



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART VII

MISCELLANEOUS AND GENERAL

Industrial tribunal proceedings

290 General provisions as to conciliation

The provisions of section 133(2) to (6) of the Employment Protection (Consolidation) Act 1978 (general provisions as to functions of conciliation officers) have effect in relation to industrial tribunal proceedings, and claims which could be the subject of industrial tribunal proceedings, arising out of a contravention or alleged contravention of any of the following provisions of this Act—

- (a) section 64 (right of trade union member not to be unjustifiably disciplined);
- (b) section 137 or 138 (refusal of employment or service of employment agency on grounds related to union membership);
- (c) section 146 (action short of dismissal on grounds related to union membership or activities);
- (d) section 168, 169 or 170 (time off for trade union duties and activities);
- (e) section 174 (unreasonable exclusion or expulsion from union where employment subject to union membership agreement);
- (f) section 188 (failure to consult trade union representatives on proposed redundancies);
- (g) section 190 (entitlement under protective award).

291 Right of appeal from industrial tribunal

- (1) An appeal lies to the Employment Appeal Tribunal on any question of law or fact arising from a decision of, or arising in proceedings before, an industrial tribunal under section 174 (right not to be unreasonably excluded or expelled from trade union).
- (2) An appeal lies to the Employment Appeal Tribunal on any question of law arising from a decision of, or arising in proceedings before, an industrial tribunal under any other provision of this Act.
- (3) No other appeal lies from a decision of an industrial tribunal under this Act; and section 11 of the Tribunals and Inquiries Act 1992 (appeals from certain tribunals to High Court or Court of Session) does not apply to proceedings before an industrial tribunal under this Act.