
STATUTORY INSTRUMENTS

2022 No. 1034

EMPLOYMENT TRIBUNALS

The Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2022

<i>Made</i>	- - - -	<i>10th October 2022</i>
<i>Laid before Parliament</i>		<i>12th October 2022</i>
<i>Coming into force</i>	- -	<i>2nd November 2022</i>

The Secretary of State, in exercise of the powers conferred by sections 7(1), 13(1) and (1C), and 41(4) of the Employment Tribunals Act 1996⁽¹⁾, makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2022 and come into force on 2nd November 2022.

Amendments to Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

2. Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013⁽²⁾ shall be amended as set out in regulation 3.

3. In rule 78 paragraph (1)(b) for “Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993”⁽³⁾ substitute “Act of Sederunt (Taxation of Judicial Expenses Rules) 2019”⁽⁴⁾.

(1) 1996 c. 17; by virtue 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 Section 7 is prospectively substituted by the Judicial Review and Courts Act 2022 (c. 35); section 13 was repealed in part by the Employment Relations Act 1999 (c. 26); sections 13(1)-(1C) were substituted for section 13(1) by the Employment Act 2002 (c. 22); words in section 13(1C) were substituted by the Crime and Courts Act 2013 (c. 22); and sections 13(1) and 13(1C) are prospectively amended by the Judicial Review and Courts Act 2022 (c. 35).

(2) S.I. 2013/1237, to which there are amendments not relevant to these Regulations.

(3) S.I. 1993/3080 (S. 293).

(4) S.I. 2019/75.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Transitional provisions

4. The amendments to Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 made by these Regulations apply in relation to proceedings which are presented to an employment tribunal on or after the day on which these Regulations come into force.

10th October 2022

Dean Russell
Minister for Enterprise and Markets
Department for Business, Energy and Industrial
Strategy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (“the 2013 Regulations”) and come into force on 2nd November 2022.

Regulation 3 amends rule 78 to the Schedule to the 2013 Regulations to update the provision in relation to taxation in Scotland by substituting the “Act of Sederunt (Taxation of Judicial Expenses Rules) 2019” for the “Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993”.

Regulation 4 provides for transitional arrangements in relation to the above amendment.

The estimated familiarisation costs to business, and the ongoing costs and benefits to business from these reforms are expected to be well below the threshold of £5 million a year required for the production of a full impact assessment.