

*Status: Point in time view as at 15/10/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978, Cross Heading: Powers of Tribunal. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 11

#### EMPLOYMENT APPEAL TRIBUNAL

##### PART I

##### PROVISIONS AS TO MEMBERSHIP, SITTINGS, PROCEEDINGS AND POWERS

##### *Powers of Tribunal*

- 21 (1) For the purpose of disposing of an appeal the Appeal Tribunal may exercise any powers of the body or officer from whom the appeal was brought or may remit the case to that body or officer.
- (2) Any decision or award of the Appeal Tribunal on an appeal shall have the same effect and may be enforced in the same manner as a decision or award of a body or officer from whom the appeal was brought.

[<sup>F1</sup>21A(1) Any sum payable in England and Wales in pursuance of an award of the Appeal Tribunal under section 5 of the Employment Act 1980 [<sup>F2</sup>or section 5 of the Employment Act 1988] which has been registered in accordance with the rules shall, if a county court so orders, be recoverable by execution issued from the county court or otherwise as if it were payable under an order of that court.

(2) Any order by the Appeal Tribunal for the payment in Scotland of any sum in pursuance of such an award (or any copy of such an order certified by the Secretary of the Tribunals) may be enforced in like manner as an extract registered decree arbitral bearing a warrant for execution issued by the Sheriff Court of any Sheriffdom in Scotland.]

[<sup>F3</sup>(3) Any sum payable in pursuance of an award of the Appeal Tribunal under section 5 of the <sup>M1</sup>Employment Act 1980 [<sup>F2</sup>or section 5 of the Employment Act 1988] shall be treated as if it were a sum payable in pursuance of a decision of an industrial tribunal for the purposes of paragraph 6A of Schedule 9 (interest on industrial tribunal awards).]

##### Textual Amendments

- F1** Para. 21A inserted by Employment Act 1980 (c. 42, SIF 43:5), **Sch. 1 para. 29**
- F2** Words inserted by Employment Act 1988 (c. 19, SIF 43:5), s. 33(1), **Sch. 3 Pt. I para. 2(5)**
- F3** Para. 21A(3) added by Employment Act 1982 (c. 46, SIF 43:5), **Sch. 3 para. 9**

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#### Marginal Citations

**M1** 1980 c. 42.

- 22 (1) The Appeal Tribunal shall, in relation to the attendance and examination of witnesses, the production and inspection of documents and all other matters incidental to its jurisdiction, have the like powers, rights, privileges and authority—
- (a) in England and Wales, as the High Court,
  - (b) in Scotland, as the Court of Session.
- (2) No person shall be punished for contempt of the Tribunal except by, or with the consent of, a judge.
- 23 (1)
- <sup>F4</sup>(2) A magistrates' court shall not remit the whole or any part of a fine imposed by the Appeal Tribunal except with the consent of a judge who is a member of the Tribunal.
- (3) This paragraph does not extend to Scotland.

#### Textual Amendments

**F4** Sch. 11 para. 23(1) repealed by Contempt of Court Act 1981 (c. 49, SIF 39:3), s. 16(6)

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