch. 3 Pt. I paras. 7-9 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)
	PART II
	I IIII II
	CONSEQUENTIAL AMENDMENTS
	Courts Act 1919 (c.69)
F5710	

Textual Amendments

F57 Sch. 3 paras. 10-13 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch. 1** (with s. 300(3), Sch. 3 para. 2).

	Administration of Justice (Scotland) Act 1972 (c.59)
F58	
Toytu	al Amendments
F58	Sch. 3 paras. 10-13 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Trade Union and Labour Relations Act 1974 (c.52)
F5912	
Textu	al Amendments
F59	Sch. 3 paras. 10-13 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Employment Protection Act 1975 (c.71)
F6013	
Textu	al Amendments
F60	Sch. 3 paras. 10-13 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
	Aircraft and Shipbuilding Industries Act 1977 (c.3)
14	In section 6 of the Aircraft and Shipbuilding Industries Act 1977 (duty of Corporations to take steps to establish and maintain machinery for, amongst other things, the resolution of trade disputes), in subsection (2)(b) (in which "trade dispute" is defined by reference to the 1974 Act), for the words "within the meaning of the Trade Union and Labour Relations Act 1974" there shall be substituted the words "within the meaning of the Employment Protection Act 1975".
	Employment Protection (Consolidation) Act 1978 (c.44)
F61 15	
F61	al Amendments Sch. 3 Pt. II para. 15 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
16	F62
Textu F62	al Amendments Sch. 3 para. 16 repealed by Employment Act 1988 (c. 19, SIF 43:5), s. 33(2), Sch. 4

^{F63} 17	
	al Amendments
F63	Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
^{F64} 18	
Textu	al Amendments
F64	Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
^{F65} 19	
Toytu	al Amandments
F65	al Amendments Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act
F05	1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
F6620	
Tevtu	al Amendments
F66	Sch. 3 paras. 17-20 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with s. 300(3), Sch. 3 para. 2).
^{F67} 21	
Tovtu	al Amendments
F67	Sch. 3 Pt. II para. 21 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
F6822	
Textu F68	al Amendments Sch. 3 Pt. II para. 22 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
F6923	
Textu F69	al Amendments Sch. 3 Pt. II para. 23 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
F7024	

Textu	al Amendments
F70	Sch. 3 para. 24 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992
1.0	(c. 52), ss. 300(1), 302, Sch.1 (with s. 300(3), Sch. 3 para. 2).
	(c. 32), ss. 300(1), 302, scn.1 (with s. 300(3), scn. 3 para. 2).
F71 a =	
F7125	
Textu	al Amendments
F71	Sch. 3 Pt. II para. 25 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
F7226	
Textu	al Amendments
F72	Sch. 3 Pt. II para. 26 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
172	Sch. 51 t. 11 para. 20 repeated (22.6.1776) by 1776 c. 16, 88. 242, 243, 3ch. 51 t. 1 (with 88. 171-173, 202)
27 F7	3(1)
21	(1) · · · · · · · · · · · · · · · · · · ·
	(2) In paragraph 2(4)—
	$^{\text{F74}}(a)$
	(b) F75
	(3) In paragraph 6(3)—
	^{F74} (a) · · · · · · · · · · · · · · · · · · ·
	(1.) F75
	(b) F75
Textu	al Amendments
F73	Sch. 3 Pt. II para. 27(1) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195,
	202)
F74	Sch. 3 para. 27(2)(a)(3)(a) repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation)
	Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with s. 300(3), Sch. 3 para. 2).
F75	Sch. 3 para. 27(2)(b)(3)(b) repealed by Dock Work Act 1989 (c. 13, SIF 43:1), s. 7(1), Sch. 1 Pt. I
F7628	
20	
	al Amendments
F76	Sch. 3 Pt. II para. 28 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
^{F77} 29	
Textu	al Amendments
F77	Sch. 3 Pt. II para. 29 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
E70	
F7830	

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Changes to legislation: There are currently no known outstanding effects for the Employment Act 1982 (repealed). (See end of Document for details)

Textual Amendments

F78 Sch. 3 Pt. II para. 30 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Crown Agents Act 1979 (c.43)

F7931

Textual Amendments

F79 Sch. 3 para. 31 repealed (21.3.1997) by 1995 c. 24, s. 13(2), Sch. 2 Pt. I; S.I. 1997/1139, art. 2

F80SCHEDULE 4

Textual Amendments

F80 Sch. 4 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Status:

Point in time view as at 21/03/1997.

Changes to legislation:

There are currently no known outstanding effects for the Employment Act 1982 (repealed).