

STATUTORY INSTRUMENTS

2018 No. 1298

The European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2018

PART 4

Transitional and savings provisions

Provisions in respect of amendments made to the European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009

153.—(1) Despite the revocations and amendments made by these Regulations, an employee who was a member of a special negotiating body before [^{F1}IP completion day]—

- (a) may after [^{F2}IP completion day] present a complaint to an industrial tribunal under regulation 28 (right to time off: complaints to tribunals) of the European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009, that the employer—
 - (i) has unreasonably refused to permit the employee to take time off as required under regulation 26 (right to time off for members of special negotiating body etc.), or
 - (ii) has failed to pay the whole or any part of any amount to which the employee is entitled under regulation 27 (right to remuneration for time off under regulation 26),provided the complaint is in respect of a time off before [^{F2}IP completion day];
- (b) who is dismissed, is to be regarded as unfairly dismissed within the terms of regulation 29(2) and (3) (unfair dismissal), and regulation 30 (subsidiary provisions relating to unfair dismissal) applies accordingly, provided the reason (or, if more than one, the principal reason) for the dismissal occurred before [^{F3}IP completion day];
- (c) has the right not to be subjected to any detriment within the terms of regulation 31(2) and (3) (detriment), and regulation 32 (detriment: enforcement and subsidiary provisions) applies accordingly, provided the grounds for the detriment occurred before [^{F4}IP completion day].

F1 Words in reg. 153(1) substituted (31.12.2020 immediately before IP completion day) by [The Companies and Statutory Auditors etc. \(Consequential Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/523\)](#), regs. 1(2), [5\(k\)\(i\)](#)

F2 Words in reg. 153(1)(a) substituted (31.12.2020 immediately before IP completion day) by [The Companies and Statutory Auditors etc. \(Consequential Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/523\)](#), regs. 1(2), [5\(k\)\(ii\)](#)

F3 Words in reg. 153(1)(b) substituted (31.12.2020 immediately before IP completion day) by [The Companies and Statutory Auditors etc. \(Consequential Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/523\)](#), regs. 1(2), [5\(k\)\(iii\)](#)

Changes to legislation: There are currently no known outstanding effects for the The European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2018, Section 153. (See end of Document for details)

F4 Words in reg. 153(1)(c) substituted (31.12.2020 immediately before IP completion day) by The Companies and Statutory Auditors etc. (Consequential Amendments) (EU Exit) Regulations 2020 (S.I. 2020/523), regs. 1(2), **5(k)(iv)**

Commencement Information

I1 Reg. 153 in force on IP completion day, see reg. 1 and 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2018, Section 153.