



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART II

#### PROTECTION OF WAGES

##### *Cash shortages and stock deficiencies in retail employment*

#### **22 Final instalments of wages.**

- (1) In this section “final instalment of wages”, in relation to a worker, means—
  - (a) the amount of wages payable to the worker which consists of or includes an amount payable by way of contractual remuneration in respect of the last of the periods for which he is employed under his contract prior to its termination for any reason (but excluding any wages referable to any earlier such period), or
  - (b) where an amount in lieu of notice is paid to the worker later than the amount referred to in paragraph (a), the amount so paid,in each case whether the amount in question is paid before or after the termination of the worker’s contract.
- (2) Section 18(1) does not operate to restrict the amount of any deductions which may (in accordance with section 13(1)) be made by the employer of a worker in retail employment from the worker’s final instalment of wages.
- (3) Nothing in section 20 or 21 applies to a payment falling within section 20(1) which is made on or after the day on which any such worker’s final instalment of wages is paid; but (even if the requirements of section 15 would otherwise be satisfied with respect to it) his employer shall not be treated as receiving any such payment in accordance with that section if the payment was first required to be made after the end of the period referred to in section 20(3)(b).
- (4) Section 21(3) does not apply to an amount which is to be paid by a worker on or after the day on which his final instalment of wages is paid.

**Status:**

Point in time view as at 01/11/1998.

**Changes to legislation:**

Employment Rights Act 1996, Section 22 is up to date with all changes known to be in force on or before 06 August 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.