
Changes to legislation: There are currently no known outstanding effects for the Employment Relations Act 1999, Paragraph 23. (See end of Document for details)

SCHEDULES

SCHEDULE 6

THE CERTIFICATION OFFICER

Procedure before Certification Officer

23 After section 256 there shall be inserted—

“256A Vexatious litigants.

- (1) The Certification Officer may refuse to entertain any application or complaint made to him under a provision of Chapters III to VIIA of Part I by a vexatious litigant.
- (2) The Certification Officer must give reasons for such a refusal.
- (3) Subsection (1) does not apply to a complaint under section 37E(1)(b) or to an application under section 41.
- (4) For the purposes of subsection (1) a vexatious litigant is a person who is the subject of—
 - (a) an order which is made under section 33(1) of the ^{M1}Employment Tribunals Act 1996 and which remains in force,
 - (b) a civil proceedings order or an all proceedings order which is made under section 42(1) of the ^{M2}[^{F1}Senior Courts Act 1981] and which remains in force,
 - (c) an order which is made under section 1 of the ^{M3}Vexatious Actions (Scotland) Act 1898, or
 - (d) an order which is made under section 32 of the ^{M4}Judicature (Northern Ireland) Act 1978.

256B Vexatious litigants: applications disregarded.

- (1) For the purposes of a relevant enactment an application to the Certification Officer shall be disregarded if—
 - (a) it was made under a provision mentioned in the relevant enactment, and
 - (b) it was refused by the Certification Officer under section 256A(1).
- (2) The relevant enactments are sections 26(8), 31(7), 45C(5B), 56(8), 72A(10), 81(8) and 108A(13).”

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Textual Amendments

F1 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 11 para. 1(2)**; S.I. 2009/1604, art. 2(d)

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Marginal Citations

M1 1996 c. 17.

M2 1981 c. 54.

M3 1898 c. 35.

M4 1978 c. 23.

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