
STATUTORY INSTRUMENTS

2006 No. 2059

**The European Cooperative Society
(Involvement of Employees) Regulations 2006**

PART 8

PROTECTION FOR MEMBERS OF SPECIAL NEGOTIATING BODY, ETC.

Subsidiary provisions relating to unfair dismissal

- 32.**—(1) In section 105 of the 1996 Act (redundancy as unfair dismissal)—
- (a) for paragraph (c) of subsection (1) (which requires one of a specified group of subsections to apply for a person to be treated as unfairly dismissed) ^{M1} substitute—
 - “(c) it is shown that any of subsections (2A) to (7J) applies.”; and
 - (b) after subsection (7I) insert—
 - “(7J) This subsection applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was one specified in paragraph (3) or (6) of regulation 31 of the European Cooperative Society (Involvement of Employees) Regulations 2006 (read with paragraphs (4) and (7) of that regulation).”
- (2) In section 108 ^{M2} of the 1996 Act (exclusion of right: qualifying period of employment), in subsection (3) (cases where no qualifying period of employment is required) ^{M3}—
- (a) omit the word “or” at the end of paragraph (m); and
 - (b) after paragraph (n) insert—
 - “, or
 - (o) paragraph (3) or (6) of regulation 31 of the European Cooperative Society (Involvement of Employees) Regulations 2006 (read with paragraphs (4) and (7) of that regulation) applies.”
- (3) In section 109 of the 1996 Act (exclusion of right: upper age limit), in subsection (2) (cases where the upper age limit does not apply) ^{M4}—
- (a) omit the word “or” at the end of paragraph (l); and
 - (b) after paragraph (m) insert—
 - “, or
 - (n) paragraph (3) or (6) of regulation 31 of the European Cooperative Society (Involvement of Employees) Regulations 2006 (read with paragraphs (4) and (7) of that regulation) applies.”

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The European Cooperative Society (Involvement of Employees) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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Marginal Citations

- M1** Section 105 has been amended on a number of occasions to specify additional circumstances in which an employee dismissed by reason of redundancy is to be regarded as unfairly dismissed.
- M2** Section 108(1) was amended by [S.I. 1999/1436, article 3](#).
- M3** Section 108(3) has been amended on a number of occasions to specify additional cases in which no qualifying period of employment is required.
- M4** Section 109(2) has been amended on a number of occasions to specify additional cases where the upper age limit does not apply.

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Changes and effects yet to be applied to :

- Regulations modified by [S.R. 2011/350 art. 23\(1\)Sch. 1 para. 1\(b\)](#)
- Regulations revoked by [S.I. 2023/1426 reg. 10](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 9A inserted by [S.R. 2020/4 Sch. para. 40\(2\)](#)