



2011 CHAPTER 13

Procedure: industrial tribunals

Determination of industrial tribunal proceedings without hearing

5 In the Industrial Tribunals (Northern Ireland) Order 1996 (NI 18), in Article 9 (industrial tribunal procedure regulations), after paragraph (3A) insert—

“(3AA) Industrial tribunal procedure regulations under paragraph (3A) may only authorise the determination of proceedings without any hearing in circumstances where—

- (a) all the parties to the proceedings consent in writing to the determination without a hearing, or
- (b) the person (or, where more than one, each of the persons) against whom the proceedings are brought—
 - (i) has presented no response in the proceedings, or
 - (ii) does not contest the case.

(3AB) For the purposes of paragraph (3AA)(b), a person does not present a response in the proceedings if he presents a response but, in accordance with provision made by the regulations, it is not accepted.”.

Commencement Information

- II** [S. 5](#) wholly in operation at 3.4.2011, see [s. 17\(1\)](#) and [S.R. 2011/159](#), [art. 2](#) (subject to transitional provisions and savings in [art. 3](#), [Sch.](#))

Changes to legislation:

There are currently no known outstanding effects for the Employment Act (Northern Ireland) 2011, Section 5.