

Status: Point in time view as at 01/04/2013.

Changes to legislation: Employment Rights Act 1996, Cross Heading: Employment particulars 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)

SCHEDULES

SCHEDULE 2

TRANSITIONAL PROVISIONS, SAVINGS AND TRANSITORY PROVISIONS

PART I

TRANSITIONAL PROVISIONS AND SAVINGS

Employment particulars

- 7 (1) In this paragraph “pre-TURERA employee” means an employee whose employment with his employer began before 30th November 1993 (the day on which section 26 of the ^{M1}Trade Union Reform and Employment Rights Act 1993 came into force), whether or not the provisions of sections 1 to 6 of the ^{M2}Employment Protection (Consolidation) Act 1978, as they had effect before the substitution made by that section, applied to him before that date.
- (2) Subject to the following provisions of this paragraph, sections 1 to 7 of this Act do not apply to a pre-TURERA employee (but the provisions of sections 1 to 6 of the Employment Protection (Consolidation) Act 1978, as they had effect before the substitution made by section 26 of the Trade Union Reform and Employment Rights Act 1993, continue in force in his case).
- (3) Where a pre-TURERA employee, at any time—
- (a) on or after the day on which this Act comes into force, and
 - (b) either before the end of his employment or within the period of three months beginning with the day on which his employment ends,
- requests from his employer a statement under section 1 of this Act, the employer shall (subject to section 5 and any other provision disapplying or having the effect of disapplying sections 1 to 4) be treated as being required by section 1 to give him a written statement under that section not later than two months after the request is made; and section 4 of this Act shall (subject to that) apply in relation to the employee after he makes the request.
- (4) An employer is not required to give an employee a statement under section 1 pursuant to sub-paragraph (3)—
- (a) on more than one occasion, or
 - (b) if he has already given him a statement pursuant to paragraph 3(3) of Schedule 9 to the ^{M3}Trade Union Reform and Employment Rights Act 1993.
- (5) Where—
- (a) on or after the day on which this Act comes into force there is in the case of a pre-TURERA employee a change in any of the matters particulars of which would, had he been given a statement of particulars on 30th November 1993

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under section 1 of the ^{M4}Employment Protection (Consolidation) Act 1978 (as substituted by section 26 of the Trade Union Reform and Employment Rights Act 1993), have been included or referred to in the statement, and

- (b) he has not previously requested a statement under sub-paragraph (3) or paragraph 3(3) of Schedule 9 to the ^{M5}Trade Union Reform and Employment Rights Act 1993,

subsections (1) and (6) of section 4 of this Act shall be treated (subject to section 5 and any other provision disapplying or having the effect of disapplying section 4) as requiring his employer to give him a written statement containing particulars of the change at the time specified in subsection (3) of section 4; and the other provisions of section 4 apply accordingly.

Marginal Citations

- M1** 1993 c. 19.
M2 1978 c. 44.
M3 1993 c. 19.
M4 1978 c. 44.
M5 1993 c. 19.

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