

SCHEDULES

SCHEDULE 5

EMPLOYMENT PROTECTION IN HEALTH AND SAFETY CASES

6 In section 71 of the 1978 Act (compensation for failure to comply with section 69)

—
(a) in subsection (2)(b) (additional award), after the word “unless” there shall be inserted the words “the case is one where this paragraph is excluded or”; and

(b) after that subsection there shall be inserted—

“(2A) Subsection (2)(b) is excluded where the reason (or, if more than one, the principal reason) for the dismissal or, in a redundancy case, for selecting the employee for dismissal, was an inadmissible reason.

(2B) For the purposes of subsection (2A) a reason is “inadmissible” if it is one of those specified in section 57A(1)(a) and (b).”.