
STATUTORY INSTRUMENTS

2013 No. 1648 (C. 66)

TERMS AND CONDITIONS OF EMPLOYMENT

The Enterprise and Regulatory Reform Act
2013 (Commencement No. 2) Order 2013

Made - - - - 4th July 2013

The Secretary of State makes the following Order in exercise of the powers conferred by section 103(3) of the Enterprise and Regulatory Reform Act 2013⁽¹⁾.

Citation

1. This Order may be cited as the Enterprise and Regulatory Reform Act 2013 (Commencement No. 2) Order 2013.

Provisions coming into force on 29th July 2013

2. The following provisions of the Enterprise and Regulatory Reform Act 2013 come into force on 29th July 2013—

- (a) section 14 (confidentiality of negotiations before termination of employment);
- (b) section 15(10) (amendment to section 34 of the Employment Relations Act 1999); and
- (c) section 23 (renaming of “compromise agreements”, “compromise contracts” and “compromises”).

4th July 2013

Jo Swinson
Parliamentary Under Secretary of State for
Employment Relations and Consumer Affairs
Department for Business, Innovation and Skills

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.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 19	25 th June 2013	2013/1455
Section 63 (in so far as not yet in force), paragraphs 9 and 20 of Schedule 17	25 th June 2013	2013/1455
Section 72(1)	25 th June 2013	2013/1455
Section 72(4), paragraph 2 of Schedule 20 (partially)	25 th June 2013	2013/1455
Section 72(4), paragraph 1 of Schedule 20 (partially)	25 th June 2013	2013/1455
Section 72(4), paragraph 2 of Schedule 20 (partially)	25 th June 2013	2013/1455