
DRAFT STATUTORY INSTRUMENTS

2010 No.

**The Employment Relations Act
1999 (Blacklists) Regulations 2010**

Supplementary provisions

Consequential amendments

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

(2) In section 10(1) (dismissal of complaint where action taken for purpose of safeguarding national security)—

(a) omit the word “or” at the end of paragraph (a); and

(b) after paragraph (b) insert—

“, or

(c) regulation 9 of the Employment Relations Act 1999 (Blacklists) Regulations 2010 (detriment connected with prohibited list).”

(3) In section 16(1) (recoupment of benefits: payments in relation to which power exercisable)—

(a) omit the word “or” at the end of paragraph (c); and

(b) after paragraph (d) insert—

“or

(e) payments by employers to employees under regulation 5, 6 or 9 of the Employment Relations Act 1999 (Blacklists) Regulations 2010.”

(4) In section 18(1) (conciliation: proceedings and claims to which section applies)—

(a) omit the word “or” at the end of paragraph (u);

(b) after the paragraph inserted by regulation 33 of the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009 insert—

“, or

(w) under regulation 5, 6 or 9 of the Employment Relations Act 1999 (Blacklists) Regulations 2010.”

(5) In section 21(1) (jurisdiction of Appeal Tribunal)—

(1) 1996 c. 17; section 10 was amended by section 41 and paragraph 3 of Schedule 8 to the Employment Relations Act 1999 (c. 26), by sections 36 and 57(1) and paragraph 24 of Schedule 1 to the Employment Relations Act 2004 (c. 17) and by regulation 17(1) and (2) of these Regulations; section 16 was amended by section 1(2)(a) and (b) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8), by section 28 and Schedule 3 to the Welfare Reform Act 2007 (c. 5), by section 86 and Schedule 7 to the Social Security Act 1998 (c. 14), and regulation 17(1) and (3) of these Regulations; section 18 was amended by section 1(2)(a) and (b) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8), by section 5(1), (2) and (3) of the Employment Act 2008 (c. 24), by regulation 17(1) and (4) of these Regulations, and by other amendments not relevant to these Regulations; section 21 was amended by section 1(2)(a), section 15 and paragraph 17(1) and (3) of Schedule 1 to the Employment Rights (Dispute Resolution) Act 1998 (c. 8), by regulation 34(b) of the Working Time Regulations 1998 SI 1998/1833, by regulation 17(1) and (5) of these Regulations, and by other amendments not relevant to these Regulations; there are other amendments not relevant to these Regulations.

(a) omit the word “or” at the end of paragraph (v); and

(b) after paragraph (w), insert-

“, or

(x) the Employment Relations Act 1999 (Blacklists) Regulations 2010.”.

(6) In the list in Schedule A2 to the Trade Union and Labour Relations (Consolidation) Act 1992 (tribunal jurisdictions to which provisions apply requiring adjustment of award in case of failure to comply with code of practice), after the entry relating to regulation 17 of the Cross-Border Railway Services (Working Time) Regulations 2008 insert—

“Regulation 9 of the Employment Relations Act 1999 (Blacklists) Regulations 2010 (SI 2010/xxxx) (detriment connected with prohibited list).”.