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STATUTORY INSTRUMENTS

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**1995 No. 2587**

**The Collective Redundancies and Transfer of Undertakings  
(Protection of Employment) (Amendment) Regulations 1995**

*Collective Redundancies*

**Complaints.**

4.—(1) Section 189 of the 1992 Act shall be amended as follows.

(2) For subsection (1) substitute—

“(1) Where an employer has failed to comply with any requirement of section 188, a complaint may be presented to an industrial tribunal on that ground

- (a) in the case of a failure relating to employee representatives, by any of the employee representatives to whom the failure related,
- (b) in the case of a failure relating to representatives of a trade union, by the trade union, and
- (c) in any other case, by any of the employees who have been or may be dismissed as redundant.”

(3) In subsection (4), for the words from “section 188(2)(a)” to the end substitute “paragraph (a) of subsection (1A) of section 188 or 30 days in a case falling within paragraph (b) of that subsection.”

(4) In subsection (5)—

- (a) in paragraph (a), for “proposed dismissal” substitute “date on which the last of the dismissals to which the complaint relates”;
- (b) in paragraph (b)—
  - (i) for “before the end of” substitute “during”; and
  - (ii) for “the date on which the dismissal takes effect” substitute “that date”; and
- (c) in paragraph (c), for “within the” substitute “during the”.

(5) In the sidenote, omit “by trade union”.