STATUTORY INSTRUMENTS

2026 No. 42

TRADE UNIONS

The Employment Rights Act 2025 (Minimum Service Levels) (Consequential Revocation) Regulations 2026

Made - - - -	*19th January 2026*
Laid before Parliament	*21st January 2026*
Coming into force - -	*6th April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 154(1) and (2) of the Employment Rights Act 2025(**a**).

Citation, Commencement and Extent

1.—(1) These Regulations may be cited as the Employment Rights Act 2025 (Minimum Service Levels) (Consequential Revocation) Regulations 2026.

(2) These Regulations come into force on 6th April 2026.

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

Revocation

2.—(1) The Code of Practice on Reasonable Steps is revoked.

(2) In paragraph (1), "the Code of Practice on Reasonable Steps" means the Code of Practice on Reasonable Steps to be taken by a Trade Union (minimum service levels) issued by the Secretary of State under sections 203(1)(a) and 204(2) of the Trade Union and Labour Relations (Consolidation) Act 1992(**b**) that came into effect on 8th December 2023 being the day appointed by the Secretary of State in the Code of Practice (Reasonable Steps for Trade Unions) Order 2023(**c**).

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

19th January 2026

(**a**) 2025 c. 36.
(**b**) 1992 c. 52.
(**c**) S.I. 2023/1333.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 154(1) and (2) of the Employment Rights Act 2025 ("the Act").

Section 78 of the Act repeals the Strikes (Minimum Service Levels) Act 2023 ("the 2023 Act"), which inserted sections 234B to 234G into, and made other related amendments to, the Trade Union and Labour Relations (Consolidation) Act 1992 ("the 1992 Act") to provide for the setting and operation of minimum service levels in certain services and the issuing of work notices during industrial action.

Sections 203 and 204 of the 1992 Act make provision for the Secretary of State to issue Codes of Practice containing practical guidance for purposes including promoting the improvement of industrial relations. After conditions in the 1992 Act are met, Codes of Practice issued by the Secretary of State come into effect on a day appointed by the Secretary of State by order. The Secretary of State issued the Code of Practice on Reasonable Steps to be taken by a Trade Union (minimum service levels) in relation to the reasonable steps trade unions should take in order to comply with section 234E of that Act. That Code of Practice came into effect on 8th December 2023, as the day appointed by the Secretary of State in the Code of Practice (Reasonable Steps for Trade Unions) Order 2023 (S.I. 2023/1333).

Regulation 2 revokes that Code of Practice on Reasonable Steps. The revocation is consequential on the repeal of the 2023 Act and the related amendments of the 1992 Act by section 78 of the Act.

No impact assessment has been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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