

Employment Protection (Consolidation) Act 1978

CHAPTER 44

Note: The material reproduced or annotated below is limited to ss. 1(1), 1(3)(d)(iii), 1(4), 3(1)(d) and 4(1).

ARRANGEMENT OF SECTIONS

PART I

EMPLOYMENT PARTICULARS

WRITTEN PARTICULARS OF EMPLOYMENT

Section

1. Employer's duty to give statement of employment particulars.
3. Statement to include note about disciplinary procedures.
4. Employer's duty to give statement of changes.

An Act to consolidate certain enactments relating to rights of employees arising out of their employment; and certain enactments relating to the insolvency of employers; to industrial tribunals; to recoupment of certain benefits; to conciliation officers; and to the Employment Appeal Tribunal

[31st July 1978]

PART I

EMPLOYMENT PARTICULARS

Written particulars of employment

[¹1.—(1) Not later than two months after the beginning of an employee's employment with an employer, the employer shall give to the employee a written statement which may, subject to subsection (3) of section 2, be given in instalments before the end of that period.

Employer's duty to give statement of employment particulars.

. . . .

(3) The statement shall also contain particulars, as at a specified date not more than seven days before the statement or instalment of the statement containing them is given, of—

. . . .

(d) any terms and conditions relating to any of the following—

. . . .

¹ Ss. 1-6 substituted (30.11.93) by Trade Union Reform and Employment Rights Act 1993 (c. 19), Sch. 4.

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Ss. 1-4

(iii) pensions and pension schemes,

. . . .

(4) Subsection (3)(d)(iii) shall not apply to the employees of any body or authority if—

- (a) the employees' pension rights depend on the terms of a pension scheme established under any provision contained in or having effect under any Act of Parliament, and
- (b) the body or authority are required by any such provision to give to new employees information concerning their pension rights or the determination of questions affecting their pension rights.

. . . .

Statement to include note about disciplinary procedures.

3.—(1) A statement under section 1 shall include a note—

. . . .

- (d) stating whether a contracting-out certificate is in force for the employment.

. . . .

Employer's duty to give statement of changes.

4.—(1) If, after the date to which a statement given under section 1 relates, or, where no such statement is given, after the end of the period within which a statement under section 1 is required to be given, there is a change in any of the matters particulars of which are required by sections 1 to 3 to be included or referred to in a statement under section 1, the employer shall at the earliest opportunity and, in any event, not later than—

- (a) one month after the change, or
- (b) where the change results from the employee being required to work outside the United Kingdom for a period of more than one month, the time when he leaves the United Kingdom in order to begin so to work, if that is earlier,

give to the employee a written statement containing particulars of the change.

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