
STATUTORY INSTRUMENTS

1998 No. 1658

**The Employment Rights (Dispute Resolution)
Act 1998 (Commencement No. 1 and
Transitional and Saving Provisions) Order 1998**

Citation and interpretation

1.—(1) This order may be cited as the Employment Rights (Dispute Resolution) Act 1998 (Commencement No. 1 and Transitional and Saving Provisions) Order 1998.

(2) In this Order—

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

“the 1996 Act” means the Employment Rights Act 1996(2);

“the 1998 Act” means the Employment Rights (Dispute Resolution) Act 1998.

Commencement

2.—(1) The provisions of the 1998 Act specified in Schedule 1 shall come into force on 1st August 1998.

(2) The provisions of the 1998 Act specified in Schedule 2 shall come into force on 1st October 1998.

(3) The provisions of the 1998 Act specified in Schedule 3 shall come into force on 1st January 1999.

Transitional and saving provisions

3.—(1) The amendments made to the Industrial Tribunals Act 1996(3) by section 3(1), (2) and (3) of, and paragraph 12(3) of Schedule 1 to, the 1998 Act shall have effect only in relation to cases in which the date of the hearing of the originating application is first fixed on or after 1st August 1998.

(2) The substitution of section 87 of the 1992 Act, made by section 6 of the 1998 Act, shall have effect only where the date of payment of the emoluments concerned falls on or after 1st August 1998.

(3) Neither the amendment made to the 1996 Act by paragraph 18 of Schedule 1 to the 1998 Act, nor the repeal of section 88 of the 1992 Act in Schedule 2 to the 1998 Act, shall have effect in relation to any complaint where the date of payment of the wages (within the meaning of section 27 of the 1996 Act) concerned falls before 1st August 1998.

(4) The amendments made to the Sex Discrimination Act 1975(4), the Race Relations Act 1976(5), the 1992 Act, the Disability Discrimination Act 1995(6) and the 1996 Act by section 8 of

(1) 1992 c. 52.

(2) 1996 c. 18.

(3) 1996 c. 17. By virtue of section 1 of the 1998 Act (and Article 2(1) of this Order) this Act may be cited as the Employment Tribunals Act 1996 from 1st August 1998.

(4) 1975 c. 65.

(5) 1976 c. 74.

the 1998 Act, shall have effect only in respect of arbitration agreements entered into on or after 1st August 1998.

(5) Neither the amendments made to the 1996 Act by section 11 of the 1998 Act, nor the repeals relating to sections 166(2)(a) and 168(1)(a) of the 1996 Act in Schedule 2 to the 1998 Act, shall have effect in respect of dismissals from employment where the relevant date (within the meaning of section 145 of the 1996 Act) falls before 1st October 1998.

(6) The amendments made to the 1996 Act by section 13 of, and paragraphs 19, 20, 21, 23, and 26 of Schedule 1 to, the 1998 Act, shall have effect only in respect of dismissals from employment where the effective date of termination (within the meaning of section 97 of the 1996 Act) falls on or after 1st January 1999.

(7) Neither the amendment made to the 1996 Act by section 14 of the 1998 Act, nor the repeal relating to section 117(6)(a) of the 1996 Act in Schedule 2 to the 1998 Act, shall have effect in respect of dismissals from employment where the effective date of termination (within the meaning of section 97 of the 1996 Act) falls before 1st August 1998.

Signed by order of the Secretary of State

8th July 1998

Ian McCartney
Minister of State,
Department of Trade and Industry