

**2001 No. 1187 (C. 38)**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Employment Relations Act 1999 (Commencement No. 8) Order 2001**

*Made - - - - 26th March 2001*

The Secretary of State, in exercise of the power conferred on him by section 45(1) of the Employment Relations Act 1999(a), hereby makes the following Order:—

**Citation and interpretation**

1. This Order may be cited as the Employment Relations Act 1999 (Commencement No. 8) Order 2001.

2. In this Order, “the Act” means the Employment Relations Act 1999.

**Commencement**

3. The following provisions of the Act shall come into force on 18th April 2001—

- (a) section 41 and Schedule 8; and
- (b) the repeals specified in column 3 of Schedule 9 to the Act, to the extent specified in column 3 of the Schedule to this Order.

26th March 2001

*Alan Johnson*  
Parliamentary Under-Secretary of State for Competitiveness,  
Department of Trade and Industry

SCHEDULE

Article 3(b)

REPEALS COMING INTO FORCE ON 18th APRIL 2001

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1995 c. 50	Disability Discrimination Act 1995	Paragraph 4(1)(b) of Schedule 3, and the word “or” immediately before it.
1996 c. 17	Employment Tribunals Act 1996	Section 4(7). Section 28(5).
1998 c. 23	Public Interest Disclosure Act 1998	Section 11.

(a) 1999 c. 26; the repeal of paragraph 6 of Schedule 8 is effected by Schedule 3 to the Race Relations (Amendment) Act 2000 (c. 34).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 18th April 2001 section 41 of, and Schedule 8 to, the Employment Relations Act 1999. Section 41 introduces Schedule 8, which substitutes a new section 193 of the Employment Rights Act 1996 (national security) and a new section 10 of the Employment Tribunals Act 1996, which contains powers to make provision in the employment tribunal procedure regulations to deal with cases concerning national security. Schedule 8 also introduces a new section 10A (power to make provision in the employment tribunal procedure regulations in respect of confidential information) and a new section 10B (restriction of publicity in cases involving national security) of the Employment Tribunals Act 1996.

Schedule 8 also makes corresponding changes to section 30 of the Employment Tribunals Act 1996 in relation to the Employment Appeal Tribunal rules on national security, and repeals paragraph 4(1)(b) of Schedule 3 to the Disability Discrimination Act 1995 (Minister's certificate as to national security).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Employment Relations Act 1999 have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	6th June 2000	2000/1338
Sections 2 and 3	25th October 1999	1999/2830
Section 4	18th September 2000	2000/2242
Sections 5 and 6	6th June 2000	2000/1338
Sections 7 to 9	15th December 1999	1999/2830
Subsections (1) to (3) of section 13	25th October 1999	1999/2830
Subsections (4) to (6) of section 13	4th September 2000	2000/2242
Sections 10 to 12	4th September 2000	2000/2242
Sections 14 and 15	4th September 2000	2000/2242
Section 16	24th April 2000	2000/875
Subsections (1) to (5) of section 18	25th October 1999	1999/2830
Section 18(6)	30th September 1999	1999/2509
Sections 19 to 23	25th October 1999	1999/2830
Section 24	22nd February 2000	2000/420
Section 25	6th June 2000	2000/1338
Sections 26 to 33	25th October 1999	1999/2830
Section 34(1), (2), (3), (5) and (6)	17th December 1999	1999/3374

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 34(4)	25th October 1999	1999/2830
Sections 35 and 36(1) (partially)	25th October 1999	1999/2830
Section 36 (to the extent that it was not brought into force on 25th October 1999)	17th December 1999	1999/3374
Section 37	25th October 1999	1999/2830
Section 38	9th September 1999	1999/2509
Sections 39 and 40	25th October 1999	1999/2830
Section 42	9th September 1999	1999/2509
Sections 43 and 44 (partially)	25th October 1999	1999/2830
Section 44 (partially)	17th December 1999	1999/3374
Schedule 1	6th June 2000	2000/1338
Schedule 2	25th October 1999	1999/2830
Schedule 3	18th September 2000	2000/2242
Schedule 4	15th December 1999	1999/2830
Schedule 5	24th April 2000	2000/875
Schedules 6, 7 (partially) and 9 (partially)	25th October 1999	1999/2830
Schedule 9 (partially)	17th December 1999	1999/3374

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8) Order 2001

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