
STATUTORY INSTRUMENTS

2010 No. 1088

**The Transnational Information and Consultation
of Employees (Amendment) Regulations 2010**

Amendment of regulation 20

12. In regulation 20 (failure to establish European Works Council or information and consultation procedure)—

(a) in paragraphs (1), (4), (5) and (10) for “Appeal Tribunal” substitute “CAC”;

(b) for paragraph (7) substitute—

“(7) If the Appeal Tribunal makes a decision under paragraph (4) the relevant applicant may, within the period of three months beginning with the date on which the decision is made, make an application to the Appeal Tribunal for a penalty notice to be issued.”;

(c) after paragraph (7) insert—

“(7A) Where such an application is made, the Appeal Tribunal shall issue a written penalty notice to the central management requiring it to pay a penalty to the Secretary of State in respect of the failure.”; and

(d) in paragraph (8) for “(7)” substitute “(7A)”.