



# Employment Tribunals Act 1996

## 1996 CHAPTER 17

### PART I

#### [<sup>F1</sup>EMPLOYMENT TRIBUNALS]

#### *Jurisdiction*

### 2 Enactments conferring jurisdiction on [<sup>F1</sup>employment tribunals].

[<sup>F1</sup>Employment tribunals] shall exercise the jurisdiction conferred on them by or by virtue of this Act or any other Act, whether passed before or after this Act.

#### Textual Amendments

**F1** Words in s. 2 and sidenote substituted (1.8.1998) by 1998 c. 8, s. 1(2)(b) (with s. 16(2)); S.I. 1998/1658, art. 2(1), **Sch. 1**

#### Modifications etc. (not altering text)

**C1** S. 2 modified (E.) (1.7.2009) by Ecclesiastical Offices (Terms of Service) Measure 2009 (No. 1), **ss. 2(4), 13(2)** (with s. 9); 2009 No. 1, Instrument made by Archbishops

### 3 Power to confer further jurisdiction on [<sup>F2</sup>employment tribunals].

- (1) The appropriate Minister may by order provide that proceedings in respect of—
  - (a) any claim to which this section applies, or
  - (b) any claim to which this section applies and which is of a description specified in the order,may, subject to such exceptions (if any) as may be so specified, be brought before an [<sup>F2</sup>employment tribunal].
- (2) Subject to subsection (3), this section applies to—

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Employment Tribunals Act 1996, Cross Heading: Jurisdiction is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) a claim for damages for breach of a contract of employment or other contract connected with employment,
  - (b) a claim for a sum due under such a contract, and
  - (c) a claim for the recovery of a sum in pursuance of any enactment relating to the terms or performance of such a contract,
- if the claim is such that a court in England and Wales or Scotland would under the law for the time being in force have jurisdiction to hear and determine an action in respect of the claim.
- (3) This section does not apply to a claim for damages, or for a sum due, in respect of personal injuries.
- (4) Any jurisdiction conferred on an [<sup>F2</sup>employment tribunal] by virtue of this section in respect of any claim is exercisable concurrently with any court in England and Wales or in Scotland which has jurisdiction to hear and determine an action in respect of the claim.
- (5) In this section—  
“appropriate Minister”, as respects a claim in respect of which an action could be heard and determined by a court in England and Wales, means the Lord Chancellor and, as respects a claim in respect of which an action could be heard and determined by a court in Scotland, means the Lord Advocate, and  
“personal injuries” includes any disease and any impairment of a person’s physical or mental condition.
- (6) In this section a reference to breach of a contract includes a reference to breach of—  
(a) a term implied in a contract by or under any enactment or otherwise,  
(b) a term of a contract as modified by or under any enactment or otherwise, and  
(c) a term which, although not contained in a contract, is incorporated in the contract by another term of the contract.

#### Textual Amendments

- F2** Words in s.3(1)(4) and sidenote substituted (1.8.1998) by 1998 c. 8, s. 1(2)(a)(b) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1

#### Modifications etc. (not altering text)

- C2** S. 3: functions of the Lord Advocate transferred to the Secretary of State, and all property, rights and liabilities to which the Lord Advocate is entitled or subject in connection with any such function transferred to the Secretary of State for Scotland (19.5.1999) by S.I. 1999/678, arts. 2(1), 3, Sch. (with art. 7)
- S. 3: transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1(2), 2 Sch. 1; S.I. 1998/3178, art. 3

**Status:**

Point in time view as at 01/10/2010.

**Changes to legislation:**

Employment Tribunals Act 1996, Cross Heading: Jurisdiction is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.