

SCHEDULE 2

AMENDMENTS TO THE TRANSNATIONAL INFORMATION AND CONSULTATION OF EMPLOYEES REGULATIONS 1999

PART 1

Amendments to the Regulations

3. In regulation 2 (interpretation)—
 - (a) In paragraph (1)—
 - (i) for the definition of “European Works Council” substitute—

““European Works Council” means the council, established—

 - (a) before exit day under and in accordance with regulation 17, or regulation 18 and the provisions of the Schedule, or
 - (b) where appropriate, under and in accordance with the provisions of the law or practice of a Relevant State other than the United Kingdom which are designed to give effect to Article 6 of, or Article 7 of and the Annex to, the Transnational Information and Consultation Directive, with the purpose of informing and consulting employees;”
 - (ii) in the definition of “information and consultation procedure” after “regulation 17” insert “before exit day”;
 - (iii) omit the definition of “Member State”;
 - (iv) after the definition of “relevant date” insert—

““Relevant State” means—

 - (a) a state which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993; and
 - (b) the United Kingdom;”;
 - (v) in the definition of “special negotiating body” after “established” insert “before exit day”;
 - (vi) in the definition of “UK management” for “is, or would be,” substitute “before exit day was, or would have been,”;
 - (vii) omit the definition of “UK member of the special negotiating body”;
 - (b) in paragraph (3) for “regulations 6, 13 to 15” substitute “regulation 6”;
 - (c) in paragraph (4) omit “regulations 13 and 15 and”;
 - (d) in paragraph (4B)—
 - (i) omit sub-paragraph (a);
 - (ii) in sub-paragraphs (b) and (c) for “regulations 17(4)(c) and” substitute “regulation”;
 - (e) in paragraph (5) for “are designed” substitute “were designed”.