



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART IV

INDUSTRIAL RELATIONS

CHAPTER II

PROCEDURE FOR HANDLING REDUNDANCIES

Duty of employer to notify Secretary of State

193 Duty of employer to notify Secretary of State of certain redundancies.

- (1) An employer proposing to dismiss as redundant 100 or more employees at one establishment within a period of 90 days or less shall notify the Secretary of State, in writing, of his proposal
 - [^{F1}(a) before giving notice to terminate an employee's contract of employment in respect of any of those dismissals, and
 - (b) at least [^{F2}45 days] before the first of those dismissals takes effect.
- (2) An employer proposing to dismiss as redundant [^{F3}20] or more employees at one establishment within [^{F4}such a period] shall notify the Secretary of State, in writing, of his proposal
 - [^{F1}(a) before giving notice to terminate an employee's contract of employment in respect of any of those dismissals, and
 - (b) at least 30 days before the first of those dismissals takes effect.
- (3) In determining how many employees an employer is proposing to dismiss as redundant within the period mentioned in subsection (1) or (2), no account shall be taken of

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 193 is up to date with all changes known to be in force on or before 22 May 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) View outstanding changes

employees in respect of whose proposed dismissal notice has already been given to the Secretary of State.

- (4) A notice under this section shall—
- (a) be given to the Secretary of State by delivery to him or by sending it by post to him, at such address as the Secretary of State may direct in relation to the establishment where the employees proposed to be dismissed are employed,
 - [^{F5}(b) where there are representatives to be consulted under section 188, identify them and state the date when consultation with them under that section began,]
 - (c) be in such form and contain such particulars, in addition to those required by paragraph (b), as the Secretary of State may direct.
- (5) After receiving a notice under this section from an employer the Secretary of State may by written notice require the employer to give him such further information as may be specified in the notice.
- (6) [^{F6}Where there are representatives to be consulted under section 188 the employer shall give to each of them a copy of any notice given under subsection (1) or (2).]
- The copy shall be delivered to them or sent by post to an address notified by them to the employer, or [^{F7}(in the case of representatives of a trade union)] sent by post to the union at the address of its head or main office.
- (7) If in any case there are special circumstances rendering it not reasonably practicable for the employer to comply with any of the requirements of subsections (1) to (6), he shall take all such steps towards compliance with that requirement as are reasonably practicable in the circumstances [^{F8}Where the decision leading to the proposed dismissals is that of a person controlling the employer (directly or indirectly), a failure on the part of that person to provide information to the employer shall not constitute special circumstances rendering it not reasonably practicable for the employer to comply with any of those requirements.].

Textual Amendments

- F1** Words in s. 193(1)(2) inserted (1.10.2006) by [The Collective Redundancies \(Amendment\) Regulations 2006 \(S.I. 2006/2387\)](#), [art. 3\(2\)](#)
- F2** Words in s. 193(1)(b) substituted (with application in accordance with art. 2 of the amending S.I.) by [The Trade Union and Labour Relations \(Consolidation\) Act 1992 \(Amendment\) Order 2013 \(S.I. 2013/763\)](#), arts. 1, [3\(3\)](#)
- F3** Word in s. 193(2) substituted (26.10.1995) by S.I. 1995/2587, [reg. 5\(2\)\(a\)](#)
- F4** Words in s. 193(2) substituted (26.10.1995) by S.I. 1995/2587, [reg. 5\(2\)\(b\)](#)
- F5** S. 193(4)(b) substituted (26.10.1995) by S.I. 1995/2587, [reg. 5\(3\)](#)
- F6** Words in s. 193(6) substituted (26.10.1995) by S.I. 1995/2587, [reg. 5\(4\)\(a\)](#)
- F7** Words in s. 193(6) substituted (26.10.1995) by S.I. 1995/2587, [reg. 5\(4\)\(b\)](#)
- F8** Words in s. 193(7) inserted (30.8.1993) by 1993 c. 19, [s. 34\(4\)](#); S.I. 1993/1908, art. 2(1), [Sch. 1](#)

Changes to legislation:

Trade Union and Labour Relations (Consolidation) Act 1992, Section 193 is up to date with all changes known to be in force on or before 22 May 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 212A(1)(zb) inserted by [2023 c. 46 Sch. para. 1](#)