

SCHEDULES

SCHEDULE 5

Regulation 39

Amendments to legislation

1. The Employment Tribunals Act 1996(1) is amended as follows—

(a) in section 18(1) (2) (cases where conciliation provisions apply)—

(i) at the end of paragraph (i), there is omitted “or”, and

(ii) after paragraph (j), there is inserted—

“or

(k) under regulation 28 of the Employment Equality (Sexual Orientation) Regulations 2003”;

(b) in section 21(3) (jurisdiction of the Employment Appeal Tribunal), in subsection (1) (which specifies the proceedings and claims to which the section applies)—

(i) at the end of paragraph (j), there is omitted “or”, and

(ii) after paragraph (k) there is inserted—

“or

(l) the Employment Equality (Sexual Orientation) Regulations 2003”.

2. Section 126 (compensation for acts which are both unfair dismissal and discrimination) of the Employment Rights Act 1996(4) is amended as follows—

(a) in subsection (1)(b)—

(i) after “Race Relations Act 1976” there is omitted “and”, and

(ii) after “Disability Discrimination Act 1995” there is inserted—

“and the Employment Equality (Sexual Orientation) Regulations 2003”;

(b) in subsection (2) after “those Acts” there is inserted “or Regulations”.

3. Sub-paragraph (b) of the definition of “an award under the relevant legislation” in regulation 1(2) (interpretation) of the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996(5) is amended as follows—

(a) after “section 56(1)(b) of the 1976 Act” there is omitted “or”; and

(b) after “section 8(2)(b) of the 1995 Act” there is inserted—

“or regulation 30(1)(b) of the Employment Equality (Sexual Orientation) Regulations 2003”.

(1) 1996 c. 17.

(2) Section 18(1) has been amended on a number of occasions. The most recent and relevant amendment for the purposes of these Regulations was that made by S.I.2002/2034.

(3) Section 21 has been amended on a number of occasions. The most recent and relevant amendment for the purposes of these Regulations was that made by S.I. 2002/2034.

(4) 1996 c. 18; section 126 was amended by section 14 of the Employment Rights (Dispute Resolution) Act 1998 (c. 8).

(5) S.I. 1996/2803.

Status: This is the original version (as it was originally made).

4. In the Employment Act 2002⁽⁶⁾ at the end of each of the following schedules—
- (a) Schedule 3 (tribunal jurisdictions to which section 31 applies for adjustment of awards for non-completion of statutory procedure);
 - (b) Schedule 4 (tribunal jurisdictions to which section 32 applies for complaints where the employee must first submit a statement of grievance to employer); and
 - (c) Schedule 5 (tribunal jurisdictions to which section 38 applies in relation to proceedings where the employer has failed to give a statement of employment particulars),

there is inserted—

“Regulation 28 of the Employment Equality (Sexual Orientation) Regulations 2003 (discrimination in the employment field)”.

⁽⁶⁾ 2002 c. 22.