



# Employment Tribunals Act 1996

## 1996 CHAPTER 17

### PART II

#### THE EMPLOYMENT APPEAL TRIBUNAL

##### *Jurisdiction*

#### **21 Jurisdiction of Appeal Tribunal.**

- (1) An appeal lies to the Appeal Tribunal on any question of law arising from any decision of, or arising in any proceedings before, an [<sup>F1</sup>employment tribunal] under or by virtue of—
- (a) <sup>M1</sup> the Equal Pay Act 1970,
  - (b) <sup>M2</sup> the Sex Discrimination Act 1975,
  - (c) <sup>M3</sup> the Race Relations Act 1976,
  - (d) <sup>M4</sup> the Trade Union and Labour Relations (Consolidation) Act 1992,
  - (e) <sup>M5</sup> the Disability Discrimination Act 1995, <sup>F2</sup> . . .
  - (f) <sup>M6</sup> the Employment Rights Act 1996 [<sup>F3F4</sup> . . .  
<sup>F5</sup> [<sup>F6</sup> . . . . . ]]
  - (g) this Act,
  - (ga) the National Minimum Wage Act 1998,
  - (gb) the Employment Relations Act 1999,  
[ the Working Time Regulations 1998, <sup>F9</sup> . . .
  - (h) the Transnational Information and Consultation of Employees Regulations 1999.]
  - [<sup>F10F11</sup> . . .
  - (j) the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.]

*Status: Point in time view as at 06/04/2006. This version of this provision has been superseded.*

*Changes to legislation: Employment Tribunals Act 1996, Section 21 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)*

[<sup>F12F13</sup> . . .

- (k) the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002.][<sup>F14F15</sup> . . .
- (l) the Employment Equality (Sexual Orientation) Regulations 2003][<sup>F16F17</sup> . . .
- (m) the Employment Equality (Religion or Belief) Regulations 2003]
- (n) [<sup>F18</sup>the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003.][<sup>F19F20</sup> . . .
- (o) the European Public Limited-Liability Company Regulations 2004.]
- (p) [<sup>F21F22</sup>the Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004.][<sup>F23F24</sup> . . .
- (q) the Information and Consultation of Employees Regulations 2004.][<sup>F25</sup>, or
- (r) the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006.]

(2) No appeal shall lie except to the Appeal Tribunal from any decision of an [<sup>F1</sup>employment tribunal] under or by virtue of the Acts listed [<sup>F26</sup>or the Regulations referred to] in subsection (1).

(3) Subsection (1) does not affect any provision contained in, or made under, any Act which provides for an appeal to lie to the Appeal Tribunal (whether from an [<sup>F1</sup>employment tribunal], the Certification Officer or any other person or body) otherwise than on a question to which that subsection applies.

[ The Appeal Tribunal also has any jurisdiction in respect of matters other than appeals

<sup>F27</sup>(4) which is conferred on it by or under—

- (a) the Trade Union and Labour Relations (Consolidation) Act 1992,
- (b) this Act, or
- (c) any other Act.]]

### Textual Amendments

- F1** Words in s. 21 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**
- F2** Word in s. 21(1)(e) repealed (1.8.1998) by 1998 c. 8, s. 15, **Sch. 2**; S.I. 1998/1658, art. 2(1), **Sch. 1**
- F3** S. 21(1)(g) and word “or” immediately preceding inserted (*retrospectively*) by 1998 c. 8, ss. 15, 17(3), **Sch. 1 para. 17(1)(2)**
- F4** Word at the end of s. 21(1)(f) repealed (1.11.1998) by 1998 c. 39, s. 53, **Sch. 3** (with s. 36); S.I. 1998/2574, art. 2(1), **Sch. 1**
- F5** S. 21(1)(ff) inserted (1.11.1998) by 1998 c. 39, s. 29 (with s. 36); S.I. 1998/2574, art. 2(1), **Sch. 1**
- F6** S. 21(1)(fg) inserted (5.10.1999) by 1999 c. 10, ss. 7, 19(4), 20(2), **Sch. 3 para. 5**, **Sch. 6** and repealed (6.4.2003) by 2002 c. 21, ss. 60, 61, **Sch. 6**; S.I. 2003/962, **art. 2(3)(e)**, **Sch. 1** (subject to arts. 3, 4)
- F7** S. 21(1)(g)(ga)(gb) substituted (1.10.2004) for s. 21(1)(ff)(g) by **Employment Relations Act 2004 (c. 24), ss. 38, 59**; S.I. 2004/2566, **art. 3(a)**
- F8** S. 21(1)(h)(i) substituted (15.1.2000) for words at the end of subsection (1) by S.I. 1999/3323, **reg. 35(3)**
- F9** Word at the end of s. 21(1)(h) omitted (1.7.2000) by virtue of S.I. 2000/1551, **reg. 10, Sch. para. 1(b)(i)**
- F10** S. 21(1)(j) and word “or” immediately preceding it inserted (1.7.2000) by S.I. 2000/1551, **reg. 10, Sch. para. 1(b)(ii)**
- F11** Word at the end of s. 21(1)(i) omitted (1.10.2002) by virtue of S.I. 2002/2034, **reg. 11 Sch. 2 para. 2(b)(i)**

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- F12** S. 21(1)(k) inserted (1.10.2002) by S.I. 2002/2034, **reg. 11 Sch. 2 para. 2(b)(ii)**
- F13** Word at the end of s. 21(1)(j) omitted (1.12.2003) by virtue of The Employment Equality (Sexual Orientation) Regulations 2003 (S.I. 2003/1661), reg. 39, **Sch. 5 para. 1(b)(i)**
- F14** S. 21(1)(l) and preceding word inserted (1.12.2003) by The Employment Equality (Sexual Orientation) Regulations 2003 (S.I. 2003/1661), reg. 39, **Sch. 5 para. 1(b)(ii)**
- F15** Word at the end of s. 21(1)(k) omitted (2.12.2003) by virtue of The Employment Equality (Religion or Belief) Regulations 2003 (S.I. 2003/1660), reg. 39(2), **Sch. 5 para. 1(b)(i)**
- F16** S. 21(1)(m) and preceding word inserted (2.12.2003) by The Employment Equality (Religion or Belief) Regulations 2003 (S.I. 2003/1660), reg. 39(2), **Sch. 5 para. 1(b)(ii)**
- F17** Word at the end of s. 21(1)(l) omitted (24.12.2003) by virtue of The Merchant Shipping (Working Time: Inland Waterways) Regulations 2003 (S.I. 2003/3049), reg. 20, **Sch. 2 para. 2(3)**
- F18** S. 21(1)(n) inserted (24.12.2003) by The Merchant Shipping (Working Time: Inland Waterways) Regulations 2003 (S.I. 2003/3049), reg. 20, **Sch. 2 para. 2(3)**
- F19** S. 21(1)(o) and preceding word inserted (8.10.2004) by The European Public Limited-Liability Company Regulations 2004 (S.I. 2004/2326), **reg. 49**
- F20** Word at the end of s. 21(1)(n) repealed (6.4.2005) by The Information and Consultation of Employees Regulations 2004 (S.I. 2004/3426), **reg. 37(a)** (with reg. 3)
- F21** S. 21(1)(o) inserted (16.8.2004) by The Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004 (S.I. 2004/1713), reg. 22, **Sch. 2 para.1(3)**
- F22** S. 21(1)(o) renumbered (6.4.2005) as s. 21(1)(p) by virtue of The Information and Consultation of Employees Regulations 2004 (S.I. 2004/3426), **reg. 37(b)** (with reg. 3)
- F23** S. 21(1)(q) and preceding word inserted (6.4.2004) by The Information and Consultation of Employees Regulations 2004 (S.I. 2004/3426), **reg. 37(c)** (with reg. 3)
- F24** Word at the end of s. 21(1)(p) omitted (6.4.2006) by virtue of The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 (S.I. 2006/349), reg. 17, **Sch. para. 10(a)** (with reg. 3)
- F25** S. 21(1)(r) and preceding word inserted (6.4.2006) by The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 (S.I. 2006/349), reg. 17, **Sch. para. 10(b)** (with reg. 3)
- F26** Words in s. 21(2) inserted (1.10.1998) by S.I. 1998/1833, **reg. 34(b)**
- F27** S. 21(4) inserted (1.8.1998) by 1998 c. 8, s. 15, **Sch. 1 para. 17(3)**; S.I. 1998/1658, art. 2(1), **Sch. 1**

#### Marginal Citations

- M1** 1970 c.41  
**M2** 1975 c.65  
**M3** 1976 c.74  
**M4** 1992 c.52  
**M5** 1995 c.50  
**M6** 1996 c.18

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