

---

STATUTORY INSTRUMENTS

---

**1995 No. 1953**

**The Employment Protection (Increase of Limits) Order 1995**

**Citation and commencement**

1.—(1) This Order may be cited as the Employment Protection (Increase of Limits) Order 1995 and shall come into force at the end of the period of two months beginning with the day on which it is made.

**Revocation**

2. Subject to article 4, the following Orders are revoked:—
- The Employment Protection (Variation of Limits) Order 1992(1);
  - The Unfair Dismissal (Increase of Limits of Basic and Special Awards) Order 1992(2); and
  - The Unfair Dismissal (Increase of Compensation Limit) Order 1993(3).

**Increase of limits**

3. Subject to article 4, the limits referred to in columns 1 and 2 of the Table in the Schedule to this Order are increased by the substitution of the new figure in column 3 for the old figure in column 4.

**Supplementary and Transitional provisions**

4.—(1) The increases specified in article 3 shall have effect where the appropriate date falls on or after the date this Order comes into force.

(2) Notwithstanding the revocation of each of the Orders in article 2, the limits set by or, as the case may be, preserved by articles 2 and 3 in each of those Orders shall continue to have effect where the appropriate date falls before the date this Order comes into force.

(3) In this article “the appropriate date” means—

- (a) in the case of a guarantee payment, a day in respect of which an employee is entitled to a guarantee payment under section 12 of the 1978 Act;
- (b) in the case of a complaint presented under section 67 of the 1978 Act (a complaint of unfair dismissal) for the purposes of calculating the basic award, compensatory award or special award (under section 72(4) of that Act) and any special award under section 157 of the 1992 Act, the effective date of termination;
- (c) in the case of an award under section 71(1)(5) of the 1978 Act, the date by which the order of reinstatement (specified under section 69(2)(c) of that Act) or, as the case may be, re-engagement (as specified under section 69(4)(f) of that Act) must be complied with;

---

(1) S.I. 1992/312.

(2) S.I. 1992/313.

(3) S.I. 1993/1348.

(4) Section 72 was substituted by the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52) (the 1992 Act), Schedule 2, paragraph 16, and further amended by the 1993 Act, Schedule 5, paragraph 7.

(5) Section 71(1) was amended by the 1993 Act, section 30(2).

- (d) in the case of an additional award of compensation (under section 71(2)(b) of the 1978 Act(6) where an employer has failed to comply with an order of reinstatement or re-engagement, the date specified under section 69(2)(c) or, as the case may be, section 69(4) (f) of that Act, by which the order must be complied with;
- (e) in the case of entitlement to a redundancy payment by virtue of section 81(1)(a) of the 1978 Act, the relevant date (as defined by section 90(1) or 90(3) of that Act);
- (f) in the case of entitlement to a redundancy payment by virtue of section 81(1)(b) of the 1978 Act (lay off or a keeping on short time), the relevant date (as defined by section 90(2) of that Act);
- (g) in the case of a complaint presented under section 124 of the 1978 Act(7), the relevant date (as defined by section 122(2) of that Act(8));
- (h) in the case of a complaint presented under section 66 of the 1992 Act(9) (unjustifiable discipline by a trade union), the date of the determination which constitutes an infringement of the claimant's right;
  - (i) in the case of a complaint presented under section 137(2) of the 1992 Act (refusal of employment on grounds related to union membership) or section 138(2) of that Act (refusal of service of employment agency on grounds related to union membership), the date of the conduct (as determined by section 139 of that Act) to which the complaint relates; and
- (j) in the case of a complaint presented under section 174 of the 1992 Act(10) (exclusion or expulsion from a trade union), the date of the exclusion or expulsion from membership of the trade union.

(3) In this article "effective date of termination" has the same meaning as in section 55(4) of the 1978 Act except in a case in which section 55(5) or (6)(11) of that Act would have the effect of treating a later date as the effective date of termination, in which case the later date shall be the effective date for the purposes of this article.

Signed by order of the Secretary of State.

27th July 1995

*Jonathan Evans*  
Parliamentary Under Secretary of  
State, Department of Trade and Industry.

---

(6) Section 71(2)(b) was amended by the 1993 Act, Schedule 5, paragraph 6.  
 (7) Section 124 was amended by the Social Security Act 1986 (c. 50), Schedule 10, paragraph 31.  
 (8) Section 122(2) was amended by the Insolvency Act 1985 (c. 65), section 218(3), and by the 1992 Act, Schedule 2, paragraph 18.  
 (9) Section 66 was amended by the 1993 Act, Schedule 8, paragraph 50.  
 (10) Section 174 was substituted by the 1993 Act, section 14.  
 (11) Section 55(5) was amended, and section 55(6) inserted, by the 1982 Act, Schedule 3, paragraph 1. Sections 55(5) and (6) were further amended by the 1993 Act, Schedule 10.