

2000 No. 1299

TERMS AND CONDITIONS OF EMPLOYMENT

The Employment Tribunals Act (Application of Conciliation Provisions) Order 2000

<i>Made - - - -</i>	<i>11th May 2000</i>
<i>Laid before Parliament</i>	<i>12th May 2000</i>
<i>Coming into force</i>	<i>6th June 2000</i>

The Secretary of State, in exercise of the powers conferred on him by section 18(8)(a) and (b) of the Employment Tribunals Act 1996(a), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Employment Tribunals (Application of Conciliation Provisions) Order 2000 and comes into force on 6th June 2000.

Application of provisions

2. The Secretary of State directs section 80(1) of the Employment Rights Act 1996(b) to be added to the list in section 18(1)(d) of the Employment Tribunals Act 1996.

3. The Secretary of State specifies section 70B of, and paragraph 156 of Schedule A1 to, the Trade Union and Labour Relations (Consolidation) Act 1992(c) as provisions to which section 18(1)(f) of the Employment Tribunals Act 1996 applies.

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

11th May 2000

(a) 1996 c. 17. Under section 1(2) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8), the Act, formerly the Industrial Tribunals Act 1996, may now be cited as the Employment Tribunals Act 1996.
(b) 1996 c. 18. Section 80(1) is contained in Part VIII of the Act as substituted for the previous Part VIII by the Employment Relations Act 1999 (c. 26), section 7 and Part I of Schedule 4.
(c) 1992 c. 52. Section 70B and Schedule A1 were inserted by, respectively, sections 5 and 1 of the Employment Relations Act 1999; they come into force on 6th June 2000.

EXPLANATORY NOTE

(This note is not part of the Order)

By this Order, which comes into force on 6th June 2000, the Secretary of State directs that section 80(1) of the Employment Rights Act 1996 be added to the list in section 18(1)(d) of the Employment Tribunals Act 1996 and specifies that section 70B of and paragraph 156 of Schedule A1 to the Trade Union and Labour Relations (Consolidation) Act 1992 (“the 1992 Act”) as provisions to which section 18(1)(f) of the Employment Tribunals Act 1996 applies.

The effect of so directing or specifying in relation to a provision is that the provisions of section 18 providing for conciliation officers appointed by the Advisory, Conciliation and Arbitration Service to conciliate between the parties, or possible parties, to proceedings before employment tribunals are applied in relation to proceedings arising out of a contravention, or alleged contravention, of the provision.

Section 80(1) of the Employment Rights Act 1996 protects employees entitled to parental leave against being prevented from taking the leave or having it unreasonably postponed.

Section 70B of the 1992 Act gives trade unions recognised pursuant to Schedule A1 of that Act a right to be consulted by the employer about the training of workers within the bargaining unit provided a method for the conduct of collective bargaining has been prescribed by the Central Arbitration Committee and has not been varied or replaced.

Paragraph 156 of Schedule A1 to the 1992 Act gives workers the right not to be subjected to detriment on certain grounds connected with the operation of the provisions of the Schedule. The provisions deal with recognition and derecognition of trade unions for the purposes of collective bargaining.

The Order comes into force on 6th June 2000.

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