



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART VII

MISCELLANEOUS AND GENERAL

House of Lords and House of Commons staff

278 House of Commons staff.

(1) The provisions of this Act (except those specified below) apply in relation to employment as a relevant member of the House of Commons staff as in relation to other employment.

(2) The following provisions are excepted from subsection (1)—

sections 184 and 185 (remedy for failure to comply with declaration as to disclosure of information),

Chapter II of Part IV (procedure for handling redundancies).

[^{F1}(2A) Nothing in any rule of law or the law or practice of Parliament prevents a relevant member of the House of Commons staff from bringing a civil employment claim before the court or from bringing before an industrial tribunal proceedings of any description which could be brought before such a tribunal by any person who is not such a member.]

(3) In this section relevant member of the House of Commons staff has the same meaning as in section 139 of the ^{M1}Employment Protection (Consolidation) Act 1978.

[^{F2}civil employment claim means a claim arising out of or relating to a contract of employment or any other contract connected with employment, or a claim in tort arising in connection with a person's employment; and the court means the High Court or the county court.]

Status: Point in time view as at 30/11/1993. This version of this provision has been superseded.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 278 is up to date with all changes known to be in force on or before 04 June 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)

- (4) For the purposes of the other provisions of this Act as they apply by virtue of this section—
- (a) employee and contract of employment include a relevant member of the House of Commons staff and the terms of employment of any such member (but subject to subsection (5) below);
 - (b) dismissal includes the termination of any such member’s employment;
 - (c) the reference in [^{F3}section] 182(1)(e) (disclosure of information for collective bargaining: restrictions on general duty) to the employer’s undertaking shall be construed as a reference to the national interest or, if the case so requires, the interests of the House of Commons; and
 - (d) any other reference to an undertaking shall be construed as a reference to the House of Commons.
- (5) Sections 137 to 143 (access to employment) apply by virtue of this section in relation to employment otherwise than under a contract only where the terms of employment correspond to those of a contract of employment.
- (6) Subsections (4) to (9) of section 139 of the Employment Protection (Consolidation) Act 1978 (person to be treated as employer of House of Commons staff) apply, with any necessary modifications, for the purposes of this section.

Textual Amendments

- F1** S. 278(2A) inserted (30.11.1993) by 1993 c. 19, s. 49(2), **Sch. 8 para. 85(a)**; S.I. 1993/2503, art. 2(2), **Sch. 2**
- F2** Words in s. 278(3) inserted (30.11.1993) by 1993 c. 19, s. 49(2), **Sch. 8 para. 85(b)**; S.I. 1993/2503, art. 2(2), **Sch. 2**
- F3** Words in s. 278(4)(c) inserted (30.8.1993) by 1993 c. 19, s. 49(1), **Sch. 7 para. 27**; S.I. 1993/1908, art. 2(1), **Sch. 1**

Marginal Citations

- M1** 1978 c. 44.

Status:

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