



# Judicial Review and Courts Act 2022

## 2022 CHAPTER 35

### PART 2

#### COURTS, TRIBUNALS AND CORONERS

### CHAPTER 3

#### EMPLOYMENT TRIBUNALS AND THE EMPLOYMENT APPEAL TRIBUNAL

PROSPECTIVE

#### **37 Exercise of tribunal functions by authorised persons**

- (1) Chapter 2A of Part 1 of the Tribunals, Courts and Enforcement Act 2007 (which makes provision in connection with the exercise of functions of tribunals by persons authorised under Tribunal Procedure Rules) is amended as follows.
- (2) In section 29A (meaning of certain terms)—
  - (a) for the heading substitute “Interpretation of Chapter”;
  - (b) in the definition of “authorised person”—
    - (i) for “paragraph 3 of Schedule 5” substitute “a relevant Procedure Rule”;
    - (ii) for “the First-tier Tribunal or Upper Tribunal” substitute “a tribunal”;
  - (c) in the definition of “judicial office holder”—
    - (i) for “has” substitute “means—  
“(a) a judicial office holder within”;
    - (ii) at the end insert “, or  
(b) the President of Employment Tribunals (Scotland);”;
  - (d) at the end insert—  
““relevant Procedure Rule” means—

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**Status:** Point in time view as at 07/11/2023. This version of this provision is prospective.

**Changes to legislation:** There are currently no known outstanding effects for the  
Judicial Review and Courts Act 2022, Section 37. (See end of Document for details)

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- (a) a Tribunal Procedure Rule of a kind mentioned in paragraph 3 of Schedule 5 to this Act, or
- (b) an Employment Tribunal Procedure Rule of a kind mentioned in paragraph 2 of Schedule A1 to the Employment Tribunals Act 1996;

“tribunal” means the First-tier Tribunal, the Upper Tribunal, an employment tribunal or the Employment Appeal Tribunal.”

- (3) In each of the following provisions, for “paragraph 3 of Schedule 5” substitute “a relevant Procedure Rule”—
- (a) section 29B(2) (authorised person not subject to directions not made under that section);
  - (b) section 29C(1)(a) and (2)(a) (protection against actions for authorised persons acting within or without jurisdiction);
  - (c) section 29D(1) (protection against costs for authorised persons).

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**Commencement Information**

**II** S. 37 not in force at Royal Assent, see [s. 51\(4\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Section 37.