STATUTORY INSTRUMENTS

2026 No. 559 (C. 46)

TERMS AND CONDITIONS OF EMPLOYMENT

The Employment Rights Act 2025 (Commencement No. 4 and Transitional and Saving Provisions) Regulations 2026

Made - - - - *26th May 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 155 and 159(3) and (4) of the Employment Rights Act 2025(**a**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Employment Rights Act 2025 (Commencement No. 4 and Transitional and Saving Provisions) Regulations 2026.

(2) In these Regulations "the 2025 Act" means the Employment Rights Act 2025.

Provisions of the 2025 Act coming into force on 1st July 2026

2. The following provisions of the 2025 Act come into force on 1st July 2026—

(a) section 25(5) (right not to be unfairly dismissed: qualifying period and compensation), to the extent that it relates to the provision specified in paragraph (b);

(b) paragraph 5 of Schedule 3 (power to make further consequential amendments).

Provisions of the 2025 Act coming into force on 1st January 2027

3. The following provisions of the 2025 Act come into force on 1st January 2027, subject to the transitional and saving provisions in regulation 4—

(a) section 25, to the extent not already in force;

(b) Schedule 3 (minor and consequential amendments relating to section 25), to the extent not already in force.

Transitional and saving provisions

4.—(1) The amendments made by section 25(2) and (3) of, and paragraphs 1(2), 1(3)(a), 1(4) to (7), 1(9), 2(3) and 4 of Schedule 3 to, the 2025 Act—

(a) have effect in any case where an employee is dismissed before 1st January 2027 but the effective date of termination falls on or after that date;

(**a**) 2025 c. 36.

(b) do not have effect in any case where the effective date of termination falls before 1st January 2027.

(2) In this regulation "dismissed" and "the effective date of termination" have the same meaning as in Part 10 of the Employment Rights Act 1996(**a**) (see sections 95(**b**) and 97(**c**) of that Act).

(3) The amendment made by section 25(4) of the 2025 Act does not affect any regulations made under subsection (5) of section 209 of the Employment Rights Act 1996(**d**) as that subsection had effect immediately before the coming into force of that amendment.

Kate Dearden
Parliamentary Under Secretary of State
Department for Business and Trade

26th May 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations commence section 25 of, and Schedule 3 to, the Employment Rights Act 2025 (c. 36) (the "2025 Act"), which relate to unfair dismissal. Section 25(5) of the 2025 Act is partially commenced, and paragraph 5 of Schedule 3 to the 2025 Act is commenced, on 1st July 2026. This is to enable the power in paragraph 5 of Schedule 3 to the 2025 Act to be exercised from this date. It enables further consequential amendments to be made when exercising the power in section 154 of the 2025 Act (power to make consequential amendments) in order to make amendments in consequence of the repeal of section 124 of the Employment Rights Act 1996 (c. 18) by section 25(3) of the 2025 Act. The remainder of section 25 of, and Schedule 3 to, the 2025 Act are commenced on 1st January 2027. Regulation 4 of these Regulations contains transitional and saving provisions in relation to cases where the effective date of termination falls either on or after, or before, 1st January 2027.

The impact assessments completed for the Employment Rights Bill, introduced to Parliament on 10th October 2024, contain an assessment of the effect that the reforms to employment law and industrial relations law will have on the costs of business, the voluntary sector and the public sector. They are available at: https://bills.parliament.uk/bills/3737/publications. They are supplemented by economic analysis and enactment summary impact assessments published on 7th January 2026 which take account of changes during Bill passage. They are available at: https://www.gov.uk/guidance/employment-rights-bill-impact-assessments. Printed copies of all of the documents mentioned in this paragraph can be obtained from the Department for Business and Trade, Old Admiralty Building, Admiralty Place, London, SWIA 2DY.

(**a**) 1996 c. 18.
(**b**) Section 95 was amended by the Employment Relations Act 2004 (c. 24), paragraph 29 of Schedule 1 and Schedule 2, and S.I. 2002/2034.
(**c**) Section 97 was amended by the Employment Relations Act 1999 (c. 26), paragraph 14 of Part 3 of Schedule 4 and Table 2 of Schedule 9, and S.I. 2002/2034.
(**d**) Section 209(5) was amended by the Employment Relations Act 1999 (c. 26), Table 9 of Schedule 9, and S.I. 2006/1031.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Employment Rights Act 2025 have been brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Sections 1 to 4 (partially)	6th January 2026	2026/3
Section 5(1) and (2) (partially)	6th January 2026	2026/3
Section 6(1) and (2) (partially)	6th January 2026	2026/3
Sections 7 and 8	6th January 2026	2026/3
Section 9 (partially)	6th January 2026	2026/3
Sections 10 to 13	6th April 2026	2026/373
Section 15 (partially)	18th February 2026	2026/3
Section 15 (remainder)	6th April 2026	2026/3
Section 16 (partially)	6th January 2026	2026/3
Section 16 (partially)	18th February 2026	2026/3
Section 16 (remainder)	6th April 2026	2026/3
Section 17(1) and (2) (partially)	6th January 2026	2026/3
Section 17 (partially)	18th February 2026	2026/3
Section 17 (remainder)	6th April 2026	2026/3
Section 18(1) to (4), (10) and (11) (partially)	6th January 2026	2026/3
Section 23	6th April 2026	2026/323
Section 24(1) and (2) (partially)	6th January 2026	2026/3
Section 24(1) and (5) (partially)	6th April 2026	2026/323
Section 26	6th January 2026	2026/3
Section 27(1) (partially)	6th January 2026	2026/3
Section 27(2) to (5)	6th January 2026	2026/3
Section 27(6) (partially)	6th January 2026	2026/3
Section 27 (remainder)	6th April 2026	2026/323
Section 28(1) to (3) (partially)	6th January 2026	2026/3
Section 28(1) to (3) (partially)	6th April 2026	2026/323
Section 28(6)	6th January 2026	2026/3
Section 29(1) to (5) (partially)	6th January 2026	2026/3
Section 30(1) (partially)	6th January 2026	2026/3
Section 30(3)	6th January 2026	2026/3
Section 30 (remainder)	6th April 2026	2026/323
Section 31	18th February 2026	2026/3
Section 32(1) to (3) and (5) to (7) (partially)	6th January 2026	2026/3
Section 32(4)	6th January 2026	2026/3
Section 33	6th April 2026	2026/323
Section 35	6th April 2026	2026/323
Section 36 (partially)	6th January 2026	2026/3
Sections 39 to 55	6th April 2026	2026/323
Section 57	18th February 2026	2026/3
Section 58(1), (2) and (5) (partially)	6th January 2026	2026/3
Section 59(1) and (2) (partially)	6th January 2026	2026/3
Section 60 (partially)	6th January 2026	2026/3
Section 60 (partially)	6th April 2026	2026/323
Sections 64 and 65 (partially)	6th January 2026	2026/3
Section 76(1) and (2) (partially)	6th January 2026	2026/3
Section 76 (remainder)	18th February 2026	2026/3
Section 77	18th February 2026	2026/3
Section 79	18th February 2026	2026/3
Section 81	18th February 2026	2026/3
Section 85	1st April 2026	2026/323
Section 88	6th January 2026	2026/3

Section 90(1) and (3) (partially)	6th January 2026	2026/3
Section 90 (partially)	7th April 2026	2026/323
Section 91 (partially)	6th January 2026	2026/3
Section 91 (partially)	7th April 2026	2026/323
Section 92(1)	7th April 2026	2026/323
Section 92(2) (partially)	7th April 2026	2026/323
Section 92(3) to (6)	7th April 2026	2026/323
Section 93	7th April 2026	2026/323
Sections 94 to 98 (partially)	7th April 2026	2026/323
Sections 99 to 102	7th April 2026	2026/323
Section 103(1), (2) and (7) (partially)	6th January 2026	2026/3
Section 103 (partially)	7th April 2026	2026/323
Section 104 (partially)	6th January 2026	2026/3
Section 104 (partially)	7th April 2026	2026/323
Sections 105 to 107 (partially)	7th April 2026	2026/323
Section 108(1) and (2)	6th January 2026	2026/3
Sections 108 and 109 (partially)	7th April 2026	2026/323
Sections 110 to 115	7th April 2026	2026/323
Section 118(2) (partially)	6th January 2026	2026/3
Section 118(5) to (7)	6th January 2026	2026/3
Sections 119 and 120 (partially)	7th April 2026	2026/323
Sections 121 and 122	7th April 2026	2026/323
Section 123 (partially)	7th April 2026	2026/323
Section 124	7th April 2026	2026/323
Section 125 (partially)	7th April 2026	2026/323
Sections 126 to 134	7th April 2026	2026/323
Section 135(6) and (7)	6th January 2026	2026/3
Section 135 (partially)	7th April 2026	2026/323
Sections 136 to 141	7th April 2026	2026/323
Section 142 (partially)	7th April 2026	2026/323
Section 143	6th January 2026	2026/3
Sections 144 to 148	7th April 2026	2026/323
Section 149(1) (partially)	6th January 2026	2026/3
Section 149(1) (partially)	7th April 2026	2026/323
Section 149(2)	6th January 2026	2026/3
Section 149(3)	7th April 2026	2026/323
Section 150(1) (partially)	7th April 2026	2026/323
Section 150(2)	7th April 2026	2026/323
Section 151(1) (partially)	6th January 2026	2026/3
Section 151(1) (partially)	7th April 2026	2026/323
Section 151(2)	6th January 2026	2026/3
Section 151(3) and (4)	7th April 2026	2026/323
Section 151(5)	6th January 2026	2026/3
Section 153	6th January 2026	2026/3
Schedule 1 (partially)	6th January 2026	2026/3
Schedule 2 (partially)	6th January 2026	2026/3
Schedule 6 (partially)	6th January 2026	2026/3
Schedule 6 (partially)	6th April 2026	2026/323
Schedule 7 (partially)	6th January 2026	2026/3
Schedule 7 (partially)	7th April 2026	2026/323
Schedule 8	7th April 2026	2026/323
Schedule 9 (partially)	7th April 2026	2026/323
Schedule 10 (partially)	6th January 2026	2026/3
Schedule 10 (partially)	7th April 2026	2026/323
Schedule 11 (partially)	6th January 2026	2026/3

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