



Employment Rights Act 1996

1996 CHAPTER 18

PART XIII

MISCELLANEOUS

CHAPTER II

OTHER MISCELLANEOUS MATTERS

Modifications of Act

F1 208

Textual Amendments

F1 S. 208 repealed (17.12.1999) by 1999 c. 26, ss. 36(2)(3), 44, **Sch. 9(10)**; S.I. 1999/3374, art. 2(b)(c), **Sch.**

209 Powers to amend Act.

- (1) The Secretary of State may by order—
 - (a) provide that any provision of this Act, other than any to which this paragraph does not apply, which is specified in the order shall not apply to persons, or to employments, of such classes as may be prescribed in the order,
 - (b) provide that any provision of this Act, other than any to which this paragraph does not apply, shall apply to persons or employments of such classes as may be prescribed in the order subject to such exceptions and modifications as may be so prescribed, or
 - (c) vary, or exclude the operation of, any of the provisions to which this paragraph applies.

Status: Point in time view as at 06/04/2023.

Changes to legislation: Employment Rights Act 1996, Cross Heading: Modifications of Act is up to date with all changes known to be in force on or before 14 September 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)

- (2) Subsection (1)(a) does not apply to—
- (a) Parts II and IV,
 - (b) in Part V, sections 45 and 46, and sections 48 and 49 so far as relating to those sections,
 - (c) in Part VI, sections 58 to 60,
 - (d) in Part IX, sections 87(3), 88 to 90, 91(1) to (4) and (6) and 92(6) to (8),
 - (e) in Part X, sections 95, 97(1) to (5), 98(1) to (4) and (6), 100, 101, [^{F2}101A,] 102, 103, 105, 107, 110, 111, 120(2), 124(1), (2) and (5), 125(7) and 134,
 - (f) in Part XI, sections 143, 144, 160(2) and (3), 166 to 173 and 177 to 180,
 - (g) in Part XIII, sections ^{F3} . . . ^{F4} . . . ,
 - (h) Chapter I of Part XIV, or
 - (j) in Part XV, section 236(3) so far as relating to sections 120(2), 124(2) and 125(7).
- (3) Subsection (1)(b) does not apply to—
- (a) any of the provisions to which subsection (1)(a) does not apply,
 - (b) sections 1 to 7, or
 - (c) the provisions of sections 86 to 91 not specified in subsection (2).
- (4) The provision which may be made by virtue of paragraph (b) of subsection (1) in relation to section 94 does not include provision for application subject to exceptions or modifications; but this subsection does not prejudice paragraph (a) of that subsection.
- (5) Subsection (1)(c) applies to sections 29(2), 65(2), 86(5), 92(3), 108(1), ^{F5} . . . 159, 160(1), 196(2), (3) and (5) and 199(1), (2), (4) and (5).
- ^{F6}(6)
- ^{F7}(7)
- (8) The provisions of this section are without prejudice to any other power of the Secretary of State to amend, vary or repeal any provision of this Act or to extend or restrict its operation in relation to any person or employment.

Textual Amendments

- F2** Words in s. 209(2)(e) inserted (1.10.1998) by S.I. 1998/1833, **reg. 32(7)**
- F3** Words in s. 209(2)(g) repealed (25.10.1999) by virtue of 1999 c. 26, s. 44, **Sch. 9(9)**; S.I. 1999/2830, art. 2(3), **Sch. 2 Pt. I**
- F4** Words in s. 209(2)(g) repealed (25.10.1999) by 1999 c. 26, s. 44, **Sch. 9(3)**; S.I. 1999/2830, art. 2(3), **Sch. 2 Pt. I** (with **Sch. 3 para. 2(2)**)
- F5** Words in s. 209(5) omitted (1.10.2006) by virtue of **The Employment Equality (Age) Regulations 2006** (S.I. 2006/1031), **regs. 1(1), 49(1), Sch. 8 para. 34(2)** (with **regs. 44-46**)
- F6** S. 209(6) repealed (15.12.1999) by 1999 c. 26, ss. 9, 44, **Sch. 4 Pt. III para. 37, Sch. 9(2)**; S.I. 1999/2830, art. 2(2)(3), **Sch. 1 Pt. II, Sch. 2 Pt. II** (with **Sch. 3 paras. 10, 11**)
- F7** S. 209(7) repealed and superseded (25.10.1999) by 1999 c. 26, ss. 23(6), 44, **Sch. 9(4)**; S.I. 1999/2830, art. 2(1)(3), **Sch. 1 Pt. I, Sch. 2 Pt. I**

Status:

Point in time view as at 06/04/2023.

Changes to legislation:

Employment Rights Act 1996, Cross Heading: Modifications of Act is up to date with all changes known to be in force on or before 14 September 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.