

**Changes to legislation:** Employment Tribunals Act 1996 is up to date with all changes known to be in force on or before 22 June 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) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE A1 E+W+S

Section 37QA

#### PROCEDURE RULES

##### Textual Amendments

- F1** Sch. A1 inserted (25.4.2024) by Judicial Review and Courts Act 2022 (c. 35), s. 51(4), Sch. 5 para. 1; S.I. 2024/568, reg. 2(b)(i)

#### PART 1 E+W+S

##### OBJECTIVES

- 1 (1) The Tribunal Procedure Committee must exercise its power to make Procedure Rules with a view to securing—
- that justice is done in proceedings before the tribunal,
  - that the tribunal system is accessible and fair,
  - that proceedings are handled quickly and efficiently,
  - that Procedure Rules are both simple and simply expressed, and
  - that Procedure Rules, where appropriate, confer responsibility on members of the tribunal for ensuring that proceedings before the tribunal are handled quickly and efficiently.
- (2) In sub-paragraph (1)(b), “the tribunal system” means the system for deciding matters within the jurisdiction of the tribunal.

#### PART 2 E+W+S

##### CONTENT OF PROCEDURE RULES

##### *Delegation of functions to staff*

- 2 (1) Procedure Rules may provide for functions of the tribunal to be exercised by staff appointed under section 2(1) of the Courts Act 2003 (court staff) or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 (tribunal staff).
- (2) In making provision of the kind mentioned in sub-paragraph (1) in relation to a function, Procedure Rules may (in particular)—
- provide for the function to be exercisable by a member of staff only if the member of staff is, or is of a description, specified in exercise of a discretion conferred by Procedure Rules;

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- (b) provide for the function to be exercisable by a member of staff only if the member of staff is approved, or is of a description approved, for the purpose by a person specified in Procedure Rules.
- (3) A person may exercise functions by virtue of this paragraph only if authorised to do so by the Senior President of Tribunals.
- (4) An authorisation under this paragraph—
  - (a) may be subject to conditions, and
  - (b) may be varied or revoked by the Senior President of Tribunals at any time.
- (5) The Senior President of Tribunals may delegate to one or more of the following the Senior President of Tribunals’ functions under the preceding provisions of this paragraph—
  - (a) a judicial office holder;
  - (b) a person appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007.
- (6) A person to whom functions of the Senior President of Tribunals are delegated under sub-paragraph (5)(b) is not subject to the direction of any person other than—
  - (a) the Senior President of Tribunals, or
  - (b) a judicial office holder nominated by the Senior President of Tribunals, when exercising the functions.
- (7) Subsections (3) to (5) of section 8 of the Tribunals, Courts and Enforcement Act 2007 apply to a delegation under sub-paragraph (5) as they apply to a delegation under subsection (1) of that section.
- (8) In this paragraph, “judicial office holder” means—
  - (a) a judicial office holder within the meaning given by section 109(4) of the Constitutional Reform Act 2005, or
  - (b) the President of Employment Tribunals (Scotland).

#### *Time limits*

- 3 Procedure Rules may make provision for time limits as respects initiating, or taking any step in, proceedings before the tribunal.

#### *Determining where to start proceedings*

- 4 Procedure Rules may include provision for determining whether proceedings before the tribunal are to be brought in England and Wales or in Scotland.

#### *Repeat applications*

- 5 Procedure Rules may make provision restricting the making of fresh applications where a previous application in relation to the same matter has been made.

#### *Tribunal acting of its own initiative*

- 6 Procedure Rules may make provision about the circumstances in which the tribunal may exercise its powers of its own initiative.

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### *Hearings*

- 7 Procedure Rules may—
- (a) make provision for dealing with matters without a hearing;
  - (b) make provision as respects allowing or requiring a hearing to be in private or as respects allowing or requiring a hearing to be in public.

### *Proceedings without notice*

- 8 Procedure Rules may make provision for proceedings to take place, in circumstances described in Procedure Rules, at the request of one party even though the other, or another, party has had no notice.

### *Representation*

- 9 Procedure Rules may make provision conferring additional rights of audience before the tribunal.

### *Intervention by Secretary of State*

- 10 Procedure Rules may make provision—
- (a) for the Secretary of State to be treated (either generally or in circumstances prescribed by the Rules) as a party to any proceedings, and
  - (b) for the Secretary of State to be entitled to appear and to be heard accordingly.

### *Evidence, witnesses and attendance*

- 11 (1) Procedure Rules may make provision about evidence (including evidence on oath and administration of oaths).
- (2) Procedure Rules may modify any rules of evidence provided for elsewhere, so far as they would apply to proceedings before the tribunal.
- (3) Procedure Rules may make provision, where an employment tribunal has required a person—
- (a) to attend at any place for the purpose of giving evidence,
  - (b) otherwise to be available to give evidence,
  - (c) to swear an oath in connection with the giving of evidence,
  - (d) to give evidence as a witness,
  - (e) to produce a document, or
  - (f) to facilitate the inspection of a document or any other thing (including any premises),
- for the Appeal Tribunal to deal with non-compliance with the requirement as though the requirement had been imposed by the Appeal Tribunal.
- (4) Procedure Rules may make provision for the payment of expenses and allowances to persons giving evidence, producing documents, attending proceedings or required to attend proceedings.

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### *Use of information*

- 12 (1) Procedure Rules may make provision for the disclosure or non-disclosure of information received during the course of proceedings before the tribunal.
- (2) Procedure Rules may make provision for imposing reporting restrictions in circumstances described in Procedure Rules.

### *Set-off*

- 13 Procedure Rules may make provision for a party to proceedings to deduct, from amounts payable by the party, amounts payable to the party.

### *Reconsideration or review of decisions*

- 14 Procedure Rules may confer power on the tribunal to reconsider or review its decisions, and revoke or vary its orders and awards, in such circumstances as may be determined in accordance with Procedure Rules.

### *Correction of errors and setting aside of decisions on procedural grounds*

- 15 (1) Procedure Rules may make provision for the correction of accidental errors in a decision or record of a decision.
- (2) Procedure Rules may make provision for the setting aside of a decision in proceedings before the tribunal—
- (a) where a document relating to the proceedings was not sent to, or was not received at an appropriate time by, a party to the proceedings or a party's representative,
  - (b) where a document relating to the proceedings was not sent to the tribunal at an appropriate time,
  - (c) where a party to the proceedings, or a party's representative, was not present at a hearing related to the proceedings, or
  - (d) where there has been any other procedural irregularity in the proceedings.
- (3) Sub-paragraphs (1) and (2) do not affect, and are not affected by, any power to correct errors or set aside decisions that is exercisable apart from rules made by virtue of those sub-paragraphs.

### *Registration and proof of decisions*

- 16 Procedure Rules may make provision for the registration and proof of decisions, orders and awards of the tribunal.

### *Ancillary powers*

- 17 Procedure Rules may confer on the tribunal such ancillary powers as are necessary for the proper discharge of its functions.

### *Rules may refer to practice directions*

- 18 Procedure Rules may, instead of providing for any matter, refer to provision made or to be made about that matter by directions under section 7A or 29A.

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### *Presumptions*

- 19 Procedure Rules may make provision in the form of presumptions (including, in particular, presumptions as to service or notification).

### *Differential provision*

- 20 Procedure Rules may make different provision for different purposes or different areas.

## **PART 3 E+W+S**

### SUPPLEMENTARY PROVISION

#### *Procedure for making Procedure Rules*

- 21 (1) Part 3 of Schedule 5 to the Tribunals, Courts and Enforcement Act 2007 (which makes provision about how Tribunal Procedure Rules are to be made) applies to the making of Procedure Rules under this Act as it applies to the making of Tribunal Procedure Rules under section 22 of that Act, with the following modifications.
- (2) In paragraph 28(1)(a) of that Schedule, the reference to the Chamber Presidents is to be read as a reference to the President of the Employment Tribunals (England and Wales) and the President of the Employment Tribunals (Scotland).
- (3) In paragraph 28A(1) of that Schedule—
- (a) the reference to the First-tier Tribunal or Upper Tribunal is to be read as a reference to an employment tribunal or the Employment Appeal Tribunal, and
  - (b) the reference to paragraph 3 of that Schedule is to be read as a reference to paragraph 2 of this Schedule.

#### *Interpretation*

- 22 In this Schedule, “the tribunal” means—
- (a) an employment tribunal, in relation to Procedure Rules in respect of employment tribunals;
  - (b) the Appeal Tribunal, in relation to Procedure Rules in respect of the Appeal Tribunal.]

## SCHEDULE 1 E+W+S

Section 43.

### CONSEQUENTIAL AMENDMENTS

#### *The Transport Act 1968 (c. 73)*

- 1 Section 135(4)(b) of the Transport Act 1968 shall continue to have effect with the substitution (originally made by paragraph 6 of Schedule 16 to the Employment Protection (Consolidation) Act 1978) of “ an [F<sup>2</sup>employment tribunal] ” for the words from “a tribunal” to the end.

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**Textual Amendments**

- F2** Words in [Sch. 1 para. 1](#) substituted (1.8.1998) by [1998 c. 8, s. 1\(2\)\(a\)](#) (with [s. 16\(2\)](#)); [S.I. 1998/1658, art. 2\(1\)](#), [Sch. 1](#)

*The Transport Holding Company Act 1972 (c.14)*

- 2 Section 2 of the Transport Holding Company Act 1972 shall continue to have effect with the substitution (originally made by paragraph 13 of Schedule 16 to the Employment Protection (Consolidation) Act 1978) of “an [<sup>F3</sup>employment tribunal]” for—
- (a) in subsection (3)(c), the words from “a tribunal” to the end, and
  - (b) in subsection (7), “a tribunal established under section 12 of the Industrial Training Act 1964”.

**Textual Amendments**

- F3** Words in [Sch. 1 para. 2](#) substituted (1.8.1998) by [1998 c. 8, s. 1\(2\)\(a\)](#) (with [s. 16\(2\)](#)); [S.I. 1998/1658, art. 2\(1\)](#), [Sch. 1](#)

*The Sex Discrimination Act 1975 (c.65)*

- 3 <sup>F4</sup> .....

**Textual Amendments**

- F4** [Sch. 1 para. 3](#) repealed (1.10.2007) by [Equality Act 2006 \(c. 3\)](#), [ss. 91, 93](#), [Sch. 4](#) (with [s. 92](#)); [S.I. 2007/2603, art. 2](#) (subject to [art. 3](#))

*The Race Relations Act 1976 (c.74)*

- 4 (1) The Race Relations Act 1976 is amended as follows.
- (2) In section 56(6), for “paragraph 6A of Schedule 9 to the Employment Protection (Consolidation) Act 1978” substitute “section 14 of [<sup>F5</sup>the Employment Tribunals Act 1996]”.
- (3) <sup>F6</sup> .....

**Textual Amendments**

- F5** Words in [Sch. 1 para. 4](#) substituted (1.8.1998) by [1998 c. 8, s. 1\(2\)\(b\)\(c\)](#) (with [s. 16\(2\)](#)); [S.I. 1998/1658, art. 2\(1\)](#), [Sch. 1](#)
- F6** [Sch. 1 para. 4\(3\)](#) repealed (1.10.2007) by [Equality Act 2006 \(c. 3\)](#), [ss. 91, 93](#), [Sch. 4](#) (with [s. 92](#)); [S.I. 2007/2603, art. 2](#) (subject to [art. 3](#))

*The Aircraft and Shipbuilding Industries Act 1977 (c.3)*

- 5 In the Aircraft and Shipbuilding Industries Act 1977—

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- (a) section 49(10), and
- (b) section 50(3)(b),

shall continue to have effect with the substitution (originally made by paragraph 28 of Schedule 16 to the Employment Protection (Consolidation) Act 1978) of “ an [F7 employment tribunal] or, as the case may require, a tribunal established under ” for “a tribunal established under section 12 of the Industrial Training Act 1964 or, as the case may require”.

#### Textual Amendments

- F7** Words in [Sch. 1 para. 5](#) substituted (1.8.1998) by [1998 c. 8, s. 1\(2\)\(a\)](#) (with [s. 16\(2\)](#)); [S.I. 1998/1658, art. 2\(1\)](#), [Sch. 1](#)

#### *The Judicial Pensions Act 1981 (c.20)*

- 6 In section 12(1) of the Judicial Pensions Act 1981, for “section 128 of the Employment Protection (Consolidation) Act 1978” substitute “ section 1(1) of [F8 the Employment Tribunals Act 1996] ”.

#### Textual Amendments

- F8** Words in [Sch. 1 para. 6](#) substituted (1.8.1998) by [1998 c. 8, s. 1\(2\)\(c\)](#) (with [s. 16\(2\)](#)); [S.I. 1998/1658, art. 2\(1\)](#), [Sch. 1](#)

#### *The Social Security Administration Act 1992 (c.5)*

- [F9 In section 58(4) of the Social Security Administration Act 1992, for “section 132 of the Employment Protection (Consolidation) Act 1978” substitute “ section 16 of [F10 the Employment Tribunals Act 1996] ”.]

#### Textual Amendments

- F9** [Sch. 1 para. 7](#) repealed (29.11.1999) by [1998 c. 14, s. 86\(2\)](#), [Sch. 8](#); [S.I. 1999/3178](#), art. 2 and subject to transitional provisions in Schs. 21-23)
- F10** Words in [Sch. 1 para. 7](#) substituted (1.8.1998) by [1998 c. 8, s. 1\(2\)\(c\)](#) (with [s. 16\(2\)](#)); [S.I. 1998/1658, art. 2\(1\)](#), [Sch. 1](#)

#### *The Trade Union and Labour Relations (Consolidation) Act 1992 (c.52)*

- 8 In section 288 of the Trade Union and Labour Relations (Consolidation) Act 1992—
- (a) in subsection (2), for paragraphs (a) and (b) substitute “ section 18 of [F11 the Employment Tribunals Act 1996] (conciliation) ”, and
  - (b) in subsection (2A), for “section 290” substitute “ subsection (1)(b) of that section ”.

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**Textual Amendments**

**F11** Words in *Sch. 1 para. 8(a)* substituted (1.8.1998) by 1998 c. 8, s. 1(2)(c) (with s. 16(2)); S.I. 1998/1658, art. 2(1), *Sch. 1*

*The Tribunals and Inquiries Act 1992 (c.53)*

- 9 (1) The Tribunals and Inquiries Act 1992 is amended as follows.
- (2) In section 11(2), for “section 136(1) of the Employment Protection (Consolidation) Act 1978” substitute “ section 21(1) of [<sup>F12</sup>the Employment Tribunals Act 1996] ”.
- (3) In Schedule 1—
- (a) in Part I, in paragraph 16, and
  - (b) in Part II, in paragraph 51,
- for “section 128 of the Employment Protection (Consolidation) Act 1978 (c. 44)” substitute “ section 1(1) of [<sup>F12</sup>the Employment Tribunals Act 1996] (c. 17) ”.

**Textual Amendments**

**F12** Words in *Sch. 1 para. 9(2)(3)* substituted (1.8.1998) by 1998 c. 8, s. 1(2)(c) (with s. 16(2)); S.I. 1998/1658, art. 2(1), *Sch. 1*

*The Judicial Pensions and Retirement Act 1993 (c.8)*

- 10 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) In Schedule 1, in Part II, in the entry relating to the office of chairman of [<sup>F13</sup>employment tribunals], for “section 128 of the Employment Protection (Consolidation) Act 1978” substitute “ section 1(1) of [<sup>F13</sup>the Employment Tribunals Act 1996] ”.
- (3) In Schedule 5—
- (a) in the entry relating to the office of chairman of [<sup>F13</sup>employment tribunals], for “section 128 of the Employment Protection (Consolidation) Act 1978” substitute “ section 1(1) of [<sup>F13</sup>the Employment Tribunals Act 1996] ”, and
  - (b) in the entry relating to the office of member of the Employment Appeal Tribunal, for “section 135(2)(c) of the Employment Protection (Consolidation) Act 1978” substitute “ section 22(1)(c) of [<sup>F13</sup>the Employment Tribunals Act 1996] ”.
- (4) In paragraph 5 of Schedule 7—
- (a) in sub-paragraphs (2)(g) and (5)(vii), for “section 128 of the Employment Protection (Consolidation) Act 1978” substitute “ section 1(1) of [<sup>F13</sup>the Employment Tribunals Act 1996] ”, and
  - (b) in sub-paragraph (7), for “section 135(2)(c) of the Employment Protection (Consolidation) Act 1978” substitute “ section 22(1)(c) of [<sup>F13</sup>the Employment Tribunals Act 1996] ”.



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#### Textual Amendments

- F13** Words in Sch. 1 para. 10 substituted (1.8.1998) by 1998 c. 8, s. 1(2)(b)(c) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1

#### *The Pension Schemes Act 1993 (c.48)*

- 11 In section 181(1) of the Pension Schemes Act 1993, in the definition of “ [F14]employment tribunal]”, for “section 128 of the Employment Protection (Consolidation) Act 1978” substitute “ section 1(1) of [F14]the Employment Tribunals Act 1996] ”.

#### Textual Amendments

- F14** Words in Sch. 1 para. 11 substituted (1.8.1998) by 1998 c. 8, s. 1(2)(b)(c) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1

#### *The Disability Discrimination Act 1995 (c.50)*

- 12 (1) The Disability Discrimination Act 1995 is amended as follows.
- (2) In section 8(7), for “paragraph 6A of Schedule 9 to the Employment Protection (Consolidation) Act 1978” substitute “ section 14 of [F15]the Employment Tribunals Act 1996] ”.
- (3) In section 9(2)(a), for “paragraph 1 of Schedule 3” substitute “ section 18 of [F15]the Employment Tribunals Act 1996] ”.

#### Textual Amendments

- F15** Words in Sch. 1 para. 12(2)(3) substituted (1.8.1998) by 1998 c. 8, s. 1(2)(c) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1

## SCHEDULE 2 **E+W+S**

Section 44.

### TRANSITIONAL PROVISIONS, SAVINGS AND TRANSITORY PROVISIONS

#### **PART I E+W+S**

##### TRANSITIONAL PROVISIONS AND SAVINGS

- 1 The substitution of this Act for the provisions repealed or revoked by this Act does not affect the continuity of the law.
- 2 Anything done, or having effect as done, (including the making of subordinate legislation) under or for the purposes of any provision repealed or revoked by this Act has effect as if done under or for the purposes of any corresponding provision of this Act.

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- 3 Any reference (express or implied) in this Act or any other enactment, or in any instrument or document, to a provision of this Act is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes before the commencement of this Act a reference to the corresponding provision repealed or revoked by this Act.
- 4 (1) Any reference (express or implied) in any enactment, or in any instrument or document, to a provision repealed or revoked by this Act is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes after the commencement of this Act a reference to the corresponding provision of this Act.
- (2) In particular, where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in Acts passed before or in the same Session as the Act conferring the power, the power is also exercisable in relation to provisions of this Act which reproduce such enactments.
- 5 Paragraphs 1 to 4 have effect in place of section 17(2) of the <sup>M1</sup>Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

**Marginal Citations**  
 M1 1978 c. 30.

- 6 The repeal by this Act of section 130 of, and Schedule 10 to, the <sup>M2</sup>Employment Protection (Consolidation) Act 1978 (jurisdiction of referees under specified provisions to be exercised by [<sup>F16</sup>employment tribunals]) does not affect—
- (a) the operation of those provisions in relation to any question which may arise after the commencement of this Act, or
  - (b) the continued operation of those provisions after the commencement of this Act in relation to any question which has arisen before that commencement.

**Textual Amendments**  
 F16 Words in Sch. 2 para. 6 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

**Marginal Citations**  
 M2 1978 c. 44.

**PART II E+W+S**

TRANSITORY PROVISIONS

*Disability discrimination*

F177 .....

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### Textual Amendments

- F17** Sch. 2 para. 7 repealed by Equality Act 2010 (c. 15), Sch. 27 Pt 1 (as amended) (1.10.2010) by [S.I. 2010/2279](#), [art. 1\(2\)](#), [Sch. 2](#) (see [S.I. 2010/2317](#), [art. 2](#))

### *Jobseeker's allowance*

- 8 (1) If paragraph 2 of Schedule 2 to the <sup>M3</sup> Jobseekers Act 1995 has not come into force before the commencement of this Act, this Act shall have effect until the relevant commencement date as if a reference to unemployment benefit were substituted for—
- (a) each of the references to jobseeker's allowance in subsections (3) and (4) of section 16,
  - (b) the second reference to jobseeker's allowance in subsection (5) of that section,
  - (c) the first reference to jobseeker's allowance in subsection (1) of section 17, and
  - (d) the reference to jobseeker's allowance in subsection (2) of that section.
- (2) The reference in sub-paragraph (1) to the relevant commencement date is a reference—
- (a) if an order has been made before the commencement of this Act appointing a day after that commencement as the day on which paragraph 2 of Schedule 2 to the <sup>M4</sup> Jobseekers Act 1995 is to come into force, to the day so appointed, and
  - (b) otherwise, to such day as the Secretary of State may by order appoint.

### Marginal Citations

- M3** 1995 c. 18.  
**M4** 1995 c. 18.

### *Armed forces*

- 9 (1) If section 31 of the <sup>M5</sup> Trade Union Reform and Employment Rights Act 1993 has not come into force before the commencement of this Act, section 38 shall have effect until the relevant commencement date as if for subsection (4) there were substituted—
- “(4) Subsection (1)—
- (a) does not apply to service as a member of the naval, military or air forces of the Crown, but
  - (b) does apply to employment by an association established for the purposes of Part XI of the <sup>M6</sup> Reserve Forces Act 1996.”
- (2) The reference in sub-paragraph (1) to the relevant commencement date is a reference—
- (a) if an order has been made before the commencement of this Act appointing a day after that commencement as the day on which section 31 of the Trade

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Union Reform and Employment Rights Act 1993 is to come into force, to the day so appointed, and

- (b) otherwise, to such day as the Secretary of State may by order appoint.

**Marginal Citations**

- M5** 1993 c. 19.  
**M6** 1996 c. 14.

- 10 (1) If Part XI of the Reserve Forces Act 1996 has not come into force before the commencement of this Act, section 38 of this Act shall have effect until the relevant commencement date as if for “Part XI of the Reserve Forces Act 1996” there were substituted “ Part VI of the <sup>M7</sup>Reserve Forces Act 1980 ”.
- (2) The reference in sub-paragraph (1) to the relevant commencement date is a reference—
- (a) if an order has been made before the commencement of this Act appointing a day after that commencement as the day on which Part XI of the Reserve Forces Act 1996 is to come into force, to the day so appointed, and
- (b) otherwise, to such day as the Secretary of State may by order appoint.

**Marginal Citations**

- M7** 1980 c. 9.

SCHEDULE 3 **E+W+S**

Section 45.

REPEALS AND REVOCATIONS

PART I **E+W+S**

REPEALS

Chapter	Short title	Extent of repeal
1963 c. 2.	The Betting, Gaming and Lotteries Act 1963.	In Schedule 5A, paragraph 21.
1975 c. 65.	The Sex Discrimination Act 1975.	Section 64.
1976 c. 74.	The Race Relations Act 1976.	Section 55.
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	Section 128.  Sections 130 to 136A. Section 138(7)(e). Section 139(1)(d).

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		Section 139A(3)(a). Schedules 9 to 11. In Schedule 15, paragraph 18. In Schedule 16, paragraphs 3, 6, 13, 16, 20(2), 25(3) and 28.
1980 c. 30.	The Social Security Act 1980.	In Schedule 4, paragraph 13.
1980 c. 42.	The Employment Act 1980.	In Schedule 1, paragraphs 16 to 18 and 26 to 29.
1981 c. 49.	The Contempt of Court Act 1981.	Section 16(6).
1981 c. 54.	The Supreme Court Act 1981.	In Schedule 5, the entry relating to the Employment Protection (Consolidation) Act 1978.
1982 c. 46.	The Employment Act 1982.	In Schedule 3, in Part I, paragraphs 7 to 9.
1986 c. 48.	The Wages Act 1986.	In Schedule 4, paragraphs 9 and 10.
1986 c. 50.	The Social Security Act 1986.	In Schedule 10, in Part II, paragraph 50.
1989 c. 38.	The Employment Act 1989.	Section 20. In Schedule 6, paragraph 26.
1992 c. 6.	The Social Security (Consequential Provisions) Act 1992.	In Schedule 2, paragraph 50.
1992 c. 52.	The Trade Union and Labour Relations (Consolidation) Act 1992.	Section 290. Section 291(2) and (3). In Schedule 2, paragraphs 19, 20, 24(1) and (2) and 25.
1993 c. 8.	The Judicial Pensions and Retirement Act 1993.	In Schedule 6, paragraph 30.
1993 c. 19.	The Trade Union Reform and Employment Rights Act 1993.	Sections 36 to 38. Sections 40 to 42. In Schedule 7, paragraphs 6 and 7. In Schedule 8, paragraphs 19, 20, 28 to 30, 86 and 87.
1993 c. 48.	The Pension Schemes Act 1993.	In Schedule 8, paragraph 11(2).
1994 c. 20.	The Sunday Trading Act 1994.	In Schedule 4, paragraph 21.
1995 c. 18.	The Jobseekers Act 1995.	In Schedule 2, paragraph 2.

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1995 c. 26.	The Pensions Act 1995.	In Schedule 3, paragraphs 8 and 9.
1995 c. 50.	The Disability Discrimination Act 1995.	Section 62.  Section 63. In Schedule 3, paragraph 1. In Schedule 6, paragraph 2.

## PART II E+W+S

### REVOCATIONS

Number	Title	Extent of revocation
S.I. 1983/1794.	The Equal Pay (Amendment) Regulations 1983.	Regulation 3(3) and (4).
S.I. 1995/2587.	The Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1995.	Regulation 12(3).  Regulation 13(3). In Regulation 14(4), the words “, and paragraph 2(2) of Schedule 9 to,”.

### TABLE OF DERIVATIONS

*Notes:*

- 1 This Table shows the derivation of the provisions of the consolidation.
- 2 The following abbreviations are used in the Table—

EP(C)A	= Employment Protection (Consolidation) Act 1978 (c.44)
TULR(C)A	= Trade Union and Labour Relations (Consolidation) Act 1992 (c.52)
TURERA	= Trade Union Reform and Employment Rights Act 1993 (c.19)

Provision	Derivation
1(1)	EP(C)A s.128(1).
(2)	

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- |           |   |
|-----------|---|
| 2         | EP(C)A s.128(1).  |
| 3(1)      | EP(C)A s.131(1); TURERA s.38(a).  |
| (2)       | EP(C)A s.131(2).  |
| (3)       | EP(C)A s.131(3); TURERA s.38(b).  |
| (4)       | EP(C)A s.131(6).  |
| (5)       | EP(C)A s.131(7); TURERA s.38(e).  |
| (6)       | EP(C)A s.131(7).  |
| 4(1), (2) | EP(C)A s.128(2A), (2B); TURERA s.36(2).   |
| (3)       | EP(C)A s.128(2C); TURERA s.36(2); Pension Schemes Act 1993 (c.48) Sch.8 para.11(2).   |
| (4)       | EP(C)A s.128(2D); TURERA s.36(2).   |
| (5)       | EP(C)A s.128(2F); TURERA s.36(2).   |
| (6), (7)  | EP(C)A s.128(5), (6); TURERA s.36(3).   |
| 5(1)      | EP(C)A Sch.9 para.9; Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).   |
| (2)       | EP(C)A Sch.9 para.10; Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670); Equal Pay (Amendment) Regulations 1983 (S.I. 1983/1794) Reg.3(4).      |
| (3)       | EP(C)A Sch.9 para.10; Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).  |
| 6(1)      | EP(C)A Sch.9 para.6.  |
| (2)       | EP(C)A Sch.9 para.4.  |
| 7(1)      | EP(C)A Sch.9 para.1(1).   |
| (2)       | EP(C)A s.128(4); Employment Act 1980 (c.42) Sch.1 para.16.  |
| (3)       | EP(C)A Sch.9 para.1(2)(a) to (ga), (j); Employment Act 1980 (c.42) Sch.1 para.26; Equal Pay (Amendment) Regulations 1983 (S.I. 1983/1794) Reg.3(3); Employment Act 1989 (c.38) Sch.6 para.26. |
| (4)       | EP(C)A Sch.9 para.1(7); Criminal Justice Act 1982 (c.48) ss.38, 46; Equal   |

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|------------|---|
|            | Pay (Amendment) Regulations 1983 (S.I. 1983/1794) Reg.3(3); Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) Sch.1.   |
| (5)        | EP(C)A Sch.9 para.1(6); TURERA s.40(3).   |
| (6)        | EP(C)A Sch.9 para.5.  |
| 8(1)       | EP(C)A s.131(4).  |
| (2)        | EP(C)A s.131(4A); TURERA s.38(c).   |
| (3)        | EP(C)A s.131(5).  |
| (4)        | EP(C)A s.131(5A); TURERA s.38(d).   |
| 9(1)       | EP(C)A Sch.9 para.1A(1); Employment Act 1989 (c.38) s.20; TURERA Sch.8 para.28(b).  |
| (2), (3)   | EP(C)A Sch.9 para.1A(2), (3); Employment Act 1989 (c.38) s.20.  |
| (4)        | EP(C)A Sch.9 para.1B; TURERA Sch.8 para.28(c).  |
| 10(1)      | EP(C)A Sch.9 para.1(4A); TURERA Sch.7 para.6(a).  |
| (2)        | EP(C)A Sch.9 para.1(5); TULR(C)A Sch.3 para.1(4).   |
| (3)        | EP(C)A ss.138(7)(e), 139(1)(d), 139A(3)(a); TURERA Sch.7 para.11.   |
| (4)        | EP(C)A Sch.9 para.2(1); TULR(C)A Sch.2 para.24(1), (2).   |
| (5)        | EP(C)A Sch.9 para.2(2); TURERA Sch.7 para.6(b); Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations (S.I. 1995/2587) Reg.14(4). |
| (6)        | EP(C)A ss.138(7)(c), 139(1)(c).   |
| 11(1)      | EP(C)A Sch.9 para.1(5A); TURERA s.40(2).  |
| (2) to (5) | EP(C)A Sch.9 para.1(8) to (11); TURERA s.40(4).   |
| (6)        | EP(C)A Sch.9 para.1(5A), (8); TURERA s.40(2), (4); Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) s.2(4).   |
| 12         | Disability Discrimination Act 1995 (c.50) s.62.   |



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|-------|---|
| 13(1) | EP(C)A Sch.9 para.1(2)(h), (i).   |
| (2)   | EP(C)A Sch.9 para.1(4); TURERA Sch.8 para.28(a).  |
| 14    | EP(C)A Sch.9 para.6A; Employment Act 1982 (c.46) Sch.3 Pt.I para.7.   |
| 15(1) | EP(C)A Sch.9 para.7(1).   |
| (2)   | EP(C)A Sch.9 para.7(2); Employment Act 1980 (c.42) Sch.1 para.27.   |
| (3)   | EP(C)A Sch.9 para.7(3).   |
| 16(1) | Betting, Gaming and Lotteries Act 1963 (c.2) Sch.5A para.16; EP(C)A s.132(1); TULR(C)A Sch.2 para.19; TURERA Sch.8 para.19; Sunday Trading Act 1994 (c.20) Sch.4 para.16; Deregulation and Contracting Out Act 1994 (c.40) Sch.8.   |
| (2)   | EP(C)A s.132(2).  |
| (3)   | EP(C)A s.132(2); Social Security Act 1986 (c.50) Sch.10 Pt.II para.50(a); Jobseekers Act 1995 (c.18) Sch.2 para.2(2).   |
| (4)   | EP(C)A s.132(3)(a); Social Security Act 1986 (c.50) Sch.10 Pt.II para.50(b) (i); Jobseekers Act 1995 (c.18) Sch.2 para.2(2).  |
| (5)   | EP(C)A s.132(3)(b) to (f); Social Security Act 1980 (c.30) Sch.4 para.13; Health and Social Services and Social Security Adjudications Act 1983 (c.41) Sch.8 Pt.I para.1; Social Security Act 1986 (c.50) Sch.10 Pt.II para.50(b); Jobseekers Act 1995 (c.18) Sch.2 para.2(2), (3). |
| (6)   | EP(C)A s.132(3)(g).   |
| 17(1) | EP(C)A s.132(4); Social Security Act 1986 (c.50) Sch.10 Pt.II para.50(c); Social Security (Consequential Provisions) Act 1992 (c.6) Sch.2 para.50(1); Jobseekers Act 1995 (c.18) Sch.2 para.2(2), (4).  |
| (2)   | EP(C)A s.132(5); Jobseekers Act 1995 (c.18) Sch.2 para.2(2).  |
| (3)   | EP(C)A s.132(6).  |
| (4)   | EP(C)A s.132(6); Jobseekers Act 1995 (c.18) Sch.2 para.2(5).  |

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|-------|--|
| 18(1) | Betting, Gaming and Lotteries Act 1963 (c.2) Sch.5A para.21; Sex Discrimination Act 1975 (c.65) s.64(1); Race Relations Act 1976 (c.74) s.55(1); EP(C)A ss.133(1), 134(1); Employment Act 1980 (c.42) Sch.1 para.17; Wages Act 1986 (c.48) Sch.4 para.9; TULR(C)A s.290; TURERA Sch.8 paras.20, 86; Sunday Trading Act 1994 (c.20) Sch.4 para.21; Deregulation and Contracting Out Act 1994 (c.40) Sch.8; Pensions Act 1995 (c.26) Sch.3 para.8; Disability Discrimination Act 1995 (c.50) Sch.3 para.1; Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations (S.I. 1995/2587) Regs.12(3), 13(3). |
| (2)   | Sex Discrimination Act 1975 (c.65) s.64(1); Race Relations Act 1976 (c.74) s.55(1); EP(C)A ss.133(2), (4), 134(1); Disability Discrimination Act 1995 (c.50) Sch.3 para.1(1).  |
| (3)   | Sex Discrimination Act 1975 (c.65) s.64(2); Race Relations Act 1976 (c.74) s.55(2); EP(C)A ss.133(3), (4), 134(3); Employment Act 1980 (c.42) Sch.1 para.18; Disability Discrimination Act 1995 (c.50) Sch.3 para.1(2).  |
| (4)   | EP(C)A s.134(2).   |
| (5)   | EP(C)A s.134(3); Employment Act 1980 (c.42) Sch.1 para.18.   |
| (6)   | Sex Discrimination Act 1975 (c.65) s.64(3); Race Relations Act 1976 (c.74) s.55(3); EP(C)A ss.133(5), 134(4); Disability Discrimination Act 1995 (c.50) Sch.3 para.1(3).   |
| (7)   | Sex Discrimination Act 1975 (c.65) s.64(4); Race Relations Act 1976 (c.74) s.55(4); EP(C)A ss.133(6), 134(5); Disability Discrimination Act 1995 (c.50) Sch.3 para.1(4).   |
| (8)   | EP(C)A s.133(7).   |
| 19    | EP(C)A Sch.9 para.1(3).  |
| 20(1) | EP(C)A s.135(1).   |
| (2)   | EP(C)A Sch.11 paras.13, 14.  |

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| (3)      | EP(C)A Sch.11 para.12.   |
| 21(1)    | Betting, Gaming and Lotteries Act 1963 (c.2) Sch.5A para.16; EP(C)A s.136(1); Wages Act 1986 (c.48) Sch.4 para.10; TULR(C)A s.291(2); Sunday Trading Act 1994 (c.20) Sch.4 para.16; Deregulation and Contracting Out Act 1994 (c.40) Sch.8; Pensions Act 1995 (c.26) Sch.3 para.9; Disability Discrimination Act 1995 (c.50) Sch.6 para.2. |
| (2)      | EP(C)A s.136(5); TULR(C)A s.291(3).  |
| (3)      |  |
| 22(1)    | EP(C)A s.135(2).   |
| (2)      | EP(C)A s.135(3); TULR(C)A Sch.2 para.20.   |
| (3), (4) | EP(C)A s.135(4), (5).  |
| 23(1)    | EP(C)A Sch.11 para.4.  |
| (2)      | EP(C)A Sch.11 paras.5, 6.  |
| (3)      | EP(C)A Sch.11 para.7.  |
| (4)      | EP(C)A Sch.11 para.9.  |
| (5)      | EP(C)A Sch.11 para.11.   |
| 24(1)    | EP(C)A Sch.11 para.8(1).   |
| (2)      | EP(C)A Sch.11 para.8(2); Supreme Court Act 1981 (c.54) Sch.5, entry relating to EP(C)A.  |
| (3)      | EP(C)A Sch.11 para.10.   |
| 25(1)    | EP(C)A Sch.11 para.1.  |
| (2), (3) | EP(C)A Sch.11 para.2; Judicial Pensions and Retirement Act 1993 (c.8) Sch.6 para.30.   |
| (4)      | EP(C)A Sch.11 para.3.  |
| 26       | EP(C)A Sch.11 para.24; Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 (S.I. 1995/269).   |
| 27(1)    | EP(C)A Sch.11 para.25; Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670); Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 (S.I. 1995/269).  |

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(2) to (4)	EP(C)A Sch.11 paras.26 to 28; Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).
28(1)	EP(C)A Sch.11 para.15.
(2) to (5)	EP(C)A Sch.11 para.16; TURERA s.37.
29(1)	EP(C)A Sch.11 para.20.
(2)	EP(C)A Sch.11 para.22(1).
30(1)	EP(C)A Sch.11 para.17(1).
(2)	EP(C)A Sch.11 para.18; Employment Act 1980 (c.42) Sch.1 para.28; Employment Act 1982 (c.46) Sch.3 Pt.I para.8(1); TULR(C)A Sch.2 para.25(a); TURERA Sch.7 para.7, Sch.8 paras.29, 30.
(3)	EP(C)A Sch.11 para.17(2).
31(1) to (6)	EP(C)A Sch.11 para.18A(1) to (6); TURERA s.41.
(7)	EP(C)A Sch.11 para.18A(7); TURERA s.41.
(8)	EP(C)A Sch.11 para.18A(7); TURERA s.41; Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) s.2(4).
32(1), (2)	Disability Discrimination Act 1995 (c.50) s.63(1), (2).
(3) to (6)	Disability Discrimination Act 1995 (c.50) ss.62(3) to (6), 63(3).
(7)	Disability Discrimination Act 1995 (c.50) s.63(4), (5).
(8)	Disability Discrimination Act 1995 (c.50) ss.62(7), 63(6).
33(1) to (4)	EP(C)A s.136A(1) to (4); TURERA s.42.
(5)	EP(C)A s.136A(6); TURERA s.42.
34	EP(C)A Sch.11 para.19.
35	EP(C)A Sch.11 para.21.
36(1)	EP(C)A Sch.11 para.21A(1); Employment Act 1980 (c.42) Sch.1 para.29; TULR(C)A Sch.2 para.25(b).

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- |                                       |   |
|---------------------------------------|---|
| (2)                                   | EP(C)A Sch.11 para.21A(2);<br>Employment Act 1980 (c.42) Sch.1<br>para.29.                                |
| (3)                                   | EP(C)A Sch.11 para.21A(3);<br>Employment Act 1982 (c.46) Sch.3 Pt.I<br>para.9; TULR(C)A Sch.2 para.25(b). |
| (4)                                   | EP(C)A Sch.11 para.22(2).   |
| (5)                                   | EP(C)A Sch.11 para.23(2).   |
| 37(1), (2)                            | EP(C)A s.136(4).  |
| (3)                                   | EP(C)A s.136A(5); TURERA s.42.  |
| (4)                                   | EP(C)A s.136(4).  |
| 38(1), (2)                            | EP(C)A s.138(1), (2).   |
| (3)                                   | EP(C)A s.138(7)(a), (b).  |
| (4)                                   | EP(C)A ss.138(3), 138A(2)(b);<br>TURERA s.31; Reserve Forces Act<br>1996 (c. 14) Sch.10 para. 17.         |
| 39(1)                                 | EP(C)A ss.139(1), 139A(1); TURERA<br>Sch.7 para.11.   |
| (2)                                   | EP(C)A ss.139(2), 139A(2); TURERA<br>Sch.7 para.11.   |
| (3)                                   | EP(C)A s.139(1)(a), (b).  |
| (4)                                   | EP(C)A s.139A(5); TURERA Sch.7<br>para.11.  |
| (5)                                   | EP(C)A s.139(3) to (9).   |
| 40(1)                                 | EP(C)A s.149(1).  |
| (2)                                   | EP(C)A s.149(2).  |
| 41(1)                                 | EP(C)A ss.154(1).   |
| (2)                                   | EP(C)A ss.128(2E), 131(8), 138A((6),<br>149(4); TURERA ss.31(2), 36(2).                                   |
| (3), (4)                              | EP(C)A s.154(2), (3).   |
| 42(1)                                 |   |
| "Appeal Tribunal"                     |   |
| "Appeal Tribunal procedure rules"     |   |
| "appointed member"                    |   |
| "conciliation officer"                |   |
| "contract of employment", "employee", | EP(C)A s.153(1).  |
| "employer"                            |   |
| "employers' association"              | EP(C)A s.153(1); TULR(C)A Sch.2<br>para.21(2)(a).   |

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“employment”, “employed”, “statutory provision”	EP(C)A s.153(1).
“industrial tribunal procedure rules”	
“successor”	EP(C)A s.153(1); TULR(C)A Sch.2 para.21(2)(d).
“trade union”	EP(C)A s.153(1); TULR(C)A Sch.2 para.21(2)(f).
(2)	EP(C)A s.153(4A); TULR(C)A Sch.2 para.21(3).
(3)	EP(C)A s.153(4).
43	
44	
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Sch. 1	
Sch. 2	
Sch. 3	

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**Changes and effects yet to be applied to :**

- s. 4(1)(b) and words substituted for s. 4(1)(b) by 1998 c. 8 s. 4
- s. 10(1)(a) word omitted by S.I. 2010/493 reg. 17(2)(a)
- s. 14(1) words substituted by 2022 c. 35 Sch. 5 para. 13
- s. 14(3)(f) words substituted by 2022 c. 35 Sch. 5 para. 13
- s. 16(3)(a) words repealed by 2009 c. 24 Sch. 7 Pt. 1
- s. 16(3)(b) words repealed by 2009 c. 24 Sch. 7 Pt. 1
- s. 16(3)(c) words repealed by 2009 c. 24 Sch. 7 Pt. 1
- s. 16(5)(e) words repealed by 2009 c. 24 Sch. 7 Pt. 1
- s. 17(1) words repealed by 2009 c. 24 Sch. 7 Pt. 1
- s. 18(1)(b) word inserted by 2013 c. 24 Sch. 1 para. 5(4)(a)
- s. 18(1)(b) words inserted by 2013 c. 24 Sch. 1 para. 5(4)(b)
- s. 18(1)(b) words inserted by 2023 c. 46 Sch. para. 2
- s. 18(1)(f)(n) omitted by 2013 c. 24 Sch. 1 para. 5(6)
- s. 18(1)(dd) word substituted by 2013 c. 24 Sch. 1 para. 5(5)
- s. 30 substituted by 2022 c. 35 s. 34(3)
- s. 31(1) words substituted by 2022 c. 35 Sch. 5 para. 20(a)
- s. 31(7)(a)(i) words substituted by 2022 c. 35 Sch. 5 para. 20(b)
- s. 32(2) words substituted by 2022 c. 35 Sch. 5 para. 21(a)
- s. 32(7)(b)(i) words substituted by 2022 c. 35 Sch. 5 para. 21(b)
- s. 32(8) words substituted by 2022 c. 35 Sch. 5 para. 21(c)
- s. 34(1) substituted by 2022 c. 35 Sch. 5 para. 22(2)
- s. 34(2) words substituted by 2022 c. 35 Sch. 5 para. 22(3)
- s. 34(3) words substituted by 2022 c. 35 Sch. 5 para. 22(4)
- s. 34(4) words substituted by 2022 c. 35 Sch. 5 para. 22(5)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7A(2F) inserted by 2022 c. 35 Sch. 4 para. 1(2)
- s. 29A(11) inserted by 2022 c. 35 Sch. 4 para. 1(3)
- s. 30A inserted by 2022 c. 35 Sch. 5 para. 19
- Sch. A1 para. 21A inserted by 2022 c. 35 Sch. 4 para. 1(4)