

SCHEDULE 1

THE EMPLOYMENT TRIBUNALS RULES OF PROCEDURE

Modifications etc. (not altering text)

- C1** Sch. 1 applied (1.6.2015) by [The Control of Major Accident Hazards Regulations 2015 \(S.I. 2015/483\)](#), regs. 1(1), **23(6)** (with [reg. 3\(2\)](#))

RECONSIDERATION OF JUDGMENTS

Principles

70. A Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so. On reconsideration, the decision (“the original decision”) may be confirmed, varied or revoked. If it is revoked it may be taken again.

Application

71. Except where it is made in the course of a hearing, an application for reconsideration shall be presented in writing (and copied to all the other parties) within 14 days of the date on which the written record, or other written communication, of the original decision was sent to the parties or within 14 days of the date that the written reasons were sent (if later) and shall set out why reconsideration of the original decision is necessary.

Process

72.—(1) [^{F1}The Tribunal] shall consider any application made under rule 71. If [^{F2}the Tribunal] considers that there is no reasonable prospect of the original decision being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application shall be refused and the Tribunal shall inform the parties of the refusal. Otherwise the Tribunal shall send a notice to the parties setting a time limit for any response to the application by the other parties and seeking the views of the parties on whether the application can be determined without a hearing. The notice may set out the [^{F3}Tribunal’s] provisional views on the application.

(2) If the application has not been refused under paragraph (1), the original decision shall be reconsidered at a hearing unless the [^{F4}Tribunal] considers, having regard to any response to the notice provided under paragraph (1), that a hearing is not necessary in the interests of justice. If the reconsideration proceeds without a hearing the parties shall be given a reasonable opportunity to make further written representations.

^{F5}(3)

Textual Amendments

- F1** Words in Sch. 1 rule 72(1) substituted (27.1.2024) by [The Employment Tribunals and Employment Appeal Tribunal \(Composition of Tribunal\) Regulations 2024 \(S.I. 2024/94\)](#), regs. 1(1), **8(5)(q)(i)(aa)** (with [reg. 9\(b\)](#))
- F2** Words in Sch. 1 rule 72(1) substituted (27.1.2024) by [The Employment Tribunals and Employment Appeal Tribunal \(Composition of Tribunal\) Regulations 2024 \(S.I. 2024/94\)](#), regs. 1(1), **8(5)(q)(i)(bb)** (with [reg. 9\(b\)](#))

Changes to legislation: There are currently no known outstanding effects for the The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, RECONSIDERATION OF JUDGMENTS. (See end of Document for details)

- F3** Word in Sch. 1 rule 72(1) substituted (27.1.2024) by The Employment Tribunals and Employment Appeal Tribunal (Composition of Tribunal) Regulations 2024 (S.I. 2024/94), regs. 1(1), **8(5)(q)(i)(cc)** (with reg. 9(b))
- F4** Word in Sch. 1 rule 72(2) substituted (27.1.2024) by The Employment Tribunals and Employment Appeal Tribunal (Composition of Tribunal) Regulations 2024 (S.I. 2024/94), regs. 1(1), **8(5)(q)(ii)** (with reg. 9(b))
- F5** Sch. 1 rule 72(3) omitted (27.1.2024) by virtue of The Employment Tribunals and Employment Appeal Tribunal (Composition of Tribunal) Regulations 2024 (S.I. 2024/94), regs. 1(1), **8(5)(q)(iii)** (with reg. 9(b))

Reconsideration by the Tribunal on its own initiative

73. Where the Tribunal proposes to reconsider a decision on its own initiative, it shall inform the parties of the reasons why the decision is being reconsidered and the decision shall be reconsidered in accordance with rule 72(2) (as if an application had been made and not refused).

Changes to legislation:

There are currently no known outstanding effects for the The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, RECONSIDERATION OF JUDGMENTS.