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DRAFT STATUTORY INSTRUMENTS

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**2013 No.**

**The Employment Tribunals and the  
Employment Appeal Tribunal Fees Order 2013**

**PART 2**

**Fees in employment tribunals**

**Fee charging occasions**

- 4.**—(1) A fee is payable by a single claimant or a fee group—
- (a) when a claim form is presented to an employment tribunal (“the issue fee”); and
  - (b) on a date specified in a notice accompanying the notification of the listing of a final hearing of the claim (“the hearing fee”).
- (2) A fee is payable by the party making an application listed in column 1 of Schedule 1 on a date specified by the Lord Chancellor in a notice following the making of the application.
- (3) A fee of £600 is payable by the respondent on a date specified in a notice accompanying a notification of listing for judicial mediation.

**Fees payable**

- 5.** Table 1 in Schedule 2 has effect for the purpose of defining expressions used in Table 2 in that Schedule.
- 6.** The issue fee and hearing fee payable by a single claimant in respect of a claim listed in Table 2 in Schedule 2 (“a type A claim”) is the amount specified in column 2 of Table 3 in Schedule 2.
- 7.** The issue fee and hearing fee payable by a single claimant in respect of any claim other than one listed in Table 2 in Schedule 2 (“a type B claim”) is the amount specified in column 3 of Table 3 in Schedule 2.
- 8.** Subject to articles 9 and 10, the issue fee and hearing fee payable by a fee group is the amount calculated by reference to Table 4 in Schedule 2.
- 9.** Subject to article 10, where, on the date on which a fee is payable in accordance with article 4, the claim form contains—
- (a) one or more type A claim and one or more type B claim, the total amount of the fees payable in respect of all the claims is the fee specified in respect of a type B claim; or
  - (b) more than one claim of the same type, then the total amount of the fees payable in respect of all the claims is the amount specified in Table 3 or, in the case of a fee group, Table 4 in Schedule 2 for that type of claim.
- 10.** Any fee payable by a fee group under article 8 or 9—
- (a) must not exceed an amount equal to the sum of the fees which the members of the fee group would have been liable to pay as single claimants; and

- (b) where one or more members of the group is entitled to remission in accordance with Schedule 3, must not exceed an amount equal to the sum of the fees which the members of the fee group would be liable to pay as single claimants, taking into account any remission which would have been granted to individual members of the group if they were single claimants.

**11.**—(1) The fee payable in relation to an application listed in column 1 of Schedule 1, irrespective of the number of claims or of claimants named in the application is the amount specified in the relevant part of column 2 of Schedule 1.

(2) Where an application referred to in paragraph (1) is made in respect of one or more type A claims and one or more type B claims, the amount of the fee payable in respect of the application is the amount specified in column 2 of Schedule 1 in respect of a type B claim.

**Fee group – failure to pay fee**

**12.**—(1) Where a fee payable by a fee group remains unpaid after the date specified in accordance with article 4, a member of that fee group may, before the date on which the claim to which the fee relates is liable to be struck out for non payment, notify the Lord Chancellor of that member's decision no longer to be part of the group.

(2) Where a notice is received by the Lord Chancellor before the date on which the claim is liable to be struck out, the member of the fee group who has given the notification shall be treated as a single claimant for the purposes of the claim to which the notice referred to in paragraph (1) relates.