

Draft Order laid before Parliament under section 41(2) of the Employment Tribunals Act 1996, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No. 0000

EMPLOYMENT TRIBUNALS

**The Employment Tribunals Act 1996 (Tribunal Composition)
Order 2012**

Made - - - -

Coming into force - -

6th April 2012

A draft of this Order was laid before Parliament in accordance with section 41(2) of the Employment Tribunals Act 1996(a) and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State and the Lord Chancellor, acting jointly in exercise of the powers conferred upon them by section 4(4)(b) of that Act, make the following Order:

Citation and commencement

1. This Order may be cited as the Employment Tribunals Act 1996 (Tribunal Composition) Order 2012 and shall come into force on 6th April 2012.

Amendment to the Employment Tribunals Act 1996

2. In section 4(3)(c)(c) of the Employment Tribunals Act 1996, after “34” insert “, 111”.

Date _____ *Name*
Minister for Employment Relations, Consumer and Postal Affairs
Department for Business, Innovation and Skills

(a) 1996 c.17.
(b) Section 4(4) was amended by the Tribunals, Courts and Enforcement Act 2007 (c.15), section 48(1), and Schedule 8, paragraphs 35 and 38.
(c) Section 4(3)(c) was amended by the Employment Rights (Dispute Resolution) Act 1998 (c.8), sections 3(1) to (3), 15, and Schedule 1, paragraph 12. Section 4(2), which is relevant to section 4(3), was amended by the Tribunals, Courts and Enforcement Act 2007 (c.15), section 48(1), and Schedule 8, paragraphs 35 and 37. Section 4(3) was amended by the Employment Rights (Dispute Resolution) Act 1998 (c.8), sections 1(2)(a), 3(1) to (5), 15, and Schedule 1, paragraph 12(1) and (3), and Schedule 2; Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246), regulation 20, and Schedule 2, paragraph 8; National Minimum Wage Act 1998 (c.39), section 27(1); Employment Act 2008 (c.24), section 9(4); and the Employment Tribunals Act 1996 (Tribunal Composition) Order 2009 (S.I. 2009/789), article 2.

Signed by the authority of the Lord Chancellor

Date

Name
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 4(3) of the Employment Tribunals Act 1996 which details the proceedings which may be heard by an Employment Judge sitting alone. The amendment contained in this Order enables proceedings in respect of unfair dismissal to be heard by an Employment Judge alone.

A full regulatory impact assessment has been produced for this instrument and is available from Rowena Robson, Department for Business, Innovation and Skills, Labour Market Directorate, 1 Victoria Street, London, SW1H 0ET. Copies have also been placed in the libraries of both Houses of Parliament.

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