



Employment Tribunals Act 1996

1996 CHAPTER 17

^{F1}PART I

[^{F1}EMPLOYMENT TRIBUNALS]

[^{F1} Costs etc, interest and enforcement]

[^{F1}13A Payments in respect of preparation time

- (1) Employment tribunal procedure regulations may include provision for authorising an employment tribunal to order a party to proceedings before it to make a payment to any other party in respect of time spent in preparing that other party's case.
 - (2) Regulations under subsection (1) may include provision authorising an employment tribunal to have regard to a person's ability to pay when considering the making of an order against him under such regulations.
- [Provision included in employment tribunal procedure regulations under subsection (1)
- ^{F2}(2A) must include provision for requiring an employment tribunal, in any proceedings in which a late postponement application has been granted, to consider whether to make an order of the kind mentioned in subsection (1) against the party who made the application in respect of any time spent in connection with the postponement, except in circumstances specified in the regulations.
- (2B) For the purposes of subsection (2A)—
- (a) a late postponement application is an application for the postponement of a hearing in the proceedings which is made after a time determined in accordance with the regulations (whether before or after the hearing has begun), and
 - (b) "postponement" includes adjournment.]
- (3) If employment tribunal procedure regulations include—
- (a) provision of the kind mentioned in subsection (1), and
 - (b) provision of the kind mentioned in section 13(1)(a),

Changes to legislation: *Employment Tribunals Act 1996, Section 13A is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

they shall also [^{F3}, subject to subsection (4),] include provision to prevent an employment tribunal exercising its powers under both kinds of provision in favour of the same person in the same proceedings.]

[^{F4}(4) Subsection (3) does not require the regulations to include provision to prevent an employment tribunal from making—

- (a) an order of the kind mentioned in subsection (1), and
- (b) an award of the kind mentioned in section 13(1)(a) that is limited to witnesses' expenses.]

Textual Amendments

- F1** S. 13A inserted (9.7.2004) by 2002 c. 22, ss. 22(2), 55(2); S.I. 2004/1717, art. 2(1)
- F2** S. 13A(2A)(2B) inserted (26.3.2015) by Small Business, Enterprise and Employment Act 2015 (c. 26), ss. 151(4), 164(2)(d)
- F3** Words in s. 13A(3) inserted (25.6.2013) by Enterprise and Regulatory Reform Act 2013 (c. 24), ss. 21(3)(a), 103(2)
- F4** S. 13A(4) inserted (25.4.2013 for specified purposes, 25.6.2016 in so far as not already in force) by Enterprise and Regulatory Reform Act 2013 (c. 24), ss. 21(3)(b), 103(1)(i)(2)

Changes to legislation:

Employment Tribunals Act 1996, Section 13A is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 13A(1) words substituted by [2022 c. 35 Sch. 5 para. 12\(2\)](#)
- s. 13A(2) words substituted by [2022 c. 35 Sch. 5 para. 12\(3\)\(a\)](#)
- s. 13A(2) words substituted by [2022 c. 35 Sch. 5 para. 12\(3\)\(b\)](#)
- s. 13A(2A) word substituted by [2022 c. 35 Sch. 5 para. 12\(4\)\(b\)](#)
- s. 13A(2A) words substituted by [2022 c. 35 Sch. 5 para. 12\(4\)\(a\)](#)
- s. 13A(2B)(a) words substituted by [2022 c. 35 Sch. 5 para. 12\(5\)](#)
- s. 13A(3) words substituted by [2022 c. 35 Sch. 5 para. 12\(6\)\(a\)](#)
- s. 13A(3)(b) words substituted by [2022 c. 35 Sch. 5 para. 12\(6\)\(b\)](#)
- s. 13A(4) words substituted by [2022 c. 35 Sch. 5 para. 12\(7\)\(a\)](#)
- s. 13A(4)(b) words substituted by [2022 c. 35 Sch. 5 para. 12\(7\)\(b\)](#)

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. 7A(2F) inserted by [2022 c. 35 Sch. 4 para. 1\(2\)](#)
- s. 7B(A1) inserted by [2022 c. 35 Sch. 5 para. 4\(2\)](#)
- s. 9(2ZA) inserted by [2022 c. 35 Sch. 5 para. 5\(5\)](#)
- s. 9(5) inserted by [2022 c. 35 Sch. 5 para. 5\(9\)](#)
- s. 10(10) inserted by [2022 c. 35 Sch. 5 para. 6\(4\)](#)
- s. 29A(11) inserted by [2022 c. 35 Sch. 4 para. 1\(3\)](#)
- s. 30A inserted by [2022 c. 35 Sch. 5 para. 19](#)
- s. 37QA and cross-heading inserted by [2022 c. 35 s. 34\(4\)](#)
- s. 37QB inserted by [2022 c. 35 Sch. 5 para. 24](#)
- Sch. A1 para. 21A inserted by [2022 c. 35 Sch. 4 para. 1\(4\)](#)
- Sch. A1 inserted by [2022 c. 35 Sch. 5 para. 1](#)