



Employment Act 2002

2002 CHAPTER 22

PART 4

MISCELLANEOUS AND GENERAL

General

51 Orders and regulations

- (1) Any power of the Secretary of State to make orders or regulations under this Act includes power—
 - (a) to make different provision for different cases or circumstances;
 - (b) to make such incidental, supplementary, consequential or transitional provision as the Secretary of State thinks fit.
- (2) Any power of the Secretary of State to make orders or regulations under this Act is exercisable by statutory instrument.
- (3) No order may be made under this Act unless a draft of the order has been laid before and approved by resolution of each House of Parliament.
- (4) No regulations may be made under section ^{F1}... 45 unless a draft of the regulations has been laid before and approved by resolution of each House of Parliament.
- (5) A statutory instrument containing regulations under any other provision of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) This section does not apply to orders under section 55(2).

Textual Amendments

- F1** Words in s. 51(4) repealed (6.4.2009) by [Employment Act 2008 \(c. 24\)](#), s. 22(1)(a), [Sch. Pt. 1](#); [S.I. 2008/3232](#), [art. 2](#) (with [art. 3Sch.](#))

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52 Financial provisions

- (1) There shall be paid out of money provided by Parliament—
 - (a) any expenses incurred by a Minister of the Crown or government department in consequence of this Act, and
 - (b) any increase attributable to this Act in the sums so provided under any other Act.
- (2) There shall be paid into the Consolidated Fund any increase attributable to this Act in the sums payable into that Fund under any other Act.

53 Minor and consequential amendments

Schedule 7 (which makes minor and consequential amendments) has effect.

Commencement Information

- I1** S. 53 in force for specified purposes at 31.7.2002 by [S.I. 2002/1989, art. 2](#); s. 53 in force for specified purposes at 9.9.2002 by [S.I. 2002/2256, art. 2\(b\)](#); s. 53 in force for specified purposes at 24.11.2002, 8.12.2002 and 6.4.2003 by [S.I. 2002/2866, art. 2\(1\)-\(3\)](#), [Sch. 1 \(with Sch. 3\)](#)
- I2** S. 53 in force at 27.4.2003 for specified purposes by [S.I. 2003/1190, art. 2\(2\)](#)
- I3** S. 53 in force at 5.7.2003 for specified purposes by [S.I. 2003/1666, art. 2\(b\)](#)
- I4** S. 53 in force at 1.11.2004 for specified purposes by [S.I. 2004/2822, art. 2\(a\)](#)

54 Repeals and revocations

The enactments and instruments specified in Schedule 8 are hereby repealed or revoked to the extent specified there.

Commencement Information

- I5** S. 54 in force for specified purposes at 9.9.2002 by [S.I. 2002/2256, art. 2\(c\)\(d\)](#); s. 54 in force for specified purposes at 24.11.2002 and 6.4.2003 by [S.I. 2002/2866, art. 2\(4\)\(5\)](#), [Sch. 2 \(with Sch. 3\)](#)
- I6** S. 54 in force at 1.11.2004 for specified purposes by [S.I. 2004/2822, art. 2\(b\)](#)

55 Short title etc.

- (1) This Act may be cited as the Employment Act 2002.
- (2) This Act, except sections 45, 46, 51 and 52 and this section, shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be so appointed for different purposes.
- (3) An order under subsection (2) may contain such transitional provisions and savings as the Secretary of State considers necessary or expedient in connection with the coming into force of any of the provisions of this Act.
- (4) The Secretary of State may by regulations make such transitional provisions and savings as he considers necessary or expedient for the purposes of or in connection with—
 - (a) the coming into force of section 19 or 48, or Schedule 7 so far as relating to any amendment made in consequence of either of those sections; or

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- (b) the operation of any enactment amended by any of those provisions during any period when the amendment is not wholly in force.
- (5) Subject to subsections (6) and (7), this Act extends to England and Wales and Scotland only.
- (6) The following provisions also extend to Northern Ireland—
- (a) section 5;
 - (b) sections 13 to 15, and section 16 so far as relating thereto;
 - (c) paragraphs 1, 4, 9 and 10 of Schedule 6, and section 50 so far as relating thereto;
 - (d) sections 51 and 52;
 - (e) paragraphs 1, 50, 52 and 53 of Schedule 7, and section 53 so far as relating thereto;
 - (f) Schedule 8, so far as relating to the repeal of section 3(3) of the Social Security Act 1998 (c. 14), and section 54 so far as relating thereto;
 - (g) this section.
- (7) The following provisions extend to Northern Ireland only—
- (a) sections 21(2) and 46;
 - (b) paragraphs 7, 8, 12 and 14 of Schedule 6, and section 50 so far as relating thereto;
 - (c) paragraph 17 of Schedule 7, and section 53 so far as relating thereto;
 - (d) Schedule 8, so far as relating to—
 - (i) the repeal in the Social Security Administration (Northern Ireland) Act 1992 (c. 8), and
 - (ii) the revocations in the Social Security Administration (Fraud) (Northern Ireland) Order 1997 (S.I. 1997/1182 (N.I. 11)) and the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671),and section 54 so far as relating thereto.
- (8) In sections 5 and 13 to 15 and paragraph 53 of Schedule 7, references to [F²statutory paternity pay,] statutory adoption pay[F³, statutory shared parental pay or statutory parental bereavement pay] include statutory pay under Northern Ireland legislation corresponding to Part 12ZA [F⁴, Part 12ZB [F⁵, Part 12ZC or Part 12ZD]] of the Social Security Contributions and Benefits Act 1992 (c. 4).

Subordinate Legislation Made

- P1** S. 55(2) power partly exercised: 31.7.2002 appointed for specified provisions by S.I. {2002/1989};
S. 55(2) power partly exercised: 9.9.2002 appointed for specified provisions by S.I. {2002/2256}
- P2** S. 55(2)(3) power partly exercised: different dates appointed for specified provisions by S.I. {2002/2866} (with transitional and saving provisions in Sch. 3)
- P3** S. 55(2)(3) power partly exercised: different dates appointed for specified provisions by S.I. {2002/2866} (with transitional and saving provisions in Sch. 3)
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Textual Amendments

- F2** Words in s. 55(8) substituted (5.4.2015) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\)](#), [Sch. 7 para. 59\(a\)](#); S.I. 2014/1640, [art. 7\(hh\)](#) (with [art. 16](#))

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- F3** Words in s. 55(8) substituted (18.1.2020) by [Parental Bereavement \(Leave and Pay\) Act 2018 \(c. 24\)](#), s. 2(2), **Sch. para. 44(a)**; S.I. 2020/45, reg. 2
- F4** Words in s. 55(8) substituted (15.3.2015 being the date on which 1992 c. 7, Pt. 12ZC comes into force by virtue of S.R. 2015/86, art. 3(1)(d)) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 7 para. 59(c)**; S.I. 2014/1640, art. 8(c) (with art. 18)
- F5** Words in s. 55(8) substituted (18.1.2020) by [Parental Bereavement \(Leave and Pay\) Act 2018 \(c. 24\)](#), s. 2(2), **Sch. para. 44(b)**; S.I. 2020/45, reg. 2

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(3)(e) and word inserted by [2023 c. 20 Sch. para. 36\(4\)\(c\)](#)
- s. 15(2)(bb) word omitted by [2023 c. 20 Sch. para. 43\(a\)](#)
- s. 15(2)(bc) inserted by [2023 c. 20 Sch. para. 43\(b\)](#)