



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART XIII

#### MISCELLANEOUS

#### CHAPTER I

##### PARTICULAR TYPES OF EMPLOYMENT

##### *Parliamentary staff*

#### **194 House of Lords staff.**

- (1) The provisions of this Act to which this section applies have effect in relation to employment as a relevant member of the House of Lords staff as they have effect in relation to other employment.
- (2) This section applies to—
  - (a) Part I,
  - (b) Part III,
  - (c) in Part V, [<sup>F1</sup>sections [<sup>F2</sup>43M,] 44, 45A [<sup>F3</sup>, 47 [<sup>F4</sup>, 47C [<sup>F5</sup>, 47D and 47E]]]], and sections 48 and 49 so far as relating to those sections,
  - (d) Part VI, apart from sections 58 to 60,
  - [<sup>F6</sup>(e) Parts 7, 8 and 8A,]
  - (f) in Part IX, sections 92 and 93,
  - (g) Part X, apart from sections 101 and 102, and
  - (h) this Part and Parts XIV and XV.

[<sup>F7</sup>(2A) For the purposes of the application of section 98B(2) in relation to a relevant member of the House of Lords staff, the reference 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 Lords.]

*Status: Point in time view as at 01/02/2006. This version of this provision has been superseded.*

*Changes to legislation: Employment Rights Act 1996, Section 194 is up to date with all changes known to be in force on or before 17 September 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)*

- (3) For the purposes of the application of [F8the other provisions] of this Act to which this section applies in relation to a relevant member of the House of Lords staff references to an undertaking shall be construed as references to the House of Lords.
- (4) Nothing in any rule of law or the law or practice of Parliament prevents a relevant member of the House of Lords staff from bringing before the High Court or a county court—
- (a) a claim arising out of or relating to a contract of employment or any other contract connected with employment, or
  - (b) a claim in tort arising in connection with employment.
- (5) Where the terms of the contract of employment of a relevant member of the House of Lords staff restrict his right to take part in—
- (a) certain political activities, or
  - (b) activities which may conflict with his official functions,
- nothing in section 50 requires him to be allowed time off work for public duties connected with any such activities.
- (6) In this section “relevant member of the House of Lords staff” means any person who is employed under a contract of employment with the Corporate Officer of the House of Lords.
- (7) For the purposes of the application of—
- (a) the provisions of this Act to which this section applies, or
  - (b) a claim within subsection (4),
- in relation to a person continuously employed in or for the purposes of the House of Lords up to the time when he became so employed under a contract of employment with the Corporate Officer of the House of Lords, his employment shall not be treated as having been terminated by reason only of a change in his employer before or at that time.

#### Textual Amendments

- F1** Words in s. 194(2)(c) substituted (1.10.1998) by S.I. 1998/1833, **reg. 31(5)**
- F2** Words in s. 194(2)(c) inserted (6.4.2005) by Employment Relations Act 2004 (c. 24), ss. 57(1), 59(2)-(4), **Sch. 1 para. 36(2)**; S.I. 2005/872, **arts. 4, 5**, Sch. (subject to arts. 6-12)
- F3** Words in s. 194(2)(c) substituted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 32**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with Sch. 3 paras. 10, 11)
- F4** Words in s. 194(2)(c) substituted (1.9.2002 for certain purposes, otherwise prosp.) by Tax Credits Act 2002 (c. 21), s. 27, **Sch. 1 para. 1(6)(a)**; S.I. 2002/1727, **art. 2**; and those same words substituted (6.4.2003) by Employment Act 2002 (c. 22), s. 53, **Sch. 7 para. 43(a)**; S.I. 2002/2866, **art. 2(3)**, Sch. 1 Pt. 3
- F5** Words in s. 194(2)(c) substituted (6.4.2005) by Employment Relations Act 2004 (c. 24), **ss. 41(7)**, 59(2)-(4); S.I. 2005/872, **arts. 4, 5**, Sch. (subject to arts. 6-12)
- F6** S. 194(2)(e) substituted (6.4.2003) by Employment Act 2002 (c. 22), s. 53, **Sch. 7 para. 43(b)**; S.I. 2002/2866, **art. 2(3)**, Sch. 1 Pt. 3
- F7** S. 194(2A) inserted (6.4.2005) by Employment Relations Act 2004 (c. 24), ss. 57(1), 59(2)-(4), **Sch. 1 para. 36(3)**; S.I. 2005/872, **arts. 4, 5**, Sch. (subject to arts. 6-12)
- F8** Words in s. 194(3) substituted (6.4.2005) by Employment Relations Act 2004 (c. 24), ss. 57(1), 59(2)-(4), **Sch. 1 para. 36(4)**; S.I. 2005/872, **arts. 4, 5**, Sch. (subject to arts. 6-12)

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**Modifications etc. (not altering text)**

- C1** S. 194(7) applied (1.12.2003) by The Employment Equality (Sexual Orientation) Regulations 2003 (S.I. 2003/1661), **reg. 38(2)**
- C2** S. 194(7) applied (2.12.2003) by The Employment Equality (Religion or Belief) Regulations 2003 (S.I. 2003/1660), **reg. 38(2)**
- C3** S. 194(7) applied (1.10.2006) by The Employment Equality (Age) Regulations 2006 (S.I. 2006/1031), regs. 1(1), **46(2)** (with regs. 44-46)

**Status:**

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