



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART XIV

#### INTERPRETATION

#### CHAPTER III

##### OTHER INTERPRETATION PROVISIONS

#### **230 Employees, workers etc.**

- (1) In this Act “employee” means an individual who has entered into or works under (or, where the employment has ceased, worked under) a contract of employment.
- (2) In this Act “contract of employment” means a contract of service or apprenticeship, whether express or implied, and (if it is express) whether oral or in writing.
- (3) In this Act “worker” (except in the phrases “shop worker” and “betting worker”) means an individual who has entered into or works under (or, where the employment has ceased, worked under)—
  - (a) a contract of employment, or
  - (b) any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual;and any reference to a worker’s contract shall be construed accordingly.
- (4) In this Act “employer”, in relation to an employee or a worker, means the person by whom the employee or worker is (or, where the employment has ceased, was) employed.
- (5) In this Act “employment”—

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*Status: Point in time view as at 30/06/2014. This version of this provision has been superseded.*

*Changes to legislation: Employment Rights Act 1996, Section 230 is up to date with all changes known to be in force on or before 21 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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- (a) in relation to an employee, means (except for the purposes of section 171) employment under a contract of employment, and
  - (b) in relation to a worker, means employment under his contract;
- and “employed” shall be construed accordingly.

[<sup>F1</sup>(6) This section has effect subject to sections 43K and 47B(3); and for the purposes of Part XIII so far as relating to Part IVA or section 47B, “ worker ”, “ worker’s contract ” and, in relation to a worker, “ employer ”, “ employment ” and “ employed ” have the extended meaning given by section 43K. ]

[<sup>F2</sup>(7) This section has effect subject to section 75K(3) and (5).]

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**Textual Amendments**

**F1** S. 230(6) inserted (2.7.1999) by 1998 c. 23, s. 15(1); S.I. 1999/1547, art. 2

**F2** S. 230(7) inserted (30.6.2014) by Children and Families Act 2014 (c. 6), s. 139(6), Sch. 7 para. 41; S.I. 2014/1640, art. 3(2)(j)

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

**C1** S. 230(3)(b) applied (1.11.1998) by 1998 c. 39, s. 24(5); S.I. 1998/2574, art. 2(1), Sch. 1

**Status:**

Point in time view as at 30/06/2014. This version of this provision has been superseded.

**Changes to legislation:**

Employment Rights Act 1996, Section 230 is up to date with all changes known to be in force on or before 21 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.