



Employment Relations (Trial Periods) Amendment Act 2023

Public Act 2023 No 69
Date of assent 22 December 2023
Commencement see section 2

Contents

	Page
1 Title	1
2 Commencement	1
3 Principal Act	1
4 Section 67A replaced (When employment agreement may contain provision for trial period for 90 days or less)	2
67A Employment agreement may contain provision for trial period for 90 days or less	2
5 Section 67B amended (Effect of trial provision under section 67A)	2

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Employment Relations (Trial Periods) Amendment Act 2023.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Employment Relations Act 2000.

4 Section 67A replaced (When employment agreement may contain provision for trial period for 90 days or less)

Replace section 67A with:

67A Employment agreement may contain provision for trial period for 90 days or less

- (1) An employment agreement containing a trial provision may be entered into by an employer and an employee who has not previously been employed by that employer.
- (2) For the purposes of this section and section 67B, **trial provision** means a written provision in an employment agreement that states, or is to the effect, that—
 - (a) for a specified period (not exceeding 90 days), starting at the beginning of the employee’s employment, the employee is to serve a trial period; and
 - (b) during that period, the employer may dismiss the employee; and
 - (c) if the employer does so, the employee is not entitled to bring a personal grievance or other legal proceedings in respect of the dismissal.

5 Section 67B amended (Effect of trial provision under section 67A)

- (1) In section 67B(1), replace “a small-to-medium-sized employer” with “an employer”.
- (2) In section 67B(5)(a) and (b), replace “small-to-medium-sized employer” with “employer”.

Legislative history

31 August 2023	Introduction (Bill 290–1)
19 December 2023	First reading, second reading, committee of the whole House, third reading
22 December 2023	Royal assent

This Act is administered by the Ministry of Business, Innovation, and Employment.