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*Changes to legislation:* There are currently no known outstanding effects for the  
Judicial Review and Courts Act 2022, Paragraph 11. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

#### PRACTICE DIRECTIONS FOR ONLINE PROCEEDINGS

#### PART 3

#### PROCEEDINGS IN EMPLOYMENT TRIBUNALS AND THE EMPLOYMENT APPEAL TRIBUNAL

##### *Giving practice directions*

- 11 (1) The Senior President of Tribunals may give practice directions under paragraph 9 in relation to any proceedings.
- (2) The Senior President may not give practice directions without the approval of the Lord Chancellor.
- (3) The President of the Employment Appeal Tribunal may give practice directions under paragraph 9 in relation to proceedings in that Tribunal.
- (4) A territorial president may give practice directions under paragraph 9 in relation to proceedings in the employment tribunals for which the president is responsible.
- (5) The President of the Employment Appeal Tribunal or a territorial president may not give practice directions without the approval of—
- (a) the Lord Chancellor, and
  - (b) the Senior President of Tribunals.
- (6) Neither sub-paragraph (2) nor sub-paragraph (5)(a) requires the approval of the Lord Chancellor for practice directions to the extent that they consist of guidance about—
- (a) the application or interpretation of the law;
  - (b) the making of decisions by members of the employment tribunals or of the Employment Appeal Tribunal.
- (7) Neither sub-paragraph (2) nor sub-paragraph (5)(a) requires the approval of the Lord Chancellor for practice directions to the extent that they consist of criteria for determining which members of the employment tribunals or the Employment Appeal Tribunal may be chosen to hear particular categories of case; but the directions may, to that extent, be given only after consultation with the Lord Chancellor (as well as with the approval of the Senior President of Tribunals if required by sub-paragraph (5)(b)).
- (8) In this paragraph “territorial president” means a person appointed in accordance with regulations under section 1(1) of the Employment Tribunals Act 1996 as—
- (a) President of Employment Tribunals (England and Wales), or
  - (b) President of Employment Tribunals (Scotland).

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#### Commencement Information

- I1** Sch. 3 para. 11 not in force at Royal Assent, see [s. 51\(4\)](#)
- I2** [Sch. 3 para. 11](#) in force at 28.6.2023 by [S.I. 2023/631](#), [reg. 2](#)

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