

**Changes to legislation:** There are currently no known outstanding effects for the Employment Rights (Dispute Resolution) Act 1998, Cross Heading: The Employment Tribunals Act 1996 (c.17). (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Extent Information

**E1** For the extent of Sch. 1, see s. 16(1)(3)

#### *The Employment Tribunals Act 1996 (c.17)*

- 12 (1) Section 4 of the Employment Tribunals Act 1996 (which makes provision about the composition of an employment tribunal) is amended as follows.
- (2) In subsection (1) (which provides that, subject to the following provisions of that section, tribunal proceedings are to be heard by the chairman and other members), after “Subject to the following provisions of this section” insert “and to section 7(3A)”.
- (3) In subsection (3)(a) (which specifies the tribunal proceedings under the Trade Union and Labour Relations (Consolidation) Act 1992 which are to be heard by the chairman alone unless he decides otherwise), after “68A” (which is inserted by section 3 of this Act) insert “, 87”.
- (4) In subsection (6) (which makes provision for employment tribunal procedure regulations to provide that any act required or authorised by the regulations to be done by a tribunal may be done by the chairman alone), for the words from “, in such circumstances” to “tribunal may” substitute “any act which is required or authorised by the regulations to be done by an employment tribunal and is of a description specified by the regulations for the purposes of this subsection may”.
- 13 In section 5(1) of that Act (which provides for the payment of remuneration to the Presidents of the Employment Tribunals and to full-time chairmen of employment tribunals), at the end insert “and
- (d) any person who is a legal officer appointed in accordance with such regulations.”.
- 14 (1) Section 7 of that Act (which authorises the making of employment tribunal procedure regulations) is amended as follows.
- (2) Omitsubsection (3)(f)(i) (which authorises the making of regulations about the persons entitled to appear and be heard on behalf of parties in tribunal proceedings).
- (3) In subsection (4) (which provides that it is an offence to fail to comply with certain requirements imposed by an employment tribunal by virtue of regulations), after paragraph (b) insert “, or
- (c) any requirement imposed by virtue of employment tribunal procedure regulations to give written answers for the purpose

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of facilitating the determination of proceedings as mentioned in subsection (3A), (3B) or (3C),”.

- 15 In section 9(4) of that Act (which enables employment tribunal procedure regulations to provide that issues relating to the entitlement to bring or contest proceedings may be heard and determined in advance), for the words “any issue” onwards substitute “separately any preliminary issue of a description prescribed by the regulations which is raised by any case.”
- 16 In section 18(1)(b) of that Act (which specifies the provisions of the <sup>M1</sup>Trade Union and Labour Relations (Consolidation) Act 1992 in relation to which the provisions about conciliation apply), after “68” insert “ , 86 ”.

#### Marginal Citations

**M1** 1992 c. 52.

- 17 (1) Section 21 of that Act (jurisdiction of the Employment Appeal Tribunal) is amended as follows.
- (2) In subsection (1) (which specifies the decisions from which an appeal lies to the Employment Appeal Tribunal), at the end insert “or  
 (g) this Act.”
- (3) After subsection (3) insert—
- “(4) The Appeal Tribunal also has any jurisdiction in respect of matters other than appeals which is conferred on it by or under—
- (a) the Trade Union and Labour Relations (Consolidation) Act 1992,  
 (b) this Act, or  
 (c) any other Act.”

#### Commencement Information

**II** Sch. 1 para. 17 wholly in force; Sch. 1 para. 17(2) in force at Royal Assent, see s. 17(1); Sch. 1 para. 17 in force insofar as not already in force at 1.8.1998 by S.I. 1998/1658, art. 2(1), Sch. 1 (with art. 3)

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