
STATUTORY INSTRUMENTS

2023 No. 876 (C. 47)

TERMS AND CONDITIONS OF EMPLOYMENT

The Employment (Allocation of Tips) Act 2023
(Commencement No. 1) Regulations 2023

Made - - - - 25th July 2023

The Secretary of State, in exercise of the powers conferred by section 14 of the Employment (Allocation of Tips) Act 2023⁽¹⁾, makes the following Regulations.

Citation and extent

1.—(1) These Regulations may be cited as the Employment (Allocation of Tips) Act 2023 (Commencement No. 1) Regulations 2023.

(2) These Regulations extend to England and Wales and Scotland.

Interpretation

2. In these Regulations—

“the 1996 Act” means the Employment Rights Act 1996⁽²⁾; and

“the 2023 Act” means the Employment (Allocation of Tips) Act 2023.

Provisions coming into force on 31st July 2023

3. The following provisions of the 2023 Act come into force on 31st July 2023—

(a) sections 1 to 8, for the purpose only of enabling the Secretary of State to issue a code of practice under section 27P of the 1996 Act, as inserted by section 9 of the 2023 Act;

(b) section 9; and

(c) sections 10 to 12, for the purpose only of enabling the Secretary of State to issue a code of practice under section 27P of the 1996 Act, as inserted by section 9 of the 2023 Act.

(1) 2023 c. 13.

(2) 1996 c. 18.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

25th July 2023

Kevin Hollinrake
Parliamentary Under Secretary of State (Minister
for Enterprise, Markets and Small Business)
Department for Business and Trade

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Employment (Allocation of Tips) Act 2023 (“the 2023 Act”). These are the first commencement regulations made under the 2023 Act. Certain provisions came into force on the passing of the 2023 Act.

Regulation 3(b) commences provisions of the 2023 Act that provide for the Secretary of State to issue a code of practice for the purpose of promoting fairness and transparency in the distribution of qualifying tips, gratuities and service charges (as defined in new section 27C of the Employment Rights Act 1996, as inserted by section 1 of the 2023 Act). Regulation 3(a) and (c) commence sections 1 to 8 and 10 to 12 of the 2023 Act only for the purpose of enabling the Secretary of State to issue that code and not more generally.