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Changes to legislation: Employment Rights Act 1996, Paragraph 56 is up to date with all changes known to be in force on or before 30 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

The Trade Union and Labour Relations (Consolidation) Act 1992 (c.52)

- 56 (1) The Trade Union and Labour Relations (Consolidation) Act 1992 is amended as follows.
- (2) In section 67(8)—
- (a) in paragraph (a), for “paragraph 8(1)(b) of Schedule 14 to the Employment Protection (Consolidation) Act 1978” substitute “ section 227(1)(a) of the Employment Rights Act 1996 ”, and
 - (b) in paragraph (b), for “section 75” substitute “ section 124(1) ”.
- (3) In section 68(11), for “Part I of the Wages Act 1986” substitute “ the Employment Rights Act 1996 ”.
- (4) In section 68A(4)—
- (a) in paragraph (a), for “the Employment Protection (Consolidation) Act 1978” substitute “ the Employment Rights Act 1996 ”, and
 - (b) in paragraph (b), for “section 1(1) of the Wages Act 1986” substitute “ section 13 of that Act ”.
- (5) In section 88—
- (a) in subsection (2), for “section 1 of the Wages Act 1986” substitute “ section 13 of the Employment Rights Act 1996 ”,
 - (b) in subsection (3), for “section 5 of the Wages Act 1986” substitute “ section 23 of the Employment Rights Act 1996 ”, and
 - (c) in subsection (4), for “section 5(2) of the Wages Act 1986” substitute “ section 23(2) of the Employment Rights Act 1996 ”.
- (6) In section 140(4), for “section 75 of the Employment Protection (Consolidation) Act 1978” substitute “ section 124(1) of the Employment Rights Act 1996 ”.
- (7) In—
- (a) section 152(1), and
 - (b) section 153,
- for “Part V of the Employment Protection (Consolidation) Act 1978” substitute “ Part X of the Employment Rights Act 1996 ”.
- (8) In section 154, for “Section 64 of the Employment Protection (Consolidation) Act 1978 (qualifying period and upper age limit for unfair dismissal protection) does” substitute “ Sections 108 and 109 of the Employment Rights Act 1996 (qualifying period and upper age limit for unfair dismissal protection) do ”.

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(9) In section 156—

- (a) in subsection (1), for “subsection (7A), (7B) or (9) of section 73 of the Employment Protection (Consolidation) Act 1978” substitute “ section 122 of the Employment Rights Act 1996 ”, and
- (b) in subsection (2), for “subsection (7B)” substitute “ subsection (2) ”.

(10) In section 157—

- (a) in subsection (1), for “section 73(2) of the Employment Protection (Consolidation) Act 1978” substitute “ section 121 of the Employment Rights Act 1996 ”, and
- (b) in subsection (2), for “section 71(2)(b) of the Employment Protection (Consolidation) Act 1978” substitute “ section 117(3)(b) of the Employment Rights Act 1996 ”.

(11) In section 158—

- (a) in subsection (2), for “section 71(2)(a) of the Employment Protection (Consolidation) Act 1978” substitute “ section 117(3)(a) of the Employment Rights Act 1996 ”,
- (b) in subsection (3), for “section 73(5) of the Employment Protection (Consolidation) Act 1978” substitute “ section 119(4) of the Employment Rights Act 1996 ”, and
- (c) in subsection (7), for the words from the beginning to “Part” substitute—

“(7) Chapter II of Part XIV of the Employment Rights Act 1996 (calculation of a week’s pay) applies for the purposes of this section with the substitution for section 226 of the following—

For the purposes of this Chapter”.

(12) In section 167—

- (a) in subsection (1), for “Part V of the Employment Protection (Consolidation) Act 1978” substitute “ Part X of the Employment Rights Act 1996 ”, and
- (b) in subsection (2)—
 - (i) for “section 67 of the Employment Protection (Consolidation) Act 1978” substitute “ section 111 of the Employment Rights Act 1996 ”,
 - (ii) for “section 68(2) or 71(2)(a)” substitute “ section 112(4) or 117(3)(a) ”, and
 - (iii) for “section 69” substitute “ section 113 ”.

(13) In section 176(6)—

- (a) in paragraph (a), for “paragraph 8(1)(b) of Schedule 14 to the Employment Protection (Consolidation) Act 1978” substitute “ section 227(1)(a) of the Employment Rights Act 1996 ”, and
- (b) in paragraph (b), for “section 75” substitute “ section 124(1) ”.

(14) In section 190—

- (a) in subsection (4)—
 - (i) for “Schedule 3 to the Employment Protection (Consolidation) Act 1978” substitute “ sections 87 to 91 of the Employment Rights Act 1996 ”, and
 - (ii) for “section 49(1)” substitute “ section 86(1) ”, and

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- (b) in subsection (5)—
 - (i) for “Schedule 14 to the Employment Protection (Consolidation) Act 1978” substitute “ Chapter II of Part XIV of the Employment Rights Act 1996 ”,
 - (ii) for “Part II of that Schedule” substitute “ that Chapter ”, and
 - (iii) for “paragraph 7(1)(k) or (l) of that Schedule” substitute “ section 226(5) ”.
- (15) In sections 237(1A) and 238(2A)—
 - (a) for “section 57A, 57AA or 60 of the Employment Protection (Consolidation) Act 1978 (dismissal in health and safety cases, employee representative and maternity cases)” substitute “ section 99(1) to (3), 100 or 103 of the Employment Rights Act 1996 (dismissal in maternity, health and safety and employee representative cases) ”, and
 - (b) for “section 59” substitute “ section 105(9) ”.
- (16) In section 239—
 - (a) in subsection (1), for “Part V of the Employment Protection (Consolidation) Act 1978” substitute “ Part X of the Employment Rights Act 1996 ”,
 - (b) in subsection (2), for “section 67(2)” substitute “ section 111(2) ”, and
 - (c) in subsection (3), for “sections 57 to 61 of the Employment Protection (Consolidation) Act 1978” substitute “ sections 98 to 106 of the Employment Rights Act 1996 ”.
- (17) In section 278(6), for “Subsections (4) to (9) of section 139 of the Employment Protection (Consolidation) Act 1978” substitute “ Subsections (6) to (12) of section 195 of the Employment Rights Act 1996 ”.
- (18) In section 282, for subsection (2) substitute—

“(2) Chapter I of Part XIV of the Employment Rights Act 1996 (computation of period of continuous employment), and any provision modifying or supplementing that Chapter for the purposes of that Act, apply for the purposes of this section.”
- (19) In section 298, for “section 55 of the Employment Protection (Consolidation) Act 1978” substitute “ Part X of the Employment Rights Act 1996 ”.

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