
STATUTORY INSTRUMENTS

1994 No. 1365 (C.23)

**TRADE UNIONS
TERMS AND CONDITIONS OF EMPLOYMENT**

The Trade Union Reform and Employment Rights Act 1993
(Commencement No. 3 and Transitional Provisions) Order 1994

Made - - - - 19th May 1994

The Secretary of State, in exercise of the powers conferred on him by section 52 of, and paragraph 1 of Schedule 9 to, the Trade Union Reform and Employment Rights Act 1993(1), hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Trade Union Reform and Employment Rights Act 1993 (Commencement No. 3 and Transitional Provisions) Order 1994.

(2) In this Order—

- (i) “the 1978 Act” means the Employment Protection (Consolidation) Act 1978(2),
- (ii) “the 1993 Act” means the Trade Union Reform and Employment Rights Act 1993, and
- (iii) “expected week of childbirth” and “effective date of termination” have the same meanings as in the 1978 Act.

Commencement

2. The provisions of the 1993 Act which are specified in the Schedule to this Order shall come into force on 10th June 1994.

Transitional provisions

3.—(1) The amendments and repeals made by the provisions of the 1993 Act which are specified in the Schedule to this Order shall have effect only in relation to women whose expected week of childbirth begins on or after 16th October 1994.

(1) 1993 c. 19.
(2) 1978 c. 44.

Status: This is the original version (as it was originally made).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

(2) The amendments to the 1978 Act made by section 24 of the 1993 Act and brought into force by this Order shall apply to any dismissal where the effective date of termination in relation to that dismissal falls on or after 10th June 1994.

Signed by order of the Secretary of State.

19th May 1994

Michael Forsyth
Minister of State,
Department of Employment

SCHEDULE

Article 2

<i>Provision</i>	<i>Subject matter of Provision</i>
Section 23	Right to maternity leave and right to return to work
Section 24, so far as it is not already in force	Dismissal rights
Section 25	Rights on suspension on maternity grounds
Section 49, so far as it is not already in force	Miscellaneous and consequential amendments
Section 51, so far as it is not already in force	Repeals
Schedule 2	Right to return to work
Schedule 3	Suspension on maternity grounds
Schedule 7, so far as it is not already in force	Miscellaneous amendments
Schedule 8, so far as it is not already in force	Consequential amendments
Schedule 10, so far as it is not already in force except the repeal of the words “subject to subsections (3) to (5)” in section 138 of the 1978 Act so far as they relate to subsection (3)	Repeals

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 10th June 1994, the remaining provisions of the Trade Union Reform and Employment Rights Act 1993 (“the 1993 Act”) except for section 31 (which relates to service in the armed forces) and a consequential provision in Schedule 10.

The provisions brought into force by this Order are those specified in the Schedule to the Order and they relate to employment rights in connection with maternity. The provisions implement the requirements of Council Directive [92/85/EEC](#) (OJ No. L348, 28.11.92, p.1) in relation to maternity leave, dismissals on grounds of pregnancy or childbirth and suspension from work on maternity grounds.

This Order also contains transitional provisions in article 3.

Dates of commencement of the other provisions of the 1993 Act are set out in the Trade Union Reform and Employment Rights Act 1993 (Commencement No. 1 and Transitional Provisions) Order 1993 (S.I. [1993/1908](#)) and the Trade Union Reform and Employment Rights Act 1993 (Commencement No. 2 and Transitional Provisions) Order 1993 (S.I. [1993/2503](#)).