

SCHEDULE 6

Regulation 12(3)(d)

INDUSTRIAL TRIBUNALS (NON-DISCRIMINATION NOTICES APPEALS) RULES OF PROCEDURE

For use only in proceedings on an appeal against a non-discrimination notice

Application of Schedule 1

1. Subject to rules 4 and 5, Schedule 1 shall apply to appeals against a non-discrimination notice. The rules in this Schedule modify the rules in Schedule 1 in relation to such appeals. If there is conflict between the rules contained in this Schedule and those in Schedule 1, the rules in this Schedule shall prevail.

Notice of appeal

2. A person wishing to appeal a non-discrimination notice (the appellant) shall do so by sending to the Office of the Tribunals a notice of appeal which must be in writing and must include the following –

- (a) the name and address of the appellant and, if different, an address to which he requires notices and documents relating to the appeal to be sent;
- (b) the date of the non-discrimination notice appealed against;
- (c) the name and address of the respondent;
- (d) details of the requirements which are being appealed; and
- (e) the grounds for the appeal.

Action on receipt of appeal

3. On receiving the notice of appeal the Secretary shall –

- (a) enter the following details in the Register, namely –
 - (i) the case number;
 - (ii) the date the Secretary received the notice of appeal;
 - (iii) the name of the appellant;
 - (iv) the name of the respondent;
 - (v) the fact that the appeal is an appeal against a non-discrimination notice under Article 68(1)(a) of the Sex Discrimination Order, Article 56(1)(a) of the Race Relations Order or paragraph 10(1) and (2)(a) of Schedule 1 to the Disability Order, as the case may be,
- (b) send a copy of the notice of appeal to the respondent; and
- (c) inform the parties in writing of the case number of the appeal (which must from then on be referred to in all correspondence relating to the appeal) and of the address to which notices and other communications to the Office of the Tribunals shall be sent.

Provisions of Schedule 1 which do not apply to appeals against non-discrimination notices

4. The following rules in Schedule 1 shall not apply in relation to appeals against a non-discrimination notice: rules 1 to 9, 16(1)(c), 18(2)(c) and (e), 20 to 24, 33, 34(1)(a), 34(2), 34(4), 38(4), 39, 42(4), 43, 47, 49 to 53, 55, and 60(4)(a), (8) and (9). All references in Schedule 1 to the rules listed in this rule shall have no effect in relation to an appeal against a non-discrimination notice.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Modification of Schedule 1

5. Schedule 1 shall be further modified so that all references in Schedule 1 to a claim shall be read as references to a notice of appeal or to an appeal against a non-discrimination notice, as the context may require, and all references to the claimant shall be read as references to the appellant in such an appeal.