



Employment Rights Act 1996

1996 CHAPTER 18

PART XV

GENERAL AND SUPPLEMENTARY

General

236 Orders and regulations.

- (1) Any power conferred by any provision of this Act to make any order (other than an Order in Council) or regulations is exercisable by statutory instrument.
- (2) A statutory instrument made under any power conferred by this Act to make an Order in Council or other order or regulations, except—
 - (a) an Order in Council or other order [^{F1}or regulations] to which subsection (3) applies,
 - (b) an order under section 35 or Part II of Schedule 2, or
 - (c) an order made in accordance with section 208,is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) No recommendation shall be made to Her Majesty to make an Order in Council under section 192(3), and no order [^{F1}or regulations] shall be made under section [^{F2}47C, 71, 72, 73, [^{F3}75A, 75B,] 76, [^{F4}80A, 80B, 80G,] 99,] 120(2), 124(2) or 125(7) or (subject to subsection (4)) section 209, unless a draft of the Order in Council [^{F5}, order or regulations] has been laid before Parliament and approved by a resolution of each House of Parliament.
- (4) Subsection (3) does not apply to an order under section 209(1)(b) which specifies only provisions contained in Part XI.
- (5) Any power conferred by this Act which is exercisable by statutory instrument includes power to make such incidental, supplementary or transitional provisions as appear to the authority exercising the power to be necessary or expedient.

Status: Point in time view as at 16/08/2004.

Changes to legislation: Employment Rights Act 1996, Cross Heading: General is up to date with all changes known to be in force on or before 28 May 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)

Textual Amendments

- F1** Words in s. 236(2)(a)(3) inserted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 42(2)(3)(a)**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with Sch. 3 paras. 10, 11)
- F2** Words in s. 236(3) substituted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 42(3)(b)**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with Sch. 3 paras. 10, 11)
- F3** Words in s. 236(3) inserted (8.12.2002) by Employment Act 2002 (c. 22), s. 53, **Sch. 7 para. 49(2)**; S.I. 2002/2866, **art. 2(2)**, Sch. 1 Pt. 2
- F4** Words in s. 236(3) inserted (E.W.S.) (8.12.2002 for certain purposes and 6.4.2003 otherwise) by Employment Act 2002 (c. 22), s. 53, **Sch. 7 para. 49(3)**; S.I. 2002/2866, **art. 2(2)(3)**, Sch. 1 Pts. 2, 3
- F5** Words in s. 236(3) substituted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 42(3)(c)**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with Sch. 3 paras. 10, 11)

237 Financial provisions.

There shall be paid out of the National Insurance Fund into the Consolidated Fund sums equal to the amount of—

- (a) any expenses incurred by the Secretary of State in consequence of Part XI, and
- (b) any expenses incurred by the Secretary of State (or by persons acting on his behalf) in exercising his functions under Part XII.

Status:

Point in time view as at 16/08/2004.

Changes to legislation:

Employment Rights Act 1996, Cross Heading: General is up to date with all changes known to be in force on or before 28 May 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.