



Employment Rights Act 1996

1996 CHAPTER 18

PART IV

SUNDAY WORKING FOR SHOP AND BETTING WORKERS

Opting-out of Sunday work

40 Notice of objection to Sunday working.

- (1) A shop worker or betting worker to whom this section applies may at any time give his employer written notice, signed and dated by the shop worker or betting worker, to the effect that he objects to Sunday working.
- (2) In this Act “opting-out notice” means a notice given under subsection (1) by a shop worker or betting worker to whom this section applies.
- (3) This section applies to any shop worker or betting worker who under his contract of employment—
 - (a) is or may be required to work on Sunday (whether or not as a result of previously giving an opting-in notice), but
 - (b) is not employed to work only on Sunday.

Extent Information

- E1** S. 40, which previously extended to England and Wales only, extends to England and Wales and Scotland from 6.4.2004 by virtue of the amendment to s. 244(2) by [Sunday Working \(Scotland\) Act 2003 \(c. 18\)](#), **ss. 1(5), 3**; S.I. 2004/958, **art. 2**

Status:

Point in time view as at 26/05/2015.

Changes to legislation:

Employment Rights Act 1996, Section 40 is up to date with all changes known to be in force on or before 19 July 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.