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STATUTORY INSTRUMENTS

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**2004 No. 752**

**The Employment Act 2002 (Dispute Resolution) Regulations 2004**

**Interpretation**

2.—(1) In these Regulations—

“the 1992 Act” means the Trade Union and Labour Relations (Consolidation) Act 1992<sup>(1)</sup>;

“the 1996 Act” means the Employment Rights Act 1996<sup>(2)</sup>;

“the 1999 Act” means the Employment Relations Act 1999<sup>(3)</sup>;

“the 2002 Act” means the Employment Act 2002;

“action” means any act or omission;

“applicable statutory procedure” means the statutory procedure that applies in relation to a particular case by virtue of these Regulations;

“collective agreement” has the meaning given to it by section 178(1) of the 1992 Act;

“dismissal and disciplinary procedures” means the statutory procedures set out in Part 1 of Schedule 2;

“dismissed” has the meaning given to it in section 95(1)(a) and (b) of the 1996 Act;

“employers' association” has the meaning given to it by section 122 of the 1992 Act;

“grievance” means a complaint by an employee about action which his employer has taken or is contemplating taking in relation to him;

“grievance procedures” means the statutory procedures set out in Part 2 of Schedule 2;

“independent trade union” has the meaning given to it by section 5 of the 1992 Act;

“modified dismissal procedure” means the procedure set out in Chapter 2 of Part 1 of Schedule 2;

“modified grievance procedure” means the procedure set out in Chapter 2 of Part 2 of Schedule 2;

“non-completion” of a statutory procedure includes non-commencement of such a procedure except where the term is used in relation to the non-completion of an identified requirement of a procedure or to circumstances where a procedure has already been commenced;

“party” means the employer or the employee;

“relevant disciplinary action” means action, short of dismissal, which the employer asserts to be based wholly or mainly on the employee's conduct or capability, other than suspension on full pay or the issuing of warnings (whether oral or written);

“standard dismissal and disciplinary procedure” means the procedure set out in Chapter 1 of Part 1 of Schedule 2;

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(1) 1992 c. 52.

(2) 1996 c. 18.

(3) 1999 c. 26.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“standard grievance procedure” means the procedure set out in Chapter 1 of Part 2 of Schedule 2;

and a reference to a Schedule is a reference to a Schedule to the 2002 Act.

(2) In determining whether a meeting or written communication fulfils a requirement of Schedule 2, it is irrelevant whether the meeting or communication deals with any other matter (including a different matter required to be dealt with in a meeting or communication intended to fulfil a requirement of Schedule 2).