

SCHEDULE

ACAS ARBITRATION SCHEME

VI. SCOPE OF THE SCHEME

Waiver of Jurisdictional Issues

21. Because of its informal nature, the Scheme is not designed for disputes raising jurisdictional issues, such as for example:

- whether or not the Employee was employed by the Employer;
- whether or not the Employee had the necessary period of continuous service to bring the claim;
- whether or not time limits have expired and/or should be extended.

22. Accordingly, when agreeing to refer a dispute to arbitration under the Scheme, both parties will be taken to have accepted as a condition of the Scheme that no jurisdictional issue is in dispute between them. The arbitrator will not therefore deal with such issues during the arbitration process, even if they are raised by the parties, and the parties will be taken to have waived any rights in that regard.

23. In particular, in agreeing to arbitration under the Scheme, the parties will be treated as having agreed that a dismissal has taken place.