Employment Protection (Consolidation) Act 1978

1978 CHAPTER 44

An Act to consolidate certain enactments relating to rights of employees arising out of their employment; and certain enactments relating to the insolvency of employers; to employment tribunals; to recoupment of certain benefits; to conciliation officers; and to the Employment Appeal Tribunal.

[31st July 1978]

Extent Information
E1 For the extent of this Act as originally enacted see s. 160, and that provision was repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Textual Amendments
F1 Words in long title substituted (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2); S.I. 1998/1658, art. 2, Sch. 1)

Modifications etc. (not altering text)
C1 Act modified by Hops Marketing Act 1982 (c.5, SIF 2:10), s. 2(7), Local Government Finance Act 1982 (c.32, SIF 81:1), Sch. 3 para. 8(3), (1.4.1984) Health and Social Services and Social Security Adjudications Act 1983 (c.41, SIF 113:3), Sch. 3 para. 23, National Audit Act 1983 (c.44, SIF 99:1), Sch. 2 para. 2(3), National Heritage Act 1983 (c.47, SIF 78), Sch. 1 paras. 5(5), 15(5), 25(5), 35(5), Sch. 2 para. 2(5), Sch. 3 para. 5(5), S.I. 1985/1846, reg. 5(5), S.I. 1986/399, arts. 5(8), 6(3), S.I. 1986/151, regs. 2, 3(3)(4), S.I. 1987/406, reg. 2(2), Education Reform Act 1988 (c. 40, SIF 41:1), ss. 178(2)(a), 231(7), 235(6); Dock Work Act 1989 (c. 13, SIF 43:1), s. 6(3); Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 137(4), Sch. 10 para.15; Act modified (S.) by National Heritage (Scotland) Act 1985 (c. 16, SIF 78), ss. 1, 10, Sch. 1 Pt. 1 paras. 5(5), 16(5); Legal Aid (Scotland) Act 1986 (c. 47, SIF 77:2), s. 1, Sch. 1 para. 10(1); Enterprise and New Towns (Scotland) Act 1990 (c. 35, SIF 64), s. 1, Sch. 1 para. 17(1); Act modified (E.W.S.) by Health and Medicines Act 1988 (c. 49, SIF 113:2), ss. 18, 26(7); Housing Act 1988 (c. 50, SIF 61), s. 46(2), Sch. 5 para. 10(1); Act modified (E.W.) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 20(6)

C2 Power to modify Act (E.W.) conferred by Local Government Finance Act 1988 (c. 41, SIF 81:1), s. 136, Sch. 11 para. 6(4) and (E.W.) (10.12.1992) by National Health Service and Community Care Act 1990 (c. 19), s. 49(3)(b); S.I. 1992/2975, art. 2(1)(a).
Employment Protection (Consolidation) Act 1978 (c. 44)

Part I – Employment Particulars

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

C3 Act applied with modifications by S.I. 1989/1139, arts. 3(6), 4(8), Sch. Pt. III; S.I. 1989/1139, art. 4(4), Sch. para. 13; S.I. 1989/1139, art. 4(6), Sch. paras. 12, 13
C4 Act excluded by S.I. 1989/901, art. 6(1)
   Act restricted (retrospectively for specified purposes and otherwise 3.11.1994) by 1994 c. 33, ss. 126(1)(2)(a)(4), 172(4)
   Act excluded (3.11.1994) by 1994 c. 33, ss. 127(8), 172(4)
   Act amended (1.4.1996) by S.I. 1996/593, reg. 2, Sch. 1
C5 Act applied (S.) (27.11.1991) by Natural Heritage (Scotland) Act 1991 (c. 28, SIF 46:1), s. 14, Sch. 4 para. 4; S.I. 1991/2633, art. 3, Sch.
C7 Act: by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 281(5), 282(2), 302 it is provided (16.10.1992) that any provision modifying or supplementing s. 151 or Sch. 13 of this Act shall apply for the purposes of that s. 281.

PART I

EMPLOYMENT PARTICULARS

Textual Amendments
F2 Ss. 1-6, Part I heading and cross heading substituted (30.11.1993) by 1993 c. 19, ss. 26, 50, Sch. 9 para. 3; S.I. 1993/2503, art. 2(2), Sch.2.

Written particulars of employment

Textual Amendments
F3 Ss. 1-6, Part I heading and cross heading substituted (30.11.1993) by 1993 c. 19, ss. 26, 50, Sch. 9 para. 3; S.I. 1993/2503, art. 2(2), Sch.2.

F4 S. 1 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F5 S. 2 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

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Textual Amendments

F7  S. 3 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F8  S. 4 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F9  S. 5 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F10  S. 6 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202, Sch. 2 paras. 6, 7(2))

F11  Ss. 3, 7 repealed by Employment Act 1982 (c. 46, SIF 43:5), Sch. 4

Itemised pay statements

F12  

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F13  

Part II – Rights Arising in Course of Employment

Guarantee payments
Textual Amendments
F18  S. 13 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F19 4  

Textual Amendments
F19  S. 14 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F20 5  

Textual Amendments
F20  S. 15 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F21 6  

Textual Amendments
F21  S. 16 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F22 7  

Textual Amendments
F22  S. 17 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F23 8  

Textual Amendments
F23  S. 18 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Suspension from work on medical grounds

F24 9  
Textual Amendments

F24  S. 19 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F25  ........................................

Textual Amendments

F25  S. 20 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F26  ........................................

Textual Amendments

F26  S. 21 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F27  ........................................

Textual Amendments

F27  S. 22 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F28  Right not to suffer detriment in health and safety cases

Textual Amendments

F28  Ss. 22A-22C and cross heading inserted (30.8.1993) by 1993 c. 19, s. 28, Sch. 5 para.1; S.I. 1993/1908, art. 2(1), Sch.1.

F29  ........................................

Textual Amendments

F29  S. 22A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F30  ........................................
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

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<td><strong>F30</strong> S. 22AA repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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**F31** 22B .................................

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**Trade union membership and activities**

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<td><strong>F33</strong> Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with savings in Sch. 3 para. 2).</td>
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<td><strong>F34</strong> Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch.1 (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1</td>
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Employment Protection (Consolidation) Act 1978 (c. 44)
Part II – Rights Arising in Course of Employment

Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F36  Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2).

F37  S. 26A substituted by Employment Act 1982 (c. 46), s. 11 (with saving in S.I. 1982/1656, Sch. 2) and repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Time off work

F38  Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F39  Ss. 23-28 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F40  S. 29 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1
Textual Amendments

F41 S. 30 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F42 S. 31 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F43 S. 31A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F44 S. 31AA repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F45 S. 32 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Textual Amendments

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

General right to maternity leave

**Textual Amendments**


33 General right to maternity leave.

F48

**Textual Amendments**

F48 S. 33 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

34 Commencement of maternity leave period.

F49

**Textual Amendments**

F49 S. 34 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

35 Duration of maternity leave period.

F50

**Textual Amendments**

F50 S. 35 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

36 Notice of commencement of leave.

F51

**Textual Amendments**

F51 S. 36 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

37 Requirement to inform employer of pregnancy etc.

F52

**Textual Amendments**

F52 S. 37 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
37A Requirement to inform employer of return during maternity leave period.

Textual Amendments

F53 S. 37A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

38 Special provision where redundancy during maternity leave period.

Textual Amendments

F54 S. 38 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

38A Contractual right to maternity leave.

Textual Amendments

F55 S. 38A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Right to return to work

Textual Amendments


F57 S. 39 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F58 S. 40 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

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<td><strong>F59</strong> S. 41 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F62</strong> S. 44 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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**Suspension from work on maternity grounds**

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<td><strong>F63</strong> Pt. III (ss. 33-38A, 39-44) substituted for Pt. III (ss. 33-48) and ss. 45-47, together with the heading, added as provisions of Pt. III (10.6.1994) by 1993 c. 19, ss. 23, 25, Schs. 2,3; S.I. 1994/1365, art. 2, Sch.</td>
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<td><strong>F64</strong> S. 45 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F65</strong> S. 46 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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Part IV – Termination of Employment

General provisions

PART IV

TERMINATION OF EMPLOYMENT

Modifications etc. (not altering text)

C9  Pt. IV modified (3.4.1995) by 1994 c. 19, s. 44(1)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 7, Sch. 3

Textual Amendments

F65  S. 46 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F66  S. 47 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F67  S. 49 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F68  S. 50 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F70 S. 51 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F71 S. 52 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F72 S. 53 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

PART V
UNFAIR DISMISSAL

Modifications etc. (not altering text)

C10 Pt. V modified by S.I. 1981/1794, regs. 8(1)(4), 13
Pt. V (ss. 54-80) modified (3.4.1995) by 1994 c. 19, s. 44(1)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 7, Sch. 3
Pt. V modified (E.W.) (ss. 54-80) (26.8.1994) by 1994 c. 20, s. 4, Sch. 4 para. 7(1)(3); S.I. 1994/1841, art. 2
Pt. V modified (ss. 54-80) (prosp.) by 1995 c. 26, ss. 46(5)(6), 180(1) (which c. 46 was repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202))

C11 Pt. V (ss. 54–80) modified by S.I. 1989/901, arts. 3, 4(b), Sch.

Pt. V (ss. 54-80) excluded (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 167(1), 302.
Pt. V: by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 167(1)(2)(3), 302 it is provided (16.10.1992) that Pt. V of this Act shall have effect subject to the provisions of ss. 152-166 of that 1992 Act and that those sections shall be construed as one with this Part.

Right not to be unfairly dismissed
### Meaning of unfair dismissal

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<td>S. 57A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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**57A. Dismissal of employee representatives.**

The dismissal of an employee by an employer shall be regarded for the purposes of this Part as having been unfair if the reason for it (or, if more than one, the principal reason) was that the employee, being—
(a) an employee representative for the purposes of Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 or Regulations 10 and 11 of the Transfer of Undertakings (Protection of Employment) Regulations 1981, or
(b) a candidate in an election in which any person elected will, on being elected, be such an employee representative, performed, or proposed to perform, any functions or activities as such an employee representative or candidate.}

Textual Amendments

F80 S. 58 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2).

F81 S. 58A repealed by Employment Act 1988 (c. 19, SIF 43:5), s. 33(2), Sch. 4

F82 S. 59 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F83 S. 60 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F84
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F84  S. 60A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F85  S. 61 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)

F86  S. 62 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F87  S. 62A inserted by Employment Act 1990 (c. 38), s. 9(1) and repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2).

F88  S. 63 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)

Exclusion of section 54

F89  S. 64 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)
Changes to legislation: There are currently no known outstanding effects for the
Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F90 S. 64A (which was inserted with saving by Employment Act 1980 (c. 42, SIF 43:5), s. 8(1); S.I. 1980/1170) repealed (30.8.1993) by 1993 c. 19, ss. 49(1), 51, Sch. 7 para. 2, Sch. 10; S.I. 1993/1908, art. 2(1), Sch. 1 (and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202))

F91 S. 65 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)

F92 S. 66 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F93 S. 67 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F94 S. 68 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F95 ........................
Textual Amendments

F95  S. 69 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F96  S. 70 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F97  S. 71 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Amount of compensation

F98  S. 72 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F99  S. 72A (which was inserted by Employment Act 1982 (c. 46), s. 6 (with savings in S.I. 1982/1656, Sch. 2)) repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2) and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F100 S. 73 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Employment Protection (Consolidation) Act 1978 (c. 44)
Part V – Unfair Dismissal

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

### Textual Amendments

**F10174**

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<td><strong>F101</strong> S. 74 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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**F10275**

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<td><strong>F102</strong> S. 75 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1</td>
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**F10375A**

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**F10476**

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<td><strong>F104</strong> S. 76 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1</td>
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**F10576A**

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<td><strong>F105</strong> Ss. 76A-79 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, Sch. 1 (with savings in Sch. 3 para. 2) and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1</td>
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**F10676B, 76C**

76C
Employment Protection (Consolidation) Act 1978 (c. 44)
Part V – Unfair Dismissal

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments
F106 Ss. 76B, 76C repealed by Employment Act 1982 (c. 46, SIF 43:5), Sch. 4 with saving in S.I. 1982/1656, Sch. 2 and expressed to be repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F107 Interim relief

Textual Amendments
F107 Ss. 77-79 and cross heading inserted (30.8.1993) by 1993 c. 19, s. 28, Sch. 5 para. 10; S.I. 1993/1908, art. 2(1), Sch. 1 (previous versions of ss. 77-79 having been repealed (16.10.1992) by 1992 c. 52, Sch. 1).

F108 77 ............................................................

Textual Amendments
F108 S. 77 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F109 77A ............................................................

Textual Amendments
F109 S. 77A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F110 78 ............................................................

Textual Amendments
F110 S. 78 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F111 78A ............................................................

Textual Amendments
F111 S. 78A repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F112 79............................................................
Employment Protection (Consolidation) Act 1978 (c. 44)
Part VI – Redundancy Payments

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments
F112 S. 79 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Teachers in aided schools

Textual Amendments
F113 S. 80 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

PART VI

REDUNDANCY PAYMENTS

Modifications etc. (not altering text)
C13 Pt. VI (ss. 81–120) modified by Local Government Act 1985 (c. 51, SIF 81:1), s. 59(1)
Pt. VI modified (3.4.1995) by 1994 c. 19, s. 44(1)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 7, Sch. 3
C14 Pt. VI (ss. 81–120) excluded (S.) by Legal Aid (Scotland) Act 1986 (c. 47, SIF 77:2), s. 1, Sch. 1 para. 10(2), Housing (Scotland) Act 1988 (c. 43, SIF 61), s. 1(2), Sch. 1 para. 12(2) and Enterprise and New Towns (Scotland) Act 1990 (c. 35, SIF 64), s. 1, Sch. 1 para. 17(2)
C15 Pt. VI (ss. 81–120) excluded by Legal Aid Act 1988 (c. 34, SIF 77:1), s. 45(4) Sch. 7 para. 7(3)(b), Housing Act 1988 (c. 50, SIF 61), s. 46(2), Sch. 5 para. 10(2), Electricity Act 1989 (c. 29, SIF 44:1), ss. 56(2), 113(2), Sch. 17 para. 35 and Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 137(4), Sch. 10 para. 16
C16 Pt. VI (ss. 81-120) excluded (S.) (27. 11. 1991) by Natural Heritage (Scotland) Act 1991 (c. 28, SIF 46:1), s. 14, Sch. 4 para.5; S.I. 1991/2633, art. 3,Sch.

Right to redundancy payment

Textual Amendments
F114 S. 81 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F11582 .................................
**Employment Protection (Consolidation) Act 1978 (c. 44)**

**Part VI – Redundancy Payments**

Changes to legislation:

There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

<table>
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<td>F115 S. 82 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td>F116 S. 83 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td>F117 S. 84 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td>F118 S. 85 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td>F119 S. 86 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td>F120 S. 87 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td>F121 S. 88 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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</table>
Employment Protection (Consolidation) Act 1978 (c. 44)
Part VI – Redundancy Payments

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments
F122 S. 89 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F123 S. 90 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F124 S. 91 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F125 S. 92 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F126 S. 93 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F127 S. 94 repealed (30.8.1993) by 1993 c. 19, s. 51, Sch.10 (with Sch. 9 para. 4); S.I. 1993/1908, art. 2(1), Sch.1
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F128 S. 95 repealed (30.8.1993) by 1993 c. 19, s. 51, Sch.10; S.I. 1993/1908, art. 2(1), Sch.1

F129 S. 96 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F130 S. 97 repealed by Employment Act 1980 (c. 42, SIF 43:5), Sch. 2

F131 S. 98 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F132 S. 99 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F133 S. 100 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Employment Protection (Consolidation) Act 1978 (c. 44)

Part VI – Redundancy Payments


Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments
F134 S. 101 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F135 102 .................................

Textual Amendments
F135 S. 102 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Redundancy Fund

F136 103 .................................

Textual Amendments
F136 S. 103 repealed by Employment Act 1990 (c. 38, SIF 43:5), s. 16(2), Sch. 3

F137 104 .................................

Textual Amendments
F137 S. 104 repealed by Employment Act 1989 (c. 38, SIF 43:1), ss. 17(a), 29(4)(6), Sch. 7 Pt. II, Sch. 9 para. 4

F138 104A .................................

Textual Amendments
F138 S. 104A inserted by Wages Act 1986 (c. 48, SIF 43:2), s. 27(3) and repealed by Employment Act 1989 (c. 38, SIF 43:1), ss. 17(a), 29(4)(6), Sch. 7 Pt. II, Sch. 9 para. 4

F139 105 .................................

Textual Amendments
F139 S. 105 repealed by Employment Act 1990 (c. 38, SIF 43:5), ss. 13(4), 16(2), Sch. 3

F140 106 .................................
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

### Textual Amendments

**F140**  
S. 106 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

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**F141**  
S. 107 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)

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**F142**  
S. 108 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

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**F143**  
S. 109 repealed by Employment Act 1990 (c. 38, SIF 43:5), s. 16(2), Sch. 3

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**F144**  
S. 110 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

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**F145**  
S. 111 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)

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**F146**  
S. 112
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<td><strong>F147</strong> S. 113 repealed by Wages Act 1986 (c. 48, SIF 43:2), ss. 28, 32(2)(3), Sch. 5 Pt. I, Sch. 6 para. 10</td>
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<td><strong>F148</strong> S. 114 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F149</strong> S. 115 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F150</strong> S. 116 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F151</strong> S. 117 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F152</strong> S. 118 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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**PART VII**

**INSOLVENCY OF EMPLOYER**

F155 121 .................................

Textual Amendments
F155  S. 121 repealed by Insolvency Act 1985 (c. 65, SIF 66), s. 235, Sch. 10 Pt. IV

F156 122 .................................

Textual Amendments
F156  S. 122 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F157 123 .................................

Textual Amendments
F157  S. 123 repealed (7.2.1994) by 1993 c. 48, s. 188, Sch. 5 Pt.I; S.I. 1994/86, art. 2

F158 124 .................................

Textual Amendments
F158  S. 124 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1
Changes to legislation: There are currently no known outstanding effects for the 
Employment Protection (Consolidation) Act 1978. (See end of Document for details)

PART VIII
RESOLUTION OF DISPUTES RELATING TO EMPLOYMENT

Industrial tribunals
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments
F164 S. 130 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. 1 (with s. 38, Sch. 2 para. 6) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F165 131

Textual Amendments
F165 S. 131 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. 1 (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Recoupment of certain benefits

F166 132

Textual Amendments
F166 S. 132 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. 1 (with s. 38) and subject to an amendment (2.9.1996) by 1995 c. 18, s. 41(4), Sch. 2 para. 2; S.I. 1996/2208, art. 2(a) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Conciliation officers

F167 133

Textual Amendments
F167 S. 133 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. 1 (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F168 134

Textual Amendments
F168 S. 134 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. 1 (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

Employment Appeal Tribunal

F169 135
Textual Amendments

F169 S. 135 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)

F170 S. 136 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38) and subject to an amendment (2.12.1996) by 1995 c. 50, s. 70(4), Sch. 6 para. 2; S. 1996/1474, art. 2(3), Sch. Pt. III (with art. 3); S.R. 1996/280, art. 2, Sch. Pt. II (with art. 3) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F171 S. 136A repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F172 S. 137 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

PART IX

MISCELLANEOUS AND SUPPLEMENTAL

Extension of employment protection legislation

Crown employment

138 Application of Act to Crown employment.

F173(1) ...................................................
F173(2) ...................................................
F173(3) ...................................................
F173(4) ...................................................
(7) For the purposes of the application of the provisions of this Act in relation to Crown employment in accordance with subsection (1)—

(a) ........................................
(b) ........................................
(c) ........................................
(d) ........................................
(e) ........................................
(f) ........................................

(8) ........................................

**Textual Amendments**


F174 S. 138(7)(e) repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)

**[F175138A Application of Act to armed forces.**

(1) The provisions of this Act which apply, by virtue of section 138, to service as a member of the naval, military or air forces of the Crown are—

Part I;

in Part II, sections 19 to 22 and 31A;

Part III;

in Part IV, section 53;

Part V, except sections 57A [f17657AA,] and 80;

Part VIII; and

this Part.

(2) Her Majesty may, by Order in Council,—

(a) amend subsection (1) above by making additions to, or omissions from, the provisions for the time being specified in that subsection by an Order under this subsection; and

(b) make any provision apply to service as a member of the naval, military or air forces of the Crown subject to such exceptions and modifications as may be specified in the Order.

(3) Subject to subsection (5) below, modifications made under subsection (2) above may include provision precluding the making of a complaint or reference to any [f175employment tribunal] unless the person aggrieved has availed himself of the service procedures for the redress of complaints applicable to him.

(4) Where modifications include the provision authorised by subsection (3) above the Order in Council shall also include provision designed to secure that the service procedures for the redress of complaints result in a determination, or what is to be treated under the Order as a determination, in sufficient time to enable a complaint or reference to be made to an [f175employment tribunal].
(5) No provision shall be made by virtue of subsection (3) above which has the effect of substituting, for any period specified as the normal period for a complaint or reference on any matter to an employment tribunal, a period longer than six months.

(6) No recommendation shall be made to Her Majesty to make an Order in Council under subsection (2) above unless a draft of the Order has been laid before Parliament and approved by a resolution of each House of Parliament.

(7) In this section—

“The normal period for a complaint or reference”, in relation to any matter within the jurisdiction of an employment tribunal, means the period specified in the relevant enactment as the period within which the complaint or reference must be made, disregarding any provision permitting an extension of that period at the discretion of the tribunal; and

“The service procedures for the redress of complaints” means the procedures, excluding those which relate to the making of a report on a complaint to Her Majesty, referred to in sections 180 and 181 of the Army Act 1955, sections 180 and 181 of the Air Force Act 1955 and section 130 of the Naval Discipline Act 1957.

House of Commons staff

139 Provisions as to House of Commons staff.

(1) The provisions of Parts I . . ., II, III, V and VIII, and this Part and section 53 shall apply to relevant members of House of Commons staff as they apply to persons in Crown employment within the meaning of section 138 and accordingly for the purposes of the application of those provisions in relation to any such members—

(a) ..................................................  
(b) ..................................................  
(c) ..................................................  
(d) ..................................................  
(e) ..................................................  

(2) ..................................................  
(3) ..................................................  
(4) ..................................................  

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments
F178 Words in s. 139(1) repealed (30.11.1993) by 1993 c. 19, ss. 49(1), 51, Sch. 7 para. 4, Sch. 10; S.I. 1993/2503, art. 2(2), Sch. 2
F179 Words repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(2), Sch. 11
F180 S. 139(1)(a)-(c)(e)(2)-(9) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment to s. 139(2)(6) (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 162); S.I. 1998/1658, art. 2, Sch. 1
F181 S. 139(1)(d) repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)

Modifications etc. (not altering text)
C18 S. 139 modified (2.12.1996) by 1995 c. 50, s. 65(2) (with ss. 59, 64); S.I. 1996/1474, art. 2(3), Sch. Pt. III (with art. 3)

139A Provisions as to House of Lords staff.

(3) For the purposes of the application of the enactments applied by subsection (1) in relation to a relevant member of the House of Lords staff—
F185 (a) .................................................................
F185 (b) .................................................................
F184 (4) .................................................................
F184 (5) .................................................................
F184 (6) .................................................................

Textual Amendments
F183 S. 139A inserted (30.11.1993) by 1993 c. 19, s. 49(1), Sch. 7 para. 11; S.I. 1993/2503, art. 2(2), Sch. 2
**Changes to legislation:** There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

### Contracting out of provisions of Act

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<table>
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<tbody>
<tr>
<td><strong>F184</strong></td>
<td>S. 139A(1)(2)(3)(b)(4)-(6) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment to s. 139A(2) (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1</td>
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<td><strong>F185</strong></td>
<td>S. 139A(3)(a) repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)</td>
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### Excluded classes of employment

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<tr>
<td><strong>F186</strong></td>
<td>S. 140 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1</td>
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<td><strong>F187</strong></td>
<td>S. 141 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F188</strong></td>
<td>S. 142 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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<td><strong>F189</strong></td>
<td>S. 143 repealed by Employment Act 1982 (c. 46, SIF 43:5), Sch. 4</td>
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<tr>
<td><strong>F190</strong></td>
<td>S. 144 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)</td>
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### Textual Amendments

<table>
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<th>Section</th>
<th>Amendments</th>
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<tr>
<td>S. 145</td>
<td>Repealed by Dock Work Act 1989 (c. 13, SIF 43:5), s. 7(1), Sch. 1 Pt. 1</td>
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<td>S. 146</td>
<td>Repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<tr>
<td>S. 146A</td>
<td>Repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<tr>
<td>S. 147</td>
<td>Repealed by Employment Act 1982 (c. 46, SIF 43:5), Sch. 4</td>
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### Supplementary provisions

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<th>Section</th>
<th>Amendments</th>
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<tr>
<td>S. 148</td>
<td>Repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<tr>
<td>S. 149</td>
<td>Repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<tr>
<td>F197 S. 150</td>
<td>repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<td>F198 151</td>
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<td>F198 S. 151</td>
<td>repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<td>F199 152</td>
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<td>F199 S. 152</td>
<td>repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<td>repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<td>F201 S. 154</td>
<td>repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<td>F202 155</td>
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<td>Textual Amendments</td>
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<tr>
<td>F202 S. 155</td>
<td>repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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<td>F203 156</td>
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<td>Textual Amendments</td>
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<tr>
<td>F203 S. 156</td>
<td>repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. 1 (with ss. 191-195, 202)</td>
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</tbody>
</table>
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

F204 157 .................................

Textual Amendments
F204  S. 157 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F205 158 .................................

Textual Amendments
F205  S. 158 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F206 159 .................................

Textual Amendments
F206  S. 159 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F207 160 .................................

Textual Amendments
F207  S. 160 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
SCHEDULES

Schedule 1

Textual Amendments

F208 Sch. 1 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Schedule 2

Textual Amendments

F219 Sch. 2 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Schedule 3

Textual Amendments

F237 Sch. 3 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

Schedule 4

Textual Amendments

F247 Sch. 4 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment to para. 5 (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1
SCHEDULE 5

Textual Amendments
F251 Sch. 5 repealed (1.4.1991) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(2), Sch. 10

SCHEDULE 6

Textual Amendments
F256 Sch. 6 repealed by Employment Act 1989 (c. 38, SIF 43:1), ss. 17(6), 29(4)(6), Sch. 7 Pt. II, Sch. 9 para. 4(1)

SCHEDULE 7

Textual Amendments
F257 Sch. 7 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

SCHEDULE 8

Textual Amendments
F260 Sch. 8 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

SCHEDULE 9

Textual Amendments
F261 Sch. 9 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38) and subject to amendments (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

SCHEDULE 10

Textual Amendments

F287 Sch. 10 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38, Sch. 2 para. 6)

SCHEDULE 11

Textual Amendments

F290 Sch. 11 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

SCHEDULE 12

Textual Amendments

F311 Sch. 12 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to amendments (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

SCHEDULE 13

Textual Amendments

F314 Sch. 13 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) and subject to an amendment to para. 20(3) (2.12.1996 for specified purposes and otherwiseprosp.) by 1995 c. 50, s. 70(3)(4)(5), Sch. 6 para. 3, Sch. 7; S.I. 1996/1474, art. 2(3), Sch. Pt. III

SCHEDULE 14
Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978. (See end of Document for details)

Textual Amendments

F352 Sch. 4 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)

F362 SCHEDULE 15

Textual Amendments

F362 Sch. 15 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)(and Sch. 15 para. 18 expressed to be repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)) and subject to an amendment (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F372 SCHEDULE 16

Textual Amendments

F372 Sch. 16 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202) (and Sch. 16 paras. 3, 6, 13, 16, 20(2), 25(3) and 28 expressed to be repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, Sch. 3 Pt. I (with s. 38)) and subject to amendments (1.8.1998) by 1998 c. 8, s. 1(2) (with s. 16(2)); S.I. 1998/1658, art. 2, Sch. 1

F395 SCHEDULE 17.

Textual Amendments

F395 Sch. 17 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I (with ss. 191-195, 202)
Changes to legislation:
There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978.