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STATUTORY INSTRUMENTS

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**2023 No. 1426**

**The Employment Rights (Amendment, Revocation  
and Transitional Provision) Regulations 2023**

**Part 3**

**Records**

**Amendment of regulation 9 of the 1998 Regulations**

- 7.—(1) Regulation 9 of the 1998 Regulations (records)<sup>(1)</sup> is amended as follows.
- (2) The existing text becomes paragraph (1).
- (3) In paragraph (1), as so renumbered, for sub-paragraph (a), substitute—
- “(a) keep records which are adequate to show whether the employer has complied with the limits specified in regulations 4(1), 5A(1) and 6(1) and (7) and the requirements in regulations 6A and 7(1) and (2);”.
- (4) After paragraph (1), as so renumbered, insert—
- “(2) The records referred to in paragraph (1)(a) may be created, maintained and kept in such manner and format as the employer reasonably thinks fit.
- (3) An employer need not record each worker’s daily working hours in order to comply with paragraph (1) if the employer is able to demonstrate compliance without doing so.”.

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<sup>(1)</sup> Regulation 9 was amended by [S.I. 2002/3128](#).