

SCHEDULE

Safety Representatives and Safety Committees Regulations 1977

9. After regulation 11 insert—

“Extension of time limit to facilitate conciliation before institution of proceedings

12.—(1) In this regulation—

- (a) Day A is the day on which the worker concerned complies with the requirement in subsection (1) of section 18A of the Employment Tribunals Act 1996 (requirement to contact ACAS before instituting proceedings)⁽¹⁾ in relation to the matter in respect of which the proceedings are brought, and
- (b) Day B is the day on which the worker concerned receives or, if earlier, is treated as receiving (by virtue of regulations made under subsection (11) of that section) the certificate issued under subsection (4) of that section.

(2) In working out when the three month time limit set by regulation 11(2) expires the period beginning with the day after Day A and ending with Day B is not to be counted.

(3) If the three month time limit set by regulation 11(2) would (if not extended by this paragraph) expire during the period beginning with Day A and ending one month after Day B, the time limit expires instead at the end of that period.

(4) The power conferred on the employment tribunal by paragraph (2) of regulation 11 to extend the three month time limit set by that paragraph is exercisable in relation to that time limit as extended by this regulation.”.

(1) Section 18A was inserted by the Enterprise and Regulatory Reform Act 2013, section 7.