



Industrial Tribunals Act 1996

1996 CHAPTER 17

PART I

INDUSTRIAL TRIBUNALS

Procedure

7 Industrial tribunal procedure regulations

- (1) The Secretary of State may by regulations (“industrial tribunal procedure regulations”) make such provision as appears to him to be necessary or expedient with respect to proceedings before industrial tribunals.
- (2) Proceedings before industrial tribunals shall be instituted in accordance with industrial tribunal procedure regulations.
- (3) Industrial tribunal procedure regulations may, in particular, include provision—
 - (a) for determining by which tribunal any proceedings are to be determined,
 - (b) for enabling an industrial tribunal to hear and determine proceedings brought by virtue of section 3 concurrently with proceedings brought before the tribunal otherwise than by virtue of that section,
 - (c) for treating the Secretary of State (either generally or in such circumstances as may be prescribed by the regulations) as a party to any proceedings before an industrial tribunal (where he would not otherwise be a party to them) and entitling him to appear and to be heard accordingly,
 - (d) for requiring persons to attend to give evidence and produce documents and for authorising the administration of oaths to witnesses,
 - (e) for enabling an industrial tribunal, on the application of any party to the proceedings before it or of its own motion, to order—
 - (i) in England and Wales, such discovery or inspection of documents, or the furnishing of such further particulars, as might be ordered by a county court on application by a party to proceedings before it, or

Status: This is the original version (as it was originally enacted).

- (ii) in Scotland, such recovery or inspection of documents as might be ordered by a sheriff,
 - (f) for prescribing the procedure to be followed in any proceedings before an industrial tribunal, including provision—
 - (i) as to the persons entitled to appear and to be heard on behalf of parties to such proceedings, and
 - (ii) for enabling an industrial tribunal to review its decisions, and revoke or vary its orders and awards, in such circumstances as may be determined in accordance with the regulations,
 - (g) for the appointment of one or more assessors for the purposes of any proceedings before an industrial tribunal, where the proceedings are brought under an enactment which provides for one or more assessors to be appointed,
 - (h) for authorising an industrial tribunal to require persons to furnish information and produce documents to a person required for the purposes of section 2A(1)(b) of the Equal Pay Act 1970 to prepare a report, and
 - (j) for the registration and proof of decisions, orders and awards of industrial tribunals.
- (4) A person who without reasonable excuse fails to comply with—
- (a) any requirement imposed by virtue of subsection (3)(d) or (h), or
 - (b) any requirement with respect to the discovery, recovery or inspection of documents imposed by virtue of subsection (3)(e),
- is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) Subject to any regulations under section 11(1)(a), industrial tribunal procedure regulations may include provision authorising or requiring an industrial tribunal, in circumstances specified in the regulations, to send notice or a copy of—
- (a) any document specified in the regulations which relates to any proceedings before the tribunal, or
 - (b) any decision, order or award of the tribunal,
- to any government department or other person or body so specified.
- (6) Where in accordance with industrial tribunal procedure regulations an industrial tribunal determines in the same proceedings—
- (a) a complaint presented under section 111 of the Employment Rights Act 1996, and
 - (b) a question referred under section 163 of that Act,
- subsection (2) of that section has no effect for the purposes of the proceedings in so far as they relate to the complaint under section 111.