
STATUTORY INSTRUMENTS

1998 No. 44

TERMS AND CONDITIONS OF EMPLOYMENT

**The Employment Protection Code of Practice
(Disciplinary Practice and Procedures) Order 1998**

Made - - - - 14th January 1998

Whereas—

(1) under section 201(1) of the Trade Union and Labour Relations (Consolidation) Act 1992⁽¹⁾ (“the 1992 Act”) the Advisory, Conciliation and Arbitration Service (“the Service”) may revise the whole or any part of a Code of Practice issued by the Service, for the purpose of bringing it into conformity with statutory provisions coming into force after the code was issued, by the making of consequential amendments and the omission of obsolete passages;

(2) in pursuance of section 201(2) of the 1992 Act the Service proposed to revise the whole of the Code of Practice on Disciplinary Practice and Procedures in Employment which came into force on 20th June 1977⁽²⁾, and has transmitted the draft revised Code of Practice (“the draft Code”) to the Secretary of State;

(3) in pursuance of section 201(2) of the 1992 Act, the Secretary of State has laid the draft Code before both Houses of Parliament, and 40 days have elapsed, beginning with the day on which the draft Code was laid before Parliament;

(4) in pursuance of section 201(4) of the 1992 Act, neither House having resolved that no further proceeding should be taken on the draft Code, the Service is issuing the Code of Practice on Disciplinary Practice and Procedures in Employment in the form of the draft;

Now, therefore, the Secretary of State, in exercise of the power conferred on her by section 201(4) of the 1992 Act, hereby makes the following Order:—

Citation

1. This Order may be cited as the Employment Protection Code of Practice (Disciplinary Practice and Procedures) Order 1998.

⁽¹⁾ 1992 c. 52.

⁽²⁾ The Code of Practice on Disciplinary Practice and Procedures in Employment was brought into effect by the Employment Protection Code of Practice (Disciplinary Practice and Procedures) Order 1977 (S.I. 1977/867) on 20th June 1977.

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Appointed day for revised Code of Practice

2. The day appointed by the Secretary of State under section 201(4) of the Trade Union and Labour Relations (Consolidation) Act 1992 for the coming into effect of the revised Code of Practice on Disciplinary Practice and Procedures in Employment (the draft of which was laid before both Houses of Parliament on 28th October 1997) issued by the Advisory, Conciliation and Arbitration Service pursuant to that section is 5th February 1998.

Signed by order of the Secretary of State.

14th January 1998

Ian McCartney
Minister of State
Department of Trade and Industry

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 5th February 1998 as the day upon which the revised Code of Practice on Disciplinary Practice and Procedures in Employment which is being issued by the Advisory, Conciliation and Arbitration Service under section 201 of the Trade Union and Labour Relations (Consolidation) Act 1992 will come into effect.