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STATUTORY INSTRUMENTS

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**1999 No. 1436**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Unfair Dismissal and Statement of Reasons for Dismissal (Variation of Qualifying Period) Order 1999**

*Made* - - - - *23rd May 1999*  
*Coming into force* - - *1st June 1999*

Whereas a draft of the following Order was laid before Parliament in accordance with section 236(3) of the Employment Rights Act 1996<sup>(1)</sup> and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 209(1) (c) and (5), and 236(5) of the Employment Rights Act 1996, hereby makes the following Order:—

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Unfair Dismissal and Statement of Reasons for Dismissal (Variation of Qualifying Period) Order 1999 and shall come into force on 1st June 1999.

(2) In this Order, “the 1996 Act” means the Employment Rights Act 1996.

**Qualifying period for written statement of reasons for dismissal**

2. Section 92(3) of the 1996 Act is varied so that for the reference to “two years” there is substituted a reference to “one year”.

**Qualifying period for unfair dismissal**

3. Section 108(1) of the 1996 Act is varied so that for the reference to “two years” there is substituted a reference to “one year”.

4. Section 108(2) of the 1996 Act is varied so that for the reference to “two years” there is substituted a reference to “one year”.

**Transitional provision**

5. The provisions of articles 2 and 3 of this Order shall have effect in all cases where the effective date of termination falls on or after 1st June 1999.

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(1) 1996 c. 18.

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**Status:** This is the original version (as it was originally made).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

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Signed by order of the Secretary of State

23rd May 1999

*Ian McCartney*  
Minister of State,  
Department of Trade and Industry

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which comes into force on 1st June 1999, lowers the qualifying period of continuous employment needed to acquire the right not to be unfairly dismissed from two years to one year. It also lowers the qualifying period of continuous employment needed for the entitlement, on request, to a written statement of reasons for dismissal from two years to one year.

The Order contains a transitional provision having the effect that the new qualifying periods will apply to all employees whose effective date of termination, within the meaning of section 97 of the Employment Rights Act 1996, falls on or after 1st June 1999.