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STATUTORY INSTRUMENTS

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**1999 No. 1925**

**The Collective Redundancies and Transfer of Undertakings  
(Protection of Employment) (Amendment) Regulations 1999**

*Employment rights of employee representatives and their electors*

**Right not to suffer detriment**

**12.** In section 47 of the 1996 Act after subsection (1) insert—

“(1A) An employee has the right not to be subjected to any detriment by any act, or by any deliberate failure to act, by his employer done on the ground of his participation in an election of employee representatives for the purposes of Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 (redundancies) or Regulations 10 and 11 of the Transfer of Undertakings (Protection of Employment) Regulations 1981.”

**Right not to be unfairly dismissed**

**13.** At the beginning of section 103 of the 1996 Act insert “(1)” and at the end of that section insert—

“(2) An employee who is dismissed shall be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the employee took part in an election of employee representatives for the purposes of Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 (redundancies) or Regulations 10 and 11 of the Transfer of Undertakings (Protection of Employment) Regulations 1981.”

**Right to time off**

**14.** At the end of paragraph (b) of section 168(1) of the 1992 Act insert—

“, or

(c) receipt of information from the employer and consultation by the employer under section 188 (redundancies) or under the Transfer of Undertakings (Protection of Employment) Regulations 1981.”.

**15.** In section 61 of the 1996 Act at the end of subsection (1) insert “or in order to undergo training to perform such functions.”