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STATUTORY INSTRUMENTS

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**1998 No. 3162**

**The Fair Employment and Treatment  
(Northern Ireland) Order 1998**

**PART IX**

**THE FAIR EMPLOYMENT TRIBUNAL**

*Procedure*

**[<sup>F1</sup>Pre-hearing reviews and preliminary matters**

**84B.**—(1) Regulations under Article 84 may include provision—

- (a) for authorising the Tribunal to carry out a review of any proceedings before it at any time before a hearing held for the purpose of determining them (a “pre-hearing review”);
- (b) for enabling such powers to be exercised in connection with a pre-hearing review as may be prescribed by the regulations.

(2) Such regulations may in particular include provision—

- (a) for authorising the Tribunal carrying out a pre-hearing review under the regulations to make, in circumstances specified in the regulations, an order requiring a party to the proceedings in question<sup>F2</sup>... to pay a deposit of an amount not exceeding<sup>F3</sup> £500<sup>F4</sup> as a condition of continuing to participate in those proceedings or doing such other thing as may be prescribed in the regulations ] ; and

(b) for prescribing—

- (i) the manner in which the amount of any such deposit is to be determined in any particular case;
- (ii) the consequences of non-payment of any such deposit; and
- (iii) the circumstances in which any such deposit, or any part of it, may be refunded to the party who paid it or be paid over to another party to the proceedings.

(3) Regulations under paragraph (1)(b), so far as relating to striking out, may not provide for striking out on a ground which does not apply outside a pre-hearing review.

(4) The Department may by order substitute for the sum specified in paragraph (2)(a) such other sum as is specified in the order.

(5) The regulations may also include provision for authorising the Tribunal to hear and determine separately any preliminary issue of a description prescribed by the regulations which is raised in any case.]

**F1** 2003 NI 15

**F2** Words in art. 84B(2)(a) repealed (20.9.2021) by [Employment Act \(Northern Ireland\) 2016 \(c. 15\)](#), ss. 7(1)(a), 29(2), [Sch. 3](#); S.R. 2021/253, art. 2(b)(h)

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**Changes to legislation:** There are currently no known outstanding effects for the The Fair Employment and Treatment (Northern Ireland) Order 1998, Section 84B. (See end of Document for details)

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**F3** SR 2004/158

**F4** Words in art. 84B(2)(a) added (20.9.2021) by Employment Act (Northern Ireland) 2016 (c. 15), ss. 7(1)(b), 29(2); S.R. 2021/253, art. 2(b)

**Changes to legislation:**

There are currently no known outstanding effects for the The Fair Employment and Treatment (Northern Ireland) Order 1998, Section 84B.