
STATUTORY INSTRUMENTS

2019 No. 724

The Agency Workers (Amendment) Regulations 2019

Requirement to provide written statement

4.—(1) Where a contract of employment which is in effect when these Regulations come into force contains a statement for the purposes of regulation 10(1)(b) of the 2010 Regulations (“the original statement”), the temporary work agency which is party to that contract of employment must, in accordance with paragraph (2), provide a written statement to the agency worker that, with effect from 6th April 2020—

- (a) the agency worker is entitled to rights relating to pay as part of the rights conferred by regulation 5 of the 2010 Regulations, subject to completion of the qualifying period as stated in regulation 7 of those regulations; and
- (b) the original statement no longer has effect.

(2) A written statement under paragraph (1) must be provided on or before 30th April 2020, unless the contract of employment is terminated on or before that date.

(3) An agency worker may present a complaint to an employment tribunal that a temporary work agency has infringed the right to be provided with a written statement conferred on the agency worker by this regulation.

(4) Paragraphs (4)(a), (4A), (5), (6), (7), (8), (10), (11), (12), (13), (15), (16), (17) and (18) of regulation 18 and regulations 18A, 19 and 20 of the 2010 Regulations apply to a complaint under paragraph (3) in the same way as to a complaint under regulation 18(2) of the 2010 Regulations but with the modification that references to rights conferred by regulation 5 of the 2010 Regulations are to be treated as references to the right to be provided with a written statement conferred by this regulation.