
EXPLANATORY NOTE

(This note is not part of the Order)

This is the second commencement order made under the Enterprise and Regulatory Reform Act 2013 (c. 24) (“the Act”). Certain provisions came into force on the passing of the Act. This Order commences certain provisions of Part 2 of the Act which concerns employment.

Article 2(a) brings section 14 (confidentiality of negotiations before termination of employment) into force on 29th July 2013. Section 14 inserts a new section 111A into the Employment Rights Act 1996 (c. 18) which provides that an offer to terminate the employment relationship on agreed terms is not admissible as evidence in any subsequent unfair dismissal case. Section 24(4) of the Act, which came into force on the passing of the Act, provides that section 14 does not apply to any offer made, or discussions held, before the commencement of section 14.

Article 2(b) brings section 15(10) (amendment to section 34 of the Employment Relations Act 1999) into force on 29th July 2013. In accordance with section 103(1)(i) of the Act, the remaining subsections of section 15 came into force on the passing of the Act.

Article 2(c) brings section 23 (renaming of “compromise agreements”, “compromise contracts” and “compromises”) into force on 29th July 2013.