



Employment Rights Act 1996

CHAPTER 18

EMPLOYMENT RIGHTS ACT 1996

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Rights Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Rights Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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.....
1 (1) Section 1 of the Equal Pay Act 1970 is...

The Atomic Energy Authority Act 1971 (c.11)

2 (1) Section 10 of the Atomic Energy Authority Act 1971...

The Attachment of Earnings Act 1971 (c.32)

3 Paragraph 3 of Part I of Schedule 3 to the...

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The British Library Act 1972 (c.54)

4 In paragraph 13(3)(a) of the Schedule to the British Library...

The Health and Safety at Work etc. Act 1974 (c.37)

5 In section 80(2A) of the Health and Safety at Work...

The Sex Discrimination Act 1975 (c.65)

6 (1) The Sex Discrimination Act 1975 is amended as follows....

The Scottish Development Agency Act 1975 (c.69)

7 In paragraph 6 of Schedule 3 to the Scottish Development...

The Welsh Development Agency Act 1975 (c.70)

8 In paragraph 7 of Schedule 2 to the Welsh Development...

The Lotteries and Amusements Act 1976 (c.32)

9 In section 23(1) of the Lotteries and Amusements Act 1976,...

The Race Relations Act 1976 (c.74)

10 (1) The Race Relations Act 1976 is amended as follows....

The Development of Rural Wales Act 1976 (c.75)

11

The New Towns (Scotland) Act 1977 (c.16)

12 In section 3(6) of the New Towns (Scotland) Act 1977,...

The National Health Service (Scotland) Act 1978 (c.29)

13 In section 12C(3) of the National Health Service (Scotland) Act...

The House of Commons (Administration) Act 1978 (c.36)

14 In paragraph 1 of Schedule 2 to the House of...

The New Towns Act 1981 (c.64)

15 In section 54(5) of the New Towns Act 1981, for...

The Wildlife and Countryside Act 1981 (c.69)

16 In paragraph 8(4) of Schedule 13 to the Wildlife and...

The Hops Marketing Act 1982 (c.5)

17 In section 2(7) of the Hops Marketing Act 1982, for...

The Oil and Gas (Enterprise) Act 1982 (c.23)

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- 19
The Local Government Finance Act 1982 (c.32)
- 20 In section 10(d) of the Administration of Justice Act 1982—...
The Administration of Justice Act 1982 (c.53)
- The Health and Social Services and Social Security Adjudications Act 1983 (c.41)*
21 In paragraph 23 of Part II of Schedule 3 to...
- The National Audit Act 1983 (c.44)*
22 In paragraph 2(3) of Schedule 2 to the National Audit...
- The National Heritage Act 1983 (c.47)*
23 In— (a) paragraph 5(5) of Part I of Schedule 1,...
- The National Heritage (Scotland) Act 1985 (c.16)*
24 In— (a) paragraph 5(5) of Part I, and
- The Prosecution of Offences Act 1985 (c.23)*
25 (1) The Prosecution of Offences Act 1985 is amended as...
- The Local Government Act 1985 (c.51)*
26 (1) The Local Government Act 1985 is amended as follows....
- The Trustee Savings Banks Act 1985 (c.58)*
27 In section 3(7) of the Trustee Savings Banks Act 1985,...
- The Housing (Consequential Provisions) Act 1985 (c.71)*
28 In paragraph 7(2)(b) of Schedule 4 to the Housing (Consequential...
- The Insolvency Act 1986 (c.45)*
29 In paragraph 13 of Schedule 6 to the Insolvency Act...
- The Legal Aid (Scotland) Act 1986 (c.47)*
30 In paragraph 10(1) of Schedule 1 to the Legal Aid...
- The Debtors (Scotland) Act 1987 (c.18)*
31 In section 73(3)(g) of the Debtors (Scotland) Act 1987, for...
- The Pilotage Act 1987 (c.21)*
32 In section 25(6) of the Pilotage Act 1987, for “Schedule...
- The Housing (Scotland) Act 1987 (c.26)*
33 In paragraph 10(2)(b) of Schedule 22 to the Housing (Scotland)...

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The Consumer Protection Act 1987 (c.43)

34 In section 22(5) of the Consumer Protection Act 1987, for...

The Income and Corporation Taxes Act 1988 (c.1)

35 (1) The Income and Corporation Taxes Act 1988 is amended...

The Legal Aid Act 1988 (c.34)

36

The Education Reform Act 1988 (c.40)

37 (1) The Education Reform Act 1988 is amended as follows....

The Local Government Finance Act 1988 (c.41)

38 In paragraph 6(4) of Schedule 11 to the Local Government...

The Housing (Scotland) Act 1988 (c.43)

39 In paragraph 12(1) of Schedule 1 to the Housing (Scotland)...

The Health and Medicines Act 1988 (c.49)

40 In section 18 of the Health and Medicines Act 1988,...

The Housing Act 1988 (c.50)

41

The Dock Work Act 1989 (c.13)

42 In section 6(3) of the Dock Work Act 1989—

The Electricity Act 1989 (c.29)

43 (1) The Electricity Act 1989 is amended as follows.

The Local Government and Housing Act 1989 (c.42)

44 In section 10 of the Local Government and Housing Act...

The National Health Service and Community Care Act 1990 (c.19)

45 (1) The National Health Service and Community Care Act 1990...

The Enterprise and New Towns (Scotland) Act 1990 (c.35)

46 In paragraph 17(1) of Schedule 1 to the Enterprise and...

The Environmental Protection Act 1990 (c.43)

47 In paragraph 15 of Schedule 10 to the Environmental Protection...

The Natural Heritage (Scotland) Act 1991 (c.28)

48 In paragraph 4 of Schedule 4 to the Natural Heritage...

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The Coal Mining Subsidence Act 1991 (c.45)

49 In section 30(7) of the Coal Mining Subsidence Act 1991—...

The Ports Act 1991 (c.52)

50 In section 24(8) of the Ports Act 1991, for the...

The Social Security Contributions and Benefits Act 1992 (c.4)

51 (1) The Social Security Contributions and Benefits Act 1992 is...

The Further and Higher Education Act 1992 (c.13)

52 (1) The Further and Higher Education Act 1992 is amended...

The Timeshare Act 1992 (c.35)

53 In section 1 of the Timeshare Act 1992—

The Further and Higher Education (Scotland) Act 1992 (c.37)

54 In section 33(3)(b) of the Further and Higher Education (Scotland)...

The Museums and Galleries Act 1992 (c.44)

55 In section 1(7) of the Museums and Galleries Act 1992,...

The Trade Union and Labour Relations (Consolidation) Act 1992 (c.52)

56 (1) The Trade Union and Labour Relations (Consolidation) Act 1992...

The Tribunals and Inquiries Act 1992 (c.53)

57 In section 11(2) of the Tribunals and Inquiries Act 1992,...

The Social Security Act 1993 (c.3)

58 In section 2(4)(b) of the Social Security Act 1993, for...

The Education Act 1993 (c.35)

59

The Railways Act 1993 (c.43)

60 (1) The Railways Act 1993 is amended as follows.

The Pension Schemes Act 1993 (c.48)

61 (1) The Pension Schemes Act 1993 is amended as follows....

The Finance Act 1994 (c.9)

62 In paragraph 27 of Schedule 24 to the Finance Act...

The Local Government (Wales) Act 1994 (c.19)

63 (1) The Local Government (Wales) Act 1994 is amended as...

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The Coal Industry Act 1994 (c.21)

64 In paragraph 4(11) of Schedule 5 to the Coal Industry...

The Criminal Justice and Public Order Act 1994 (c.33)

65 In section 126(2) of the Criminal Justice and Public Order...

The Local Government etc. (Scotland) Act 1994 (c.39)

66 (1) The Local Government etc. (Scotland) Act 1994 is amended...

The Jobseekers Act 1995 (c.18)

67 (1) The Jobseekers Act 1995 is amended as follows.

The Environment Act 1995 (c.25)

68 In paragraph 3 of Schedule 2 to the Environment Act...

The Disability Discrimination Act 1995 (c.50)

69 (1) The Disability Discrimination Act 1995 is amended as follows....

SCHEDULE 2 — Transitional provisions, savings and transitory provisions
Part I — TRANSITIONAL PROVISIONS AND SAVINGS

General transitionals and savings

- 1 The substitution of this Act for the provisions repealed or...
- 2 (1) Anything done, or having effect as done, (including the...
- 3 Any reference (express or implied) in this Act or any...
- 4 (1) Any reference (express or implied) in any enactment, or...
- 5 Paragraphs 1 to 4 have effect in place of section...

Preservation of old transitionals and savings

- 6 (1) The repeal by this Act of an enactment previously...

Employment particulars

- 7 (1) In this paragraph “pre-TURERA employee” means an employee whose...

Monetary limits in old cases

- 8 In relation to any case in which (but for this...

Shop workers and betting workers to whom old maternity provisions applied

- 9 (1) This paragraph applies where an employee exercised a right...

Validity of provisions deriving from certain regulations

- 10 Any question as to the validity of any of sections...

Unfair dismissal

- 11 Part X does not apply to a dismissal from employment...

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Redundancy payments

- 12 (1) Section 135 does not apply to an employee who...

Periods of employment

- 13 (1) The reference in section 215(2)(b) to a person being...
14 (1) Subject to paragraph 13 and sub-paragraphs (2) and (3)...
Part II — TRANSITORY PROVISIONS

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- 15 (1) If sections 42 to 46 of the Pensions Act...

Armed forces

- 16 (1) If section 31 of the Trade Union Reform and...
17 (1) If Part XI of the Reserve Forces Act 1996...

Disability discrimination

- 18

SCHEDULE 3 — Repeals and revocations
Part I — REPEALS
Part II — REVOCATIONS

TABLE OF DERIVATIONS

- 1 *Notes:*
2 The following abbreviations are used in the Table— BGLA =...

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Changes and effects yet to be applied to :

- s. 11(5) inserted by [S.I. 2011/1133 reg. 31](#)
- s. 23(3A) inserted by [S.I. 2011/1133 reg. 32](#)
- s. 31(1) sum substituted by [S.I. 2011/3006 art. 3 Sch.](#)
- s. 34(2A) inserted by [S.I. 2011/1133 reg. 33](#)
- s. 41(3) modified by [2012 c. 12 s. 2\(1\)](#)
- s. 41(3) modified by [2012 c. 12 s. 3\(3\)](#)
- s. 42(2) modified by [2012 c. 12 s. 2\(2\)](#)
- s. 48(4A) inserted by [S.I. 2011/1133 reg. 34](#)
- s. 50(2)(c) omitted by [2011 c. 13 Sch. 16 para. 219](#)
- s. 50(2)(h) words omitted by [S.I. 2011/2581 Sch. 3 para. 2](#)
- s. 50(9)(i) omitted by [2011 c. 21 Sch. 2 para. 24](#)
- s. 51(2A) inserted by [S.I. 2011/1133 reg. 35](#)
- s. 54(2A) inserted by [S.I. 2011/1133 reg. 36](#)
- s. 57(2A) inserted by [S.I. 2011/1133 reg. 37](#)
- s. 57B(2A) inserted by [S.I. 2011/1133 reg. 38](#)
- s. 60(2A) inserted by [S.I. 2011/1133 reg. 39](#)
- s. 63(2A) inserted by [S.I. 2011/1133 reg. 40](#)
- s. 63C(2A) inserted by [S.I. 2011/1133 reg. 41](#)
- s. 63I(7) inserted by [S.I. 2011/1133 reg. 42](#)
- s. 70(8) inserted by [S.I. 2011/1133 reg. 43](#)
- s. 80(2A) inserted by [S.I. 2011/1133 reg. 44](#)
- s. 80H(7) inserted by [S.I. 2011/1133 reg. 45](#)
- s. 98(2)(ba) omitted by [S.I. 2011/1069 reg. 3\(2\)\(a\)](#)
- s. 98(2A) omitted by [S.I. 2011/1069 reg. 3\(2\)\(a\)](#)
- s. 98(3A) omitted by [S.I. 2011/1069 reg. 3\(2\)\(a\)](#)
- s. 98(4) text amended by [S.I. 2011/1069 reg. 3\(2\)\(b\)](#)
- s. 98ZA-98ZH omitted by [S.I. 2011/1069 reg. 3\(3\)](#)
- s. 105(7IA) omitted by [S.I. 2011/1069 reg. 3\(4\)](#)
- s. 108(3)(n) omitted by [S.I. 2011/1069 reg. 3\(5\)](#)
- s. 108(3)(p) amendment to earlier affecting provision [SI 2010/93 Sch. 2 para. 16](#) by [S.I. 2011/1941 reg. 2\(5\)](#)
- s. 108(3)(r) and word amendment to earlier affecting provision [SI 2010/93 Sch. 2 para. 16](#) by [S.I. 2011/1941 reg. 2\(5\)](#)
- s. 111(2A) inserted by [S.I. 2011/1133 reg. 46](#)
- s. 112(5)(6) omitted by [S.I. 2011/1069 reg. 3\(6\)](#)
- s. 120(1) sum substituted by [S.I. 2011/3006 art. 3 Sch.](#)
- s. 120(1A)(1B) omitted by [S.I. 2011/1069 reg. 3\(7\)](#)
- s. 124(1) sum substituted by [S.I. 2011/3006 art. 3 Sch.](#)
- s. 164(4) inserted by [S.I. 2011/1133 reg. 47](#)
- s. 171(3)(c) words substituted by [2011 c. 15 Sch. 1 para. 31](#)
- s. 189(1)(a)(b) sum substituted by [S.I. 2011/3006 art. 3 Sch.](#)
- s. 227(1) sum substituted by [S.I. 2011/3006 art. 3 Sch.](#)
- [Sch. 1 para. 22](#) omitted by [2011 c. 4 Sch. 5 para. 18](#)

Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2011/245 Sch. 6 Pt. 1](#)
- Blanket amendment text amended by [S.I. 2011/1043 art. 3 4](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 207A inserted by S.I. 2011/1133 reg. 48

Commencement Orders yet to be applied to the Employment Rights Act 1996:

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2010/128 art. 2 commences (2006 c. 18)
- S.I. 2011/882 art. 2 amendment to earlier commencing SI 2010/303 art. 7 Sch. 6
- S.I. 2011/2576 art. 5 commences (2011 c. 4)