



Enterprise and Regulatory Reform Act 2013

2013 CHAPTER 24

PART 2

EMPLOYMENT

Miscellaneous

23 Renaming of “compromise agreements”, “compromise contracts” and “compromises”

- (1) In the following provisions, for “compromise” (in each place where it occurs) substitute “settlement”—
 - (a) section 288(2A) and (2B) of the Trade Union and Labour Relations (Consolidation) Act 1992 (restriction on contracting out);
 - (b) section 203(2)(f) and (3) of the Employment Rights Act 1996 (restrictions on contracting out);
 - (c) section 58(4) and (5) of the Pensions Act 2008 (restrictions on agreements to limit operation of Part 1).
- (2) In section 19A of the Employment Tribunals Act 1996 (conciliation: recovery of sums payable under compromises)—
 - (a) in subsections (1), (3), (4), (5) and (6), for “compromise” (in each place where it occurs) substitute “settlement”;
 - (b) in subsection (12)—
 - (i) for “compromise” (in the first two places it occurs) substitute “settlement”;
 - (ii) omit “, or compromise,”;
 - (c) in the heading, for “compromises” substitute “settlements”.

Status: This is the original version (as it was originally enacted).

- (3) In section 49 of the National Minimum Wage Act 1998 (restrictions on contracting out)—
- (a) in subsections (3) and (4), for “compromise” (in each place where it occurs) substitute “settlement”;
 - (b) after subsection (8) insert—

“(8A) In the application of this section in relation to Northern Ireland, subsections (3) and (4) above shall have effect as if for “settlement agreements” (in each place) there were substituted “compromise agreements.”
- (4) In section 28 of the Equality Act 2006 (legal assistance), in subsection (11), for “compromise contract or agreement” substitute “settlement agreement”.
- (5) In section 144 of the Equality Act 2010 (contracting out), in subsection (4)(b), for “compromise contract” substitute “settlement agreement”.
- (6) In section 147 of that Act (meaning of “qualifying compromise contract”), in subsections (2) and (5) and in the heading, for “compromise contract” substitute “settlement agreement”.