



Employment Rights Act 1996

1996 CHAPTER 18

PART XI

REDUNDANCY PAYMENTS ETC.

CHAPTER III

RIGHT BY REASON OF LAY-OFF OR SHORT-TIME

Exclusions

150 Resignation.

- (1) An employee is not entitled to a redundancy payment by reason of being laid off or kept on short-time unless he terminates his contract of employment by giving such period of notice as is required for the purposes of this section before the end of the relevant period.
- (2) The period of notice required for the purposes of this section—
 - (a) where the employee is required by his contract of employment to give more than one week's notice to terminate the contract, is the minimum period which he is required to give, and
 - (b) otherwise, is one week.
- (3) In subsection (1) "the relevant period"—
 - (a) if the employer does not give a counter-notice within seven days after the service of the notice of intention to claim, is three weeks after the end of those seven days,
 - (b) if the employer gives a counter-notice within that period of seven days but withdraws it by a subsequent notice in writing, is three weeks after the service of the notice of withdrawal, and
 - (c) if—

Status: Point in time view as at 01/10/1998.

Changes to legislation: Employment Rights Act 1996, Section 150 is up to date with all changes known to be in force on or before 03 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)

- (i) the employer gives a counter-notice within that period of seven days, and does not so withdraw it, and
 - (ii) a question as to the right of the employee to a redundancy payment in pursuance of the notice of intention to claim is referred to an [^{F1}employment tribunal],
is three weeks after the tribunal has notified to the employee its decision on that reference.
- (4) For the purposes of subsection (3)(c) no account shall be taken of—
- (a) any appeal against the decision of the tribunal, or
 - (b) any proceedings or decision in consequence of any such appeal.

Textual Amendments

- F1** Words in s. 150(c)(ii) substituted (1.8.1998) by 1998 c. 8, s. 1(2)(a) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1

Status:

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