

2010 No. 2991

TERMS AND CONDITIONS OF EMPLOYMENT

**The Flexible Working (Eligibility, Complaints and Remedies)
(Amendment) Regulations 2010**

<i>Made</i>	- - - -	<i>14th December 2010</i>
<i>Laid before Parliament</i>		<i>16th December 2010</i>
<i>Coming into force</i>	- -	<i>6th April 2011</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 80F(1)(b) and (10) of the Employment Rights Act 1996(a).

Citation and Commencement

1. These Regulations may be cited as the Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2010 and shall come into force on 6th April 2011.

Amendment to the Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002

2.—(1) The Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002(b) are amended as follows.

- (2) In regulation 1 (interpretation), in paragraph (1), omit the definition of “disabled”.
- (3) In regulation 3A (age of child) omit the words “17 or, if disabled,”.

14th December 2010

Edward Davey
Minister for Employment Relations, Consumer and Postal Affairs
Department for Business, Innovation & Skills

(a) 1996 c.18. Section 80F was inserted by section 47 of the Employment Act 2002 (c.22) and subsequently amended by section 12 of the Work and Families Act 2006 (c.18).

(b) S.I. 2002/3236 amended by S.I. 2006/3314 and S.I. 2009/595; there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002. The amendment widens one of the conditions under which employees (under section 80F of the Employment Rights Act 1996) may request a contract variation. The condition which is amended relates to the purpose for which the request is made. Before the coming into force of these Regulations the condition requires the purpose of the request to be for the employee to care for a child under 17 or, if disabled, under 18. Following the coming into force of these Regulations this is changed to the child being under 18.

An impact assessment of the effect that this instrument will have on the costs to business and the voluntary sector is available from the BIS website (www.bis.gov.uk). It is also annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website (www.opsi.gov.uk).

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