



Employment Rights Act 1996

1996 CHAPTER 18

[^{F1}PART IVA

PROTECTED DISCLOSURES

[^{F1}] **Application of this Part and related provisions to police** ^{F2}43KA

(1) For the purposes of—

- (a) this Part,
- (b) section 47B and sections 48 and 49 so far as relating to that section, and
- (c) section 103A and the other provisions of Part 10 so far as relating to the right not to be unfairly dismissed in a case where the dismissal is unfair by virtue of section 103A,

a person who holds, otherwise than under a contract of employment, the office of constable or an appointment as a police cadet shall be treated as an employee employed by the relevant officer under a contract of employment; and any reference to a worker being “employed” and to his “employer” shall be construed accordingly.

(2) In this section “the relevant officer” means—

- (a) in relation to a member of a police force or a special constable appointed for a police area, the chief officer of police;
- [^{F3}(b) in relation to a member of a police force seconded to the Serious Organised Crime Agency to serve as a member of its staff, that Agency; and]
- (d) in relation to any other person holding the office of constable or an appointment as police cadet, the person who has the direction and control of the body of constables or cadets in question.]]

Textual Amendments

- F1** Pt. IVA (ss. 43A-43L) inserted (2.7.1998 for specified purposes and otherwise 2.7.1999) by [1998 c. 23, s. 1](#); [S.I. 1999/1547, art. 2](#)
- F2** S. 43KA inserted (1.4.2004) by [Police Reform Act 2002 \(c. 30\), ss. 37\(1\), 108\(2\)-\(5\)](#); [S.I. 2004/913, art. 2\(b\)](#)

Status: Point in time view as at 02/03/2010. This version of this provision has been superseded.

Changes to legislation: *Employment Rights Act 1996, Section 43KA is up to date with all changes known to be in force on or before 19 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)*

F3 S. 43KA(2)(b) substituted for s. 43KA(2)(b)(c) (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 85](#); S.I. 2006/378, art. 4(1), [Sch.](#) (subject to art. 4(2)-(7))

Status:

Point in time view as at 02/03/2010. This version of this provision has been superseded.

Changes to legislation:

Employment Rights Act 1996, Section 43KA is up to date with all changes known to be in force on or before 19 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.