



Employment Rights Act 1996

1996 CHAPTER 18

PART XI

REDUNDANCY PAYMENTS ETC.

CHAPTER VII

SUPPLEMENTARY

Equivalent payments

177 References to [^{F1}employment tribunals].

- (1) Where the terms and conditions (whether or not they constitute a contract of employment) on which a person is employed in employment of any description mentioned in section 171(3) include provision—
 - (a) for the making of a payment to which this section applies, and
 - (b) for referring to an [^{F1}employment tribunal] any question as to the right of any person to such a payment in respect of that employment or as to the amount of such a payment,the question shall be referred to and determined by an [^{F1}employment tribunal].
- (2) This section applies to any payment by way of compensation for loss of employment of any description mentioned in section 171(3) which is payable in accordance with arrangements falling within subsection (3).
- (3) The arrangements which fall within this subsection are arrangements made with the approval of the Treasury (or, in the case of persons whose service is for the purposes of pensions and other superannuation benefits treated as service in the civil service of the State, of the Minister for the Civil Service) for securing that a payment will be made—
 - (a) in circumstances which in the opinion of the Treasury (or Minister) correspond (subject to the appropriate modifications) to those in which a right to a

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Changes to legislation: Employment Rights Act 1996, Cross Heading: Equivalent payments is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

redundancy payment would have accrued if the provisions of this Part (apart from section 159 and this section) applied, and

- (b) on a scale which in the opinion of the Treasury (or Minister), taking into account any sums payable in accordance with—
- (i) a scheme made under section 1 of the ^{M1}Superannuation Act 1972, or
 - (ii) the ^{M2}Superannuation Act 1965 as it continues to have effect by virtue of section 23(1) of the ^{M3}Superannuation Act 1972,

to or in respect of the person losing the employment in question, corresponds (subject to the appropriate modifications) to that on which a redundancy payment would have been payable if those provisions applied.

Textual Amendments

F1 Words in s. 177(1) and sidenote to s. 177 substituted (1.8.1998) by 1998 c. 8, s. 1(2)(a)(b) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1

Marginal Citations

M1 1972 c. 11.
M2 1965 c. 74.
M3 1972 c. 11.

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