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DRAFT STATUTORY INSTRUMENTS

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**2013 No.**

**The Employment Tribunals and the  
Employment Appeal Tribunal Fees Order 2013**

**PART 1**

**General**

**Citation and commencement**

1. This Order may be cited as the Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013 and shall come into force on the day after the date on which it is made.

**Interpretation**

2. In this Order—

“the 2007 Act” means the Tribunals, Courts and Enforcement Act 2007;

“appellant” means a person who appeals to the Employment Appeal Tribunal against a decision of an employment tribunal;

“claim” means any proceedings brought before an employment tribunal and includes an appeal, application, complaint, reference or question, and “claimant” shall be construed accordingly;

“claim form” means the form by means of which a person presents a claim;

“employer’s contract claim” means a claim brought by an employer in accordance with articles 4 and 8 of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994(1) or articles 4 and 8 of the Employment Tribunals Extension of Jurisdiction (Scotland) Order 1994(2);

“fee group” means—

- (a) in relation to the payment of the issue fee, the group of persons named as claimants in the claim form at the time the claim was presented;
- (b) subject to article 12(2), in relation to the payment of a hearing fee, the group of persons each of whom—
  - (i) were named as claimants in the claim form at the time the claim was presented; and
  - (ii) are named as claimants in the notification of the listing of the final hearing.

“final hearing” means the first hearing at which an employment tribunal will determine liability, remedy or costs;

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(1) S.I. 1994/1623, as amended by section 1(2) of the Employment Rights (Dispute Resolution) Act 1998 (c.8), S.I. 2004/752 and S.I.2011/1133.  
(2) S.I.1994/1624, as amended by section 1(2) of the Employment Rights (Dispute Resolution) Act 1998 (c.8), S.I. 2004/752 and S.I.2011/1133.

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**Draft Legislation:** This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, No. 1893

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“notice of appeal” means the notice referred to in rule 3(1)(a) of the Employment Appeal Tribunal Rules 1993(3); and

“single claimant” means a claimant who is the only claimant named in the claim form.

**Matters in relation to which fees are payable**

**3.** Fees are payable in respect of any claim presented to an employment tribunal, or an appeal to the Employment Appeal Tribunal, as provided for in this Order.

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(3) [S.I. 1993/2854](#) as amended by [S.I.1996/3216](#), section 1(2) of the Employment Rights (Dispute Resolution) Act 1998 (c.8), [S.I.2001/1128](#), [S.I.2004/2526](#), [S.I.2004/3426](#), [S.I.2005/1871](#), section 59(5) of, and paragraph 5 of Part 3 of Schedule 11 to, the Constitutional Reform Act 2005 (c.4), and [S.I.2010/1088](#).