

L.N. 442 of 2004

**EMPLOYMENT AND INDUSTRIAL RELATIONS ACT
(CAP. 452)**

**Collective Redundancies (Protection of Employment)
(Amendment) Regulations, 2004**

IN exercise of the powers conferred by article 37 of the Employment and Industrial Relations Act, the Minister of Education, Youth and Employment has made the following regulations –

1. The title of these regulations is the Collective Redundancies (Protection of Employment) (Amendment) Regulations, 2004 and they shall be read and construed as one with the Collective Redundancies (Protection of Employment) Regulations, 2002, hereinafter referred to as “the principal regulations”. Title.
L.N. 428 of 2002.

2. (1) In regulation 1 of the principal regulations, for the marginal note “Title.” there shall be substituted the words “Title and scope.”, the present provision shall be renumbered as sub-regulation (1) thereof, and immediately after sub-regulation (1) as renumbered there shall be added the following new sub-regulation: Amends regulation
1 of the principal
regulations.

“(2) The scope of these regulations is to give effect to the relevant provisions of EU Council Directive 98/59/EC”.

3. In sub-regulation (1) of regulation 2 of the principal regulations:- Amends regulation
2 of the principal
regulations.

(a) in the definition of “collective redundancy”, for paragraph (c) there shall be substituted the following:

“(c) 30 employees or more in establishments employing 300 employees or more.”; and

(b) immediately after the definition “collective redundancy”, there shall be inserted the following new definition:

“ “contract of service for a fixed term” has the same meaning assigned to it by virtue of the Contract of Service for a Fixed Term Regulations, 2002.”. L.N. 429 of 2002.

Amends regulation
3 of the principal
regulations.

4. In regulation 3 of the principal regulations, for paragraph (b) there shall be substituted the following:

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“(b) persons employed on ships falling under the provisions of the Merchant Shipping Act.”.

Amends regulation
5 of the principal
regulations.

5. In regulation 5 of the principal regulations, for the words “or for mitigating the consequences thereof” there shall be substituted the words “and for mitigating the consequences thereof”.

Amends regulation
9 of the principal
regulations.

6. After subregulation (2) of regulation 9 of the principal regulations, there shall be inserted the following new sub-regulation (3):

“(3) Subject to subregulations (1) and (2) hereof, the notice of termination of employment may begin to run from the date when the consultations referred to in regulation 5 commence”.

Amends regulation
11 of the principal
regulations.

7. In the English text of regulation 11 of the principal regulations, after the word “fine” there shall be inserted the word “(*multa*)”.