

SCHEDULE 3

TRANSITIONAL AND SAVING PROVISIONS

Agreement to exclude dismissal rights

2.—(1) This paragraph applies to the dismissal of an employee employed under a contract for a fixed term of one year or more who has agreed in writing to exclude any claim in respect of rights under Part X of the 1996 Act where the dismissal consists only of the expiry of the term without its being renewed.

(2) The amendments to the 1996 Act, the National Minimum Wage Act 1998⁽¹⁾ and the Tax Credits Act 1999⁽²⁾ made by subsections (1) to (5) of section 18 of the Act (agreement to exclude dismissal rights), and the repeals specified in Part 3 of Schedule 9 to the Act, shall have effect in relation to a dismissal to which this paragraph applies where the effective date of termination (within the meaning of section 97 of the 1996 Act) falls on or after 25th October 1999, unless both the following conditions are satisfied—

- (a) that, where there has been no renewal of the contract, the contract was entered into before 25th October 1999 or, where there have been one or more renewals, the only or most recent renewal was agreed before 25th October 1999, and
- (b) that the agreement to exclude any claim in respect of rights under Part X of the 1996 Act was entered into before 25th October 1999.

(3) In this paragraph, “renewal” includes extension, and references to renewing a contract or a fixed term shall be construed accordingly.

(1) 1998 c. 39.
(2) 1999 c. 10.