



Employment Protection (Consolidation) Act 1978

1978 CHAPTER 44

PART V

UNFAIR DISMISSAL

Exclusion of section 54

[^{F1}64A Extended qualifying period where no more than twenty employees.

- (1) Subject to subsection (2), section 54 does not apply to the dismissal of an employee from any employment if—
- (a) the period (ending with the effective date of termination) during which the employee was continuously employed did not exceed two years; and
 - (b) at no time during that period did the number of employees employed by the employer for the time being of the dismissed employee, added to the number employed by any associated employer, exceed twenty
- (2) Subsection (1) shall not apply to the dismissal of an employee by reason of any such requirement or recommendation as is referred to in section 19(1), or if it is shown that the reason (or, if more than one, the principal reason) for the dismissal was [^{F2}one of those specified in section 58(1)].

Textual Amendments

- F1** S. 64A inserted with saving by [Employment Act 1980 \(c. 42, SIF 43:5\), s. 8\(1\)](#) and [S.I. 1980/1170, art. 4, Sch. 3](#)
- F2** Words substituted by [Employment Act 1982 \(c. 46, SIF 43:5\), Sch. 3 para. 20](#) with saving in [S.I. 1982/1656, Sch. 2](#)

Modifications etc. (not altering text)

- C1** [S. 64A](#) excluded by [S.I. 1981/847, art. 2\(2\)](#)

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978, Section 64A. (See end of Document for details)

C2 S. 64A(1) excluded by S.I. 1985/782, arts. 3(2), 5

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978, Section 64A.