STATUTORY INSTRUMENTS

1996 No. 2349

The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996

PART II

INDUSTRIAL TRIBUNAL PROCEEDINGS

Application to payments and proceedings

5. Duties of the industrial tribunals and of the Secretary of the Tribunals in respect of protective awards

(1) Where, on a complaint under section 189 of the 1992 Act, an industrial tribunal—

(a) at the hearing announces to the parties the effect of a decision to make a protective award; or

(b) (where it has made no such announcement) sends a decision to make such an award to the parties; the Secretary of the Tribunals shall forthwith notify the Secretary of State of the following particulars relating to the award—

(i) where the industrial tribunal has made such an announcement as is described in paragraph (1)(a) above, the date of the hearing or where it has made no such announcement, the date on which the decision was sent to the parties;

(ii) the location of the tribunal;

(iii) the name and address of the employer;

(iv) the description of the employees to whom the award relates; and

(v) the dates of the protected period.

(a) (2) (a) Where an industrial tribunal makes such an announcement as is described in paragraph (1)(a) above in the presence of the employer or his representative it shall advise him of his duties under Regulation 6 below and shall explain the effect of Regulations 7 and 8 below in relation to remuneration under the protective award.

(b) Without prejudice to (a) above any decision of an industrial tribunal to make a protective award under section 189 of the 1992 Act shall contain a statement advising the employer of his duties under Regulation 6 below and an explanation of the effect of Regulations 7 and 8 below in relation to remuneration under the protective award.