



Employment Rights Act 1996

1996 CHAPTER 18

PART XIII

MISCELLANEOUS

CHAPTER II

OTHER MISCELLANEOUS MATTERS

Contracting out etc. and remedies

205 Remedy for infringement of certain rights.

(1) The remedy of an employee for infringement of any of the rights conferred by section 8, Part III, Parts V to VIII, section 92, Part X and Part XII is, where provision is made for a complaint or the reference of a question to an [^{F1}employment tribunal], by way of such a complaint or reference and not otherwise.

[^{F2}(1A) In relation to the right conferred by section 47B, the reference in subsection (1) to an employee has effect as a reference to a worker.]

[^{F3}(1ZA) In relation to the right conferred by section 45A, the reference in subsection (1) to an employee has effect as a reference to a worker.]

(2) The remedy of a worker in respect of any contravention of section 13, 15, 18(1) or 21(1) is by way of a complaint under section 23 and not otherwise.

Textual Amendments

F1 Words in s. 205(1) 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

F2 S. 205(1A) inserted (2.7.1999) by 1998 c. 23, s. 14; S.I. 1999/1547, art. 2

F3 S. 205(1ZA) inserted (1.10.1998) by S.I. 1998/1833, reg. 31(7)

Status: Point in time view as at 01/02/2006. This version of this provision has been superseded.

Changes to legislation: Employment Rights Act 1996, Section 205 is up to date with all changes known to be in force on or before 30 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)

Modifications etc. (not altering text)

- C1** S. 205(1) applied (6.4.2006 with application in accordance with reg. 21(1) of the amending S.I.) by [The Transfer of Undertakings \(Protection of Employment\) Regulations 2006 \(S.I. 2006/246\)](#), regs. 1(2), **16(1)**

Status:

Point in time view as at 01/02/2006. This version of this provision has been superseded.

Changes to legislation:

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