



Employment Rights Act 1996

1996 CHAPTER 18

PART XIII

MISCELLANEOUS

CHAPTER I

PARTICULAR TYPES OF EMPLOYMENT

Excluded classes of employment

197 Fixed-term contracts

- (1) Part X does not apply to dismissal from employment under a contract for a fixed term of one year or more if—
 - (a) the dismissal consists only of the expiry of that term without its being renewed, and
 - (b) before the term expires the employee has agreed in writing to exclude any claim in respect of rights under that Part in relation to the contract.
- (2) Subsection (1) does not prevent Part X from applying if the dismissal is regarded as unfair by virtue of section 101.
- (3) An employee employed under a contract of employment for a fixed term of two years or more is not entitled to a redundancy payment in respect of the expiry of that term without its being renewed (whether by the employer or by an associated employer of his) if, before the term expires, the employee has agreed in writing to exclude any right to a redundancy payment in that event.
- (4) An agreement such as is mentioned in subsection (1) or (3) may be contained—
 - (a) in the contract itself, or
 - (b) in a separate agreement.

Status: This is the original version (as it was originally enacted).

(5) Where—

- (a) an agreement such as is mentioned in subsection (3) is made during the currency of a fixed term, and
- (b) the term is renewed,

the agreement shall not be construed as applying to the term as renewed; but this subsection is without prejudice to the making of a further agreement in relation to the renewed term.