
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 27A(3) of the Employment Rights Act 1996 ('the 1996 Act') provides that a provision in a zero hours contract which prohibits the worker from doing work under any other arrangement is unenforceable.

Regulation 2 of these Regulations makes provision in relation to the right for individuals on a zero hours contract not to be unfairly dismissed or subjected to a detriment for a reason relating to a breach of a provision of a zero hours contract to which section 27A(3) of the 1996 Act applies.

Regulations 3 and 4 provide remedies for individuals, including compensation, by way of proceedings in employment tribunals.

Regulation 5 requires the Secretary of State to review the operation and effect of these Regulations and publish a report within five years after they come into force and within every five years after that. Following a review it will fall to the Secretary of State to consider whether the Regulations should remain as they are, or be revoked or be amended. A further instrument would be needed to revoke the Regulations or to amend them.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Business, Innovation and Skills and is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.