
STATUTORY INSTRUMENTS

2004 No. 3426

The Information and Consultation
of Employees Regulations 2004

PART III

NEGOTIATED AGREEMENTS

Dispute about employee request, employer notification or whether obligation in regulation 7(1) applies

13.—(1) If the employer considers that there was no valid employee request—

- (a) because the employee request did not satisfy any requirement of regulation 7(2) to (4) or was prevented from being valid by regulation 12, or
- (b) because the undertaking was not one to which these Regulations applied (under Regulation 3) on the date on which the employee request was made,

the employer may apply to the CAC for a declaration as to whether there was a valid employee request.

(2) If an employee or an employees' representative considers that an employer notification was not valid because it did not comply with one or more of the requirements in regulation 11(2) or was prevented from being valid by regulation 12, he may apply to the CAC for a declaration as to whether the notification was valid.

(3) The CAC shall only consider an application for a declaration made under paragraph (1) or (2) if the application is made within a one month period beginning on the date of the employee request or the date on which the employer notification is made.