
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to the right to make an application under section 63D of the Employment Rights Act 1996 (“the 1996 Act”) to enable the employee to spend time undertaking study or training.

Regulation 3 makes provision about further information which a section 63D application must contain and regulation 4 imposes requirements as to the form of such applications.

Regulation 5 specifies which breaches of the Employee Study and Training (Procedural Requirements) Regulations 2010 entitle an employee to make a complaint to an employment tribunal notwithstanding the employee’s section 63D application has not been disposed of by agreement or withdrawn.

Regulation 6 provides that the maximum amount of compensation that an employment tribunal may award where it finds a complaint under section 63J of the 1996 Act well-founded is 8 weeks’ pay.

A full impact assessment of the effect that these Regulations will have on the costs of business is available from the Department for Business, Innovation and Skills, 1 Victoria Street, London, SW1H 0ET.