



Employment Rights Act 1996

1996 CHAPTER 18

An Act to consolidate enactments relating to employment rights. [22nd May 1996]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extent Information

- E1** For the extent of this Act generally, see s. 244; in particular, provisions which refer to shop workers and betting workers extend to England and Wales only

Modifications etc. (not altering text)

- C1** Act restricted (22.8.1996) by 1996 c. 17, ss. 21, 46 (with s. 38)
Act restricted (25.11.1998 for specified purposes and otherwise 8.5.2000) by 1998 c. 45, s. 6, **Sch. 3 para. 10**; S.I. 1998/2952, art. 2; S.I. 2000/1173, art. 2(2)(b)
- C2** Act modified (E.W.) (11.9.1998) by 1998 c. 18, ss. 54(2), 55(2), **Sch. 4 para. 9(2)**
Act modified (25.11.1998 for specified purposes and otherwise 8.5.2000) by 1998 c. 45, s. 6, **Sch. 3 para. 9(3)**; S.I. 1998/2952, art. 2; S.I. 2000/1173, art. 2(2)(b)
Act modified (27.9.1999) by 1999 c. 22, ss. 105, 108(3), Sch. 14 Pt. II paras. 2(1)(b), 4(b), 7(2), Pt. V para. 33(7)(b) (with Sch. 14 para. 7(2))
Act modified (1.4.2000) by S.I. 2000/935, art. 3
Act modified (S.) (1.4.2000) by 2000 asp 1, s. 10, **Sch. 2 para. 8(3)**; S.S.I. 2000/10, art. 2(3)
Act modified (12.1.2000) by 1999 c. 29, s. 410(5) (with Sch. 12 para. 9(1)); S.I. 1999/3434, art. 2
Act modified (3.7.2000) by 1980 c. 66, s. 266B(7) (as inserted (3.7.2000) by 1999 c. 29, s. 265 (with **Sch. 12 para. 9(1)**); S.I. 2000/801, art. 2(c), **Sch. Pt. 3**)
Act modified (1.11.2000) by 2000 c. 27, s. 3(8), **Sch. 3 para. 9**; S.I. 2000/2917, art. 2
Act modified (E.W.) (30.11.2000) by 2000 c. 43, ss. 21(4)-(6), 22(5)-(8), 23, 80(3)
Act modified (15.1.2001) by 2000 c. 38, ss. 240, 250, **Sch. 26 para. 12(b)**; S.I. 2000/3376, art. 2
Act modified (30.1.2001) by 2000 c. 38, s. 211, **Sch. 15 para. 11**; S.I. 2001/57, art. 2, **Sch. 1**
Act modified (30.1.2001) by 2000 c. 38, s. 218, **Sch. 19 para. 12(b)**; S.I. 2001/57, art. 2, **Sch. 1**
Act modified (1.2.2001) by 2000 c. 38, s. 215(7); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings in **Sch. 2 Pt. II**)

Changes to legislation: Employment Rights Act 1996, Introductory Text is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- Act modified (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 41(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings in **Sch. 2 Pt. II**)
- Act modified (1.2.2001) by 2000 c. 38, s. 217, **Sch. 18 para. 16(b)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings in **Sch. 2 Pt. II**)
- Act modified (1.2.2001) by 2000 c. 38, s. 220, **Sch. 21 para. 13(b)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings in **Sch. 2 Pt. II**)
- Act modified (1.2.2001) by 2000 c. 38, s. 240, **Sch. 25 para. 12**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings in **Sch. 2 Pt. II**)
- Act modified (S.) (prosp.) by 2001 asp 10, **ss. 86(3)**, 113(1)
- C3** Act applied (1.9.1999) by 1998 c. 31, s. 54, **Sch. 16 para. 27(3)(b)** (with **ss. 138(9)**, 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- Act applied (1.9.1999) by 1998 c. 31, s. 55, **Sch. 17 paras. 24(4)(b)**, 27 (with **ss. 138(9)**, 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- Act applied (with modifications) (1.9.1999) by S.I. 1999/2277, **art. 5(1)**
- Act applied (S.) (8.9.2000) by 2000 asp 10, s. 29, **Sch. 4 para. 6(3)** (with s. 32); S.S.I. 2000/312, **art. 2**
- Act applied (6.11.2000) by 2000 c. 26, s. 118(4)(5); S.I. 2000/2957, art. 2(1), **Sch. 1**
- Act applied (with modifications) (8.12.2002) by The Paternity and Adoption Leave Regulations 2002 (S.I. 2002/2788), **reg. 30(2)(b)**
- C4** Act: power to modify conferred (25.2.1999 for certain purposes and otherwise 1.4.1999) by 1999 c. 2, **ss. 15(1)(2)(b)**, 28(2); S.I. 1999/527, art. 2(b), **Sch. 2**
- Act: power to amend conferred (25.10.1999) by 1999 c. 26, s. 19(3)(f); S.I. 1999/2830, art. 2(1), **Sch. 1 Pt. I**
- Act: power to apply conferred (25.10.1999) by 1999 c. 26, s. 23(1)(b); S.I. 1999/2830, art. 2(1), **Sch. 1 Pt. I**
- Act: power to amend or apply conferred (8.7.2002) by Employment Act 2002 (c. 22), **ss. 45(3)(d)(i)**, 55(2)
- C5** Act amended (E.W.) (1.4.2001) by 2000 c. 43, s. 4, **Sch. 1 para. 3(5)**; S.I. 2001/919, **art. 2(e)** (with art. 3)
- C6** Act modified (1.7.2004) by The British Transport Police (Transitional and Consequential Provisions) Order 2004 (S.I. 2004/1573), arts. 1, **6(8)(b)**
- C7** Act: modified (8.6.2005 for certain purposes, otherwise 24.7.2005) by Railways Act 2005 (c. 14), **ss. 1**, 12, 60, **Sch. 2 para. 9(1)(b)**; S.I. 2005/1444, **art. 2**, **Sch. 1**; S.I. 2005/1909, **art. 2**, **Sch. 1**
- C8** Act: modified (W.) (12.5.2006) by The Education (Modification of Enactments Relating to Employment) (Wales) Order 2006 (S.I. 2006/1073), arts. 1(1), **5(1)**
- C9** Act modified (21.2.2009) by The Banking Act 2009 (Parts 2 and 3 Consequential Amendments) Order 2009 (S.I. 2009/317), art. 3, **Sch. 1**
- C10** Act applied (with modifications) (8.2.2011) by The Investment Bank Special Administration Regulations 2011 (S.I. 2011/245), **regs. 1**, 27(a), **Sch. 6 Pt. 1**
- C11** Act excluded (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 5 para. 15(1)(2)(b)**; S.I. 2013/1682, art. 3(m)
- C12** Act applied (with modifications) (10.3.2020) by The Parental Bereavement Leave Regulations 2020 (S.I. 2020/249), **regs. 1**, 15 (with reg. 2)
- C13** Act applied (with modifications) (8.7.2021) by The Payment and Electronic Money Institution Insolvency Regulations 2021 (S.I. 2021/716), **reg. 2**, **Sch. 3 paras. 2**, 3 (with reg. 5) (as amended (4.1.2024) by The Payment and Electronic Money Institution Insolvency (Amendment) Regulations 2023 (S.I. 2023/1399), **regs. 1(2)**, 4)
- C14** Act applied (E.W.S.) (with modifications) (6.4.2024) by The Carer's Leave Regulations 2024 (S.I. 2024/251), **regs. 1(2)**, 14 (with reg. 2(1))

Commencement Information

- II** Act not in force at Royal Assent: see s. 243

Changes to legislation: *Employment Rights Act 1996, Introductory Text is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

- I2** This Act has effect with the omission of s. 219(3)(d)(4)(a)(iv) until the relevant commencement date as defined by Sch. 2 Part II para. 18(2) of this Act. See Sch. 2 Part II para. 18.
- I3** This Act has effect with the omission of sections 46, 58, 59, 60, and 102 until the relevant commencement date as defined by Sch. 2 Part II para 15(2) of this Act. See Sch. 2 Part II para. 15.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 8 Ch. 5 inserted by [2023 c. 20 Sch. para. 2](#)
- Pt. 8A Ch. 1 heading inserted by [2023 c. 46 s. 1\(3\)](#)
- Pt. 8A Ch. 2 inserted by [2023 c. 46 s. 1\(4\)](#)
- Pt. 8A Ch. 3 inserted by [2023 c. 46 s. 2](#)
- Pt. 8A Ch. 4 inserted by [2023 c. 46 s. 3\(2\)](#)
- s. 43K(1)(ca) and word omitted by [2013 c. 24 s. 20\(5\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 43K(1)(ba) by S.I. 2006/1056, Sch. para. 7 is to come into force on the day on which 2005 asp 13, s. 20 comes into force and that provision has never been brought into force)
- s. 43K(2)(ba) omitted by [2013 c. 24 s. 20\(6\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 43K(1)(ba) by S.I. 2006/1056, Sch. para. 7 is to come into force on the day on which 2005 asp 13, s. 20 comes into force and that provision has never been brought into force)
- s. 47C(2)(cc) inserted by [2023 c. 20 Sch. para. 22](#)
- s. 47H inserted by [2020 c. 7 Sch. 7 para. 9](#)
- s. 47AA inserted by [2008 c. 25 s. 37](#)
- s. 47EA inserted by [2023 c. 46 Sch. para. 4](#)
- s. 47EB inserted by [2023 c. 46 Sch. para. 5](#)
- s. 48(1C) inserted by [2020 c. 7 Sch. 7 para. 10\(a\)](#)
- s. 48(1C) inserted by [2023 c. 46 Sch. para. 6\(2\)](#)
- s. 48(1D) inserted by [2023 c. 46 Sch. para. 6\(3\)](#)
- s. 49(8) inserted by [2020 c. 7 Sch. 7 para. 11\(b\)](#)
- s. 49(8) inserted by [2023 c. 46 Sch. para. 7\(4\)](#)
- s. 49C inserted by [2017 c. 16 s. 32\(4\)](#)
- s. 75I(3)(g) and word inserted by [2023 c. 20 Sch. para. 23\(b\)](#)
- s. 80A(6A) inserted by [2024 c. 17 s. 1\(2\)](#)
- s. 80B(6C) inserted by [2024 c. 17 s. 1\(3\)](#)
- s. 80C(2)(bc) inserted by [2023 c. 20 Sch. para. 24\(2\)](#)
- s. 80C(4)(bc) inserted by [2023 c. 20 Sch. para. 24\(3\)](#)
- s. 80D(1A) inserted by [2024 c. 17 s. 1\(4\)\(a\)](#)
- s. 80D(3) inserted by [2024 c. 17 s. 1\(4\)\(c\)](#)
- s. 80EB(2)(f) and word inserted by [2023 c. 20 Sch. para. 25\(b\)](#)
- s. 99(3)(cc) inserted by [2023 c. 20 Sch. para. 28](#)
- s. 101B inserted by [2008 c. 25 s. 38](#)
- s. 104H inserted by [2020 c. 7 Sch. 7 para. 14](#)
- s. 104CA inserted by [2023 c. 46 Sch. para. 9](#)
- s. 105(4B) inserted by [2008 c. 25 s. 39\(3\)](#)
- s. 105(7BC) inserted by [2020 c. 7 Sch. 7 para. 15](#)
- s. 105(7BAA) inserted by [2023 c. 46 Sch. para. 10](#)
- s. 108(3)(gia) inserted by [2023 c. 46 Sch. para. 11](#)
- s. 108(3)(de) inserted by [2008 c. 25 s. 39\(4\)](#)
- s. 108(3)(gn) inserted by [2020 c. 7 Sch. 7 para. 16](#)
- s. 110(3A) inserted by [2002 c. 22 s. 44](#)
- s. 205A(2)(ba) inserted by [2023 c. 46 Sch. para. 16\(2\)](#)
- s. 205A(8A) inserted by [2023 c. 46 Sch. para. 16\(3\)](#)
- s. 225(7)(8) inserted by [2023 c. 46 Sch. para. 17](#)

– s. 227(1)(zb)(zc) inserted by [2023 c. 46 Sch. para. 18](#)