



# Employment Rights (Dispute Resolution) Act 1998

## 1998 CHAPTER 8

### PART II

#### OTHER METHODS OF DISPUTE RESOLUTION

##### *Arbitration*

#### **8 Effect of arbitration agreements.**

<sup>F1</sup>(1) .....

<sup>F1</sup>(2) .....

(3) In section 288 of the Trade Union and Labour Relations (Consolidation) Act 1992 (subsection (1) of which prohibits contracting out of the provisions of that Act, but subject to exceptions specified in subsections (2) and (2A)), after subsection (5) insert—

“(6) An agreement under which the parties agree to submit a dispute to arbitration—

(a) shall be regarded for the purposes of subsections (2) and (2A) as being an agreement to refrain from instituting or continuing proceedings if—

(i) the dispute is covered by a scheme having effect by virtue of an order under section 212A, and

(ii) the agreement is to submit it to arbitration in accordance with the scheme, but

(b) shall be regarded for those purposes as neither being nor including such an agreement in any other case.”

<sup>F2</sup>(4) .....

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**Changes to legislation:** *There are currently no known outstanding effects for the Employment Rights (Dispute Resolution) Act 1998, Section 8. (See end of Document for details)*

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(5) In section 203 of the <sup>M1</sup>Employment Rights Act 1996 (subsection (1) of which prohibits contracting out of the provisions of that Act, but subject to exceptions specified in subsection (2)), after subsection (4) insert—

“(5) An agreement under which the parties agree to submit a dispute to arbitration—

(a) shall be regarded for the purposes of subsection (2)(e) and (f) as being an agreement to refrain from instituting or continuing proceedings if—

(i) the dispute is covered by a scheme having effect by virtue of an order under section 212A of the Trade Union and Labour Relations (Consolidation) Act 1992, and

(ii) the agreement is to submit it to arbitration in accordance with the scheme, but

(b) shall be regarded as neither being nor including such an agreement in any other case.”

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**Textual Amendments**

**F1** S. 8(1)(2) repealed (1.10.2010) by 2010 c. 15, Sch. 27 Pt. 1 (as substituted by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2**) (see S.I. 2010/2317, art. 2)

**F2** S. 8(4) repealed (1.10.2010) by 2010 c. 15, Sch. 27 Pt. 1 (as substituted by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2**) (see S.I. 2010/2317, art. 2)

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**Marginal Citations**

**M1** 1996 c. 18.

**Changes to legislation:**

There are currently no known outstanding effects for the Employment Rights (Dispute Resolution) Act 1998, Section 8.