



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART X

#### UNFAIR DISMISSAL

#### CHAPTER II

#### REMEDIES FOR UNFAIR DISMISSAL

#### *Compensation*

#### **126 Acts which are both unfair dismissal and discrimination.**

- (1) This section applies where compensation falls to be awarded in respect of any act both under—
  - (a) the provisions of this Act relating to unfair dismissal, and
  - [<sup>F1</sup>(b) the Equality Act 2010.]
- (2) An [<sup>F2</sup>employment tribunal] shall not award compensation under [<sup>F3</sup>either of those Acts] in respect of any loss or other matter which is or has been taken into account under [<sup>F4</sup>the other] by the tribunal (or another [<sup>F2</sup>employment tribunal]) in awarding compensation on the same or another complaint in respect of that act.

#### **Textual Amendments**

- F1** S. 126(1)(b) substituted (1.10.2010) by Equality Act 2010 (c. 15), ss. 211, 216, **Sch. 26 para. 33(2)** (with ss. 6(4), 205) (as inserted by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1, **Sch. 1 para. 5**); S.I. 2010/2317, art. 2(15)(e)(ii) (with art. 15)
- F2** Words in s. 126(2) substituted (1.8.1998) by 1998 c. 8, **s. 1(2)(a)** (with s. 16(2)); S.I. 1998/1658, art. 2(1), **Sch. 1**

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**Status:** Point in time view as at 01/10/2010.

**Changes to legislation:** Employment Rights Act 1996, Section 126 is up to date with all changes known to be in force on or before 23 June 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)

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- F3** Words in s. 126(2) substituted (1.10.2010) by Equality Act 2010 (c. 15), ss. 211, 216, **Sch. 26 para. 33(3)(a)** (with ss. 6(4), 205) (as inserted by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1, **Sch. 1 para. 5**); S.I. 2010/2317, art. 2(15)(e)(ii) (with art. 15)
- F4** Words in s. 126(2) substituted (1.10.2010) by Equality Act 2010 (c. 15), ss. 211, 216, **Sch. 26 para. 33(3)(b)** (with ss. 6(4), 205) (as inserted by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), art. 1, **Sch. 1 para. 5**); S.I. 2010/2317, art. 2(15)(e)(ii) (with art. 15)

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**Modifications etc. (not altering text)**

- C1** Ss. 117-127A applied (with modifications) (2.7.1999) by S.I. 1999/1548, **reg. 3**

**Status:**

Point in time view as at 01/10/2010.

**Changes to legislation:**

Employment Rights Act 1996, Section 126 is up to date with all changes known to be in force on or before 23 June 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.