
STATUTORY INSTRUMENTS

2010 No. 1088

**The Transnational Information and Consultation
of Employees (Amendment) Regulations 2010**

Information and consultation

10. After regulation 18 (subsidiary requirements) insert—

“Information and consultation

18A.—(1) This regulation applies where—

- (a) a European Works Council or information and consultation procedure has been established under regulation 17; or
- (b) a European Works Council has been established by virtue of regulation 18.

(2) The central management, or any more appropriate level of management, shall give information to—

- (a) members of a European Works Council; or
- (b) information and consultation representatives,

as the case may be, in accordance with paragraph (3).

(3) The content of the information, the time when, and manner in which it is given, must be such as to enable the recipients to—

- (a) acquaint themselves with and examine its subject matter;
- (b) undertake a detailed assessment of its possible impact; and
- (c) where appropriate, prepare for consultation.

(4) The central management, or any more appropriate level of management, shall consult with—

- (a) members of a European Works Council; or
- (b) information and consultation representatives,

as the case may be, in accordance with paragraph (5).

(5) The content of the consultation, the time when, and manner in which it takes place, must be such as to enable a European Works Council or information and consultation representatives to express an opinion on the basis of the information provided to them.

(6) The opinion referred to in paragraph (5) shall be provided within a reasonable time after the information is provided to the European Works Council or the information and consultation representatives and, having regard to the responsibilities of management to take decisions effectively, may be taken into account by the central management or any more appropriate level of management.

(7) The information provided to the members of a European Works Council or information and consultation representatives, and the consultation of the members of a European Works Council or information and consultation representatives shall be limited to transnational matters.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) Where information as to the employment situation in the Community-scale undertaking or, as the case may be, the Community-scale group of undertakings, is disclosed by the central management or any more appropriate level of management, this shall include suitable information relating to the use of agency workers (if any).”