

SCHEDULE 1

THE INDUSTRIAL TRIBUNALS AND FAIR EMPLOYMENT TRIBUNAL RULES OF PROCEDURE 2020

PART 13

COSTS, PREPARATION TIME AND WASTED COSTS ORDERS

Definitions

71.—(1) “Costs” means fees, charges, disbursements or expenses (other than expenses that witnesses incur for the purpose of, or in connection with, attendance at a tribunal hearing) incurred by or on behalf of a party (“the receiving party”).

(2) “Legally represented” means having the assistance of a person (including where that person is the receiving party’s employee) who—

- (a) is a member of the Bar of Northern Ireland or a solicitor of the Court of Judicature of Northern Ireland;
- (b) has a right of audience in relation to any class of proceedings in any part of the Senior Courts of England and Wales, or all proceedings in county courts or magistrates’ courts; or
- (c) is an advocate or solicitor in Scotland.

(3) “Preparation time” means time spent by a party (“the receiving party”) (including by any employees or advisers) in working on the case, except for time spent at any final hearing.

(4) “Represented by a lay representative” means having the assistance of a person who does not satisfy any of the criteria in paragraph (2) and who charges for representation in the proceedings.