



# Trade Union Reform and Employment Rights Act 1993

## 1993 CHAPTER 19

### PART II

#### EMPLOYMENT RIGHTS

##### *Reinstatement orders: compensation*

### **30 Compensation for unfair dismissal when reinstatement or re-engagement ordered**

(1) Sections 71, 74 and 75 of the 1978 Act (awards of compensation for unfair dismissal) shall be amended in accordance with subsections (2), (3) and (4).

(2) In section 71—

- (a) in subsection (1), for the words “section 75” there shall be substituted the words “subsection (1A)”; and
- (b) after subsection (1) there shall be inserted—

“(1A) Subsection (1) is subject to section 75 except that the limit imposed by that section may be exceeded to the extent necessary to enable the award fully to reflect the amount specified as payable under section 69(2)(a) or (4)(d), as the case may be.”.

(3) In section 74—

- (a) in subsection (1), for the words “sections 75 and 76” there shall be substituted the words “subsection (8) and section 76”; and
- (b) after subsection (7) there shall be inserted—

“(8) Subsection (1) is subject also to section 75 except that, in the case of an award of compensation under section 71(2)(a) where an additional award falls to be made, the limit imposed by section 75 may be exceeded to the extent necessary to enable the award fully to reflect

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*Status: This is the original version (as it was originally enacted).*

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the amount specified as payable under section 69(2)(a) or (4)(d), as the case may be, if that limit would otherwise reduce the amount of the compensatory award when added to the additional award.”.

- (4) In section 75(1), after the word “shall” there shall be inserted the words “(save where the exception in section 71(1A) or 74(8) applies)”.