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STATUTORY INSTRUMENTS

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**2009 No. 2401**

The European Public Limited-Liability Company  
(Employee Involvement) (Great Britain) Regulations 2009

PART 8

PROTECTION FOR MEMBERS OF SPECIAL NEGOTIATING BODY ETC.

**Detriment: enforcement and subsidiary provisions**

**32.**—(1) An employee may present a complaint to an employment tribunal that the employee has been subjected to a detriment in contravention of regulation 31.

(2) The provisions of section 48(2) to (4) of the Employment Rights Act 1996 (complaints to employment tribunals)(1) apply in relation to a complaint under this regulation as they apply in relation to a complaint under section 48 of that Act but taking references in those provisions to the employer as references to the employer within the meaning of regulation 31(1).

(3) The provisions of section 49(1) to (5) of the Employment Rights Act 1996 (remedies)(2) apply in relation to a complaint under this regulation.

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(1) Section 48(3) was amended by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 (c.8).

(2) Subsections (1) to (5) of section 49 have been amended by section 4(2) of the Public Interest Disclosure Act 1996 (c.18), section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 and by regulation 31 of S.I. 1988/1833.