
STATUTORY INSTRUMENTS

2004 No. 1861

EMPLOYMENT TRIBUNALS

**The Employment Tribunals (Constitution
and Rules of Procedure) Regulations 2004**

<i>Made</i>	- - - -	<i>19th July 2004</i>
<i>Laid before Parliament</i>		<i>20th July 2004</i>
<i>Coming into force</i>	- -	<i>1st October 2004</i>

The Secretary of State, in exercise of the powers conferred on her by section 24(2) of the Health and Safety at Work etc. Act 1974⁽¹⁾, sections 1(1), 4(6), and (6A), 7(1), (3), (3ZA), (3A), and (5), 7A(1) and (2), 9(1), (2) and (4), 10(2), (5), (6) and (7), 10A(1), 11(1), 12(2), 13, 13A(1) and (2), 19 and 41(4) of the Employment Tribunals Act 1996⁽²⁾ and paragraph 36 of Schedule 8 to the Government of Wales Act 1998⁽³⁾, and paragraph 37 of Schedule 6 to the Scotland Act 1998⁽⁴⁾, and after consultation with the Council of Tribunals, in accordance with section 8(1) of the Tribunals and Inquiries Act 1992⁽⁵⁾, hereby makes the following Regulations: —

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- (1) 1974 c. 37; “prescribed” is defined by section 53(1) of the Act as meaning prescribed by regulations.
- (2) 1996 c. 17; by virtue of section 1 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 4(6) was amended by paragraph 12(4) of Schedule 1 to the Employment Rights (Dispute Resolution) Act 1998 and section 4(6A) was inserted by section 3(6) of that Act. Section 7 was interpreted by section 239(4) of the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), as inserted by paragraph 1 of Schedule 5 to the Employment Relations Act 1999 (c. 26). Paragraph 7(3)(f)(i) was repealed by paragraph 14(2) of Schedule 1 to the Employment Rights (Dispute Resolution) Act 1998 and paragraph 7(3)(f)(i) was inserted by section 24(1) of the Employment Act 2002 (c. 22) and section 7(3ZA) was inserted by section 25 of that Act. Sections 7(3A) to 7(3C) were inserted by section 2 of the Employment Rights (Dispute Resolution) Act 1998 and section 7(3A) was then substituted by section 26 of the Employment Act 2002. Section 7A was inserted by section 27 of the Employment Act 2002. The sum in paragraph (a) of section 9(2) was substituted by article 2 of S.I.2001/237 and section 9(2A) was inserted by section 28 of the Employment Act 2002. Section 9(4) was amended by paragraph 15 of Schedule 1 to the Employment Rights (Dispute Resolution) Act 1998. Section 10 was substituted, and section 10A was inserted, by paragraph 3 of Schedule 8 to the Employment Relations Act 1999. Section 13(1) was substituted by subsections (1), (1A) to (1C), by section 22(1) of the Employment Act 2002. Section 13(2) was amended by paragraph 4 of Part III of Schedule 4 to the Employment Relations Act 1999 and section 13A was inserted by section 22(2) of the Employment Act 2002. Section 19(1) was numbered as such by section 24(4) of the Employment Act 2002, and was amended by paragraph 23(1) and (3) of Schedule 7 and Schedule 8 of that Act. Section 19(2) was inserted by section 24(4) of the Employment Act 2002.
- (3) 1998 c. 38.
- (4) 1998 c. 46.
- (5) 1992 c. 53.