Draft Regulations laid before Parliament under section 236(3) of the Employment Rights Act 1996 (c. 18), section 42(2) of the Employment Relations Act 1999 (c. 26), section 51(4) of the Employment Act 2002 (c. 22) and section 42(8) of the Employment Relations Act 2004 (c. 24) for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

EMPLOYMENT TRIBUNALS

The Employment Tribunal (Extension of Time Limits) (Miscellaneous Amendments and Transitional Provisions) Regulations 2026

Made - - - -	***
Coming into force - -	*1st October 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 27B(1) and (5), 49B(1) and (4), and 236(5) of the Employment Rights Act 1996(**a**), sections 3(1) and (3) and 19(1) and (3) of the Employment Relations Act 1999(**b**), sections 45(1) and (3) and 51(1) of the Employment Act 2002(**c**) and section 42(1) and (4) of the Employment Relations Act 2004(**d**).

In accordance with section 236(3) of the Employment Rights Act 1996(**e**), section 42(2) of the Employment Relations Act 1999, section 51(4) of the Employment Act 2002(**f**) and section 42(8) of the Employment Relations Act 2004, a draft of these Regulations was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Employment Tribunal (Extension of Time Limits) (Miscellaneous Amendments and Transitional Provisions) Regulations 2026.

(2) These Regulations come into force on 1st October 2026.

(**a**) 1996 c. 18. Section 27B was inserted by section 153(2) of the Small Business, Enterprise and Employment Act 2015 (c. 26) ("the 2015 Act") and amended by section 8 of the Employment Rights Act 2025 (c. 36) ("the 2025 Act"). A further amendment will be made by paragraph 9 of Schedule 2 to the 2025 Act on a date to be appointed. Section 49B of the Employment Rights Act 1996 was inserted by section 149 of the 2015 Act. There are amendments to section 49B but none is relevant.

(**b**) 1999 c. 26. Section 3 was amended by section 67 of the Employment Rights Act 2025 (c. 36). Section 19 was amended by S.I. 2019/535.

(**c**) 2002 c. 22.

(**d**) 2004 c. 24. Section 42 was amended by S.I. 2019/535.

(**e**) Section 236(3) was amended by paragraph 42(3) of Schedule 4 to the Employment Relations Act 1999 (c. 26) and by sections 149(4) and 153(3) of the Small Business, Enterprise and Employment Act 2015 (c. 26). There are other amendments to section 236(3), but none is relevant.

(**f**) Section 51(4) was amended by Part 1 of the Schedule to the Employment Act 2008 (c. 24).

(3) These Regulations extend to England and Wales and Scotland.

Interpretation

2. In these Regulations—

"the 2000 Regulations" means the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000(**a**);

"the 2002 Regulations" means the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002(**b**);

"the 2004 Regulations" means the Information and Consultation of Employees Regulations 2004(**c**);

"the 2010 Regulations" means the Employment Relations Act 1999 (Blacklists) Regulations 2010(**d**);

"the 2015 Regulations" means the Exclusivity Terms in Zero Hours Contracts (Redress) Regulations 2015(**e**);

"the 2018 Regulations" means the Employment Rights Act 1996 (NHS Recruitment - Protected Disclosure) Regulations 2018(**f**);

"the 2022 Regulations" means the Exclusivity Terms for Zero Hours Workers (Unenforceability and Redress) Regulations 2022(**g**).

Amendment to the 2000 Regulations

3. In regulation 8 of the 2000 Regulations (complaints to employment tribunals), in paragraph (2), for the words from "three" to "six months)" substitute "six months".

Amendment to the 2002 Regulations

4. In regulation 7 of the 2002 Regulations (complaints to employment tribunals etc.), in paragraph (2), in the words before sub-paragraph (a), for "three" substitute "six".

Amendments to the 2004 Regulations

5. In regulation 29(2) of the 2004 Regulations (right to time off: complaint to tribunals), in sub-paragraphs (a) and (b), for "three" substitute "six".

Amendments to the 2010 Regulations

6. In the 2010 Regulations—

(a) in regulation 7 (time limit for proceedings under regulation 5 or 6), in paragraph (1), for "three" substitute "six";

(b) in regulation 10 (time limit for proceedings under regulation 9), in paragraph (1), for "three" substitute "six".

(**a**) S.I. 2000/1551, amended by S.I. 2014/386; there are other amending instruments but none is relevant.
(**b**) S.I. 2002/2034, amended by S.I. 2014/386; there are other amending instruments but none is relevant.
(**c**) S.I. 2004/3426, amended by S.I. 2014/386; there are other amending instruments but none is relevant.
(**d**) S.I. 2010/493, amended by S.I. 2014/386.
(**e**) S.I. 2015/2021, amended by S.I. 2015/2054.
(**f**) S.I. 2018/579.
(**g**) S.I. 2022/1145, amended by S.I. 2022/1181.

Amendment to the 2015 Regulations

7. In regulation 3 of the 2015 Regulations (complaints to employment tribunals), in paragraph (2), for "three" substitute "six".

Amendment to the 2018 Regulations

8. In regulation 5 of the 2018 Regulations (time limit for proceedings under regulation 4), in paragraph (1), for "three" substitute "six".

Amendment to the 2022 Regulations

9. In regulation 8 of the 2022 Regulations (complaints to employment tribunals), in paragraph (2), for "three" substitute "six".

Transitional Provisions

10.—(1) The amendments made by regulations 3 to 9 do not apply to cases where the relevant date occurs before 1st October 2026.

(2) Where the complaint presented to the Employment Tribunal is made under regulation 8(1) of the 2000 Regulations, or regulation 7(1) of the 2002 Regulations in the case of an alleged infringement of regulation 3(1) or 6(2) of the 2002 Regulations, the relevant date is either—

(a) the date of the less favourable treatment or detriment to which the complaint relates, or

(b) where the act or failure is part of a series of similar acts or failures comprising the less favourable treatment or detriment, the date of the last of them.

(3) Where the complaint presented to the Employment Tribunal is made under regulation 7(1) of the 2002 Regulations, in the case of an alleged infringement of regulation 3(6), the relevant date is either—

(a) the date on which other individuals were informed of the vacancy, or

(b) if there is more than one date, the last date on which other individuals were informed of the vacancy.

(4) Where the complaint presented to the Employment Tribunal is made under regulation 29(1) of the 2004 Regulations, the relevant date is either—

(a) the date on which the time off was taken, or

(b) the date on which it is alleged the time off should have been permitted.

(5) Where the complaint presented to the Employment Tribunal is made under regulation 9(1) of the 2010 Regulations, regulation 3(1) of the 2015 Regulations or regulation 8(1) of the 2022 Regulations, the relevant date is either—

(a) the date of the act or failure to act to which the complaint relates, or

(b) where that act or failure is part of a series of similar acts or failures, the date of the last of them.

(6) Where the complaint presented to the Employment Tribunal is made under regulation 5(1) or 6(1) of the 2010 Regulations, or regulation 4(1) of the 2018 Regulations, the relevant date is the date of the conduct to which the complaint relates.

Name
Title
Date Department for Business and Trade

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend seven statutory instruments to extend time limits for presenting complaints to the Employment Tribunal for specified matters from three months to six months.

Regulation 10 makes transitional provision so that the amendments made apply only where the act or failure to act to which the complaint relates occurs on or after 1st October 2026. Provision is also made so that where the complaint relates to a series of acts or failures to act, then the extended time limits will only apply where the last of those acts or failures occurs on or after 1st October 2026.

Similarly, where the detriment or less favourable treatment complained of is a series of similar acts or failures, the amendments made by these Regulations will only apply to cases where the date of the last act or failure is on or after 1st October 2026.

A full impact assessment, which outlines the effect that extending Employment Tribunal time limits will have on the costs to businesses, stakeholders, and households, is available as part of the impact assessments for the Employment Rights Act 2025 (c. 36) and related secondary legislation on www.gov.uk/guidance/employment-rights-bill-impact-assessments/ and from the Department for Business and Trade, Old Admiralty Building, Admiralty Place, London, SW1A 2DY.

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