

2005 No. 435

EMPLOYMENT TRIBUNALS

**The Employment Tribunals (Constitution and Rules of
Procedure) (Amendment) Regulations 2005**

Made - - - - - *22nd February 2005*
Laid before Parliament *3rd March 2005*
Coming into force - - - *5th April 2005*

The Secretary of State, in exercise of the powers conferred upon her by sections 4(6) and (6A), 7(1), (3) and (5), 9(1), 10(7) and 41(4) of the Employment Tribunals Act 1996(a), and paragraph 36 of Schedule 8 to the Government of Wales Act 1998(b), and paragraph 37 of Schedule 6 to the Scotland Act 1998(c), and after consultation with the Council on Tribunals in accordance with section 8(1) of the Tribunals and Inquiries Act 1992(d), makes the following Regulations:–

Citation and commencement

1. These Regulations may be cited as the Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2005 and they shall come into force on 5th April 2005.

Amendment

2. In Rules 1(3) and 4(2) of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(e) for “6 April 2005” there shall be substituted “1st October 2005”.

Gerry Sutcliffe
Parliamentary Under Secretary of State for
Employment Relations, Postal services and Consumers,
Department of Trade and Industry

22nd February 2005

(a) 1996 c.17; by virtue of section 1 of the Employment Rights (Dispute Resolution) Act 1998 (c. 8) industrial tribunals were renamed employment tribunals and references to “industrial tribunal” and “industrial tribunals” in any enactment were substituted with “employment tribunal” and “employment tribunals”. Section 4(6) was amended by paragraph 12(4) of Schedule 1 to the Employment Rights (Dispute Resolution) Act 1998 and section 4(6A) was inserted by section 3(6) of that Act. Section 7 was interpreted by section 239(4) of the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), as inserted by paragraph 1 of Schedule 5 to the Employment Relations Act 1999 (c. 26). Paragraph 7(3)(f)(i) was repealed by paragraph 14(2) of Schedule 1 to the Employment Rights (Dispute Resolution) Act 1998 and paragraph 7(3)(f)(ia) was inserted by section 24(1) of the Employment Act 2002 (c. 22). Section 7(3A) was inserted by section 2 of the Employment Rights (Dispute Resolution) Act 1998 and that section was then substituted by section 26 of the Employment Act 2002.

(b) 1998 c.38.

(c) 1998 c. 46.

(d) 1992 c. 53.

(e) S.I. 2004/1861, amended by S.I. 2004/2351.

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations come into force on 5 April 2005 and they amend the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 (S.I. 2004/1861, amended by S.I. 2004/2351) (“the main Regulations”). Their purpose is to change the date, from 6 April 2005 to 1 October 2005, on or after which all claims and responses to Employment Tribunals, other than in specified proceedings, must be presented on a form prescribed in accordance with Regulation 14 of the main Regulations.

No regulatory impact assessment has been undertaken because these Regulations will have no impact on the costs of business.

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