
STATUTORY INSTRUMENTS

2002 No. 2034

**The Fixed-term Employees (Prevention of
Less Favourable Treatment) Regulations 2002**

PART 3

MISCELLANEOUS

Restrictions on contracting out

10. Section 203 of the 1996 Act⁽¹⁾ (restrictions on contracting out) shall apply in relation to these Regulations as if they were contained in that Act.

Amendments to primary legislation

11. The amendments in Part 1 of Schedule 2 to these Regulations shall have effect subject to the transitional provisions in Part 2 of the Schedule.

Liability of employers and principals

12.—(1) Anything done by a person in the course of his employment shall be treated for the purposes of these Regulations as also done by his employer, whether or not it was done with the employer's knowledge or approval.

(2) Anything done by a person as agent for the employer with the authority of the employer shall be treated for the purposes of these Regulations as also done by the employer.

(3) In proceedings under these Regulations against any person in respect of an act alleged to have been done by an employee of his, it shall be a defence for that person to prove that he took such steps as were reasonably practicable to prevent the employee from—

- (a) doing that act, or
- (b) doing, in the course of his employment, acts of that description.

⁽¹⁾ Section 203 was amended by the Employment Rights (Dispute Resolution) Act 1998 (c. 8) and by the Employment Relations Act 1999, section 44 and Schedule 9.