
STATUTORY INSTRUMENTS

2004 No. 1861

**The Employment Tribunals (Constitution
and Rules of Procedure) Regulations 2004**

Application of Schedules 1-5 to proceedings

16.—(1) Subject to paragraphs (2) and (3), the rules in Schedule 1 shall apply in relation to all proceedings before an employment tribunal except where separate rules of procedure made under the provisions of any enactment are applicable.

(2) In proceedings to which the rules in Schedule 1 apply and in which any power conferred on the Minister, the tribunal or a chairman by rule 54 (national security proceedings) of Schedule 1 is exercised, Schedule 1 shall be modified in accordance with Schedule 2.

(3) The rules in Schedules 3, 4 and 5 shall apply to modify the rules in Schedule 1 in relation to proceedings which consist, respectively, in:—

- (a) an appeal by a person assessed to levy imposed under a levy order made under section 12 of the Industrial Training Act 1982⁽¹⁾;
- (b) an appeal against an improvement or prohibition notice under section 24 of the Health and Safety at Work etc Act 1974; and
- (c) an appeal against a non-discrimination notice under section 68 of the Sex Discrimination Act, section 59 of the Race Relations Act or paragraph 10 of Schedule 3 to the Disability Rights Commission Act 1999⁽²⁾.

(1) 1982 c. 10.
(2) 1999 c. 17.