

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Employment (Allocation of Tips) Act 2023 (“the 2023 Act”). These are the first commencement regulations made under the 2023 Act. Certain provisions came into force on the passing of the 2023 Act.

Regulation 3(b) commences provisions of the 2023 Act that provide for the Secretary of State to issue a code of practice for the purpose of promoting fairness and transparency in the distribution of qualifying tips, gratuities and service charges (as defined in new section 27C of the Employment Rights Act 1996, as inserted by section 1 of the 2023 Act). Regulation 3(a) and (c) commence sections 1 to 8 and 10 to 12 of the 2023 Act only for the purpose of enabling the Secretary of State to issue that code and not more generally.