



Employment Relations Act 1999

1999 CHAPTER 26

CAC, ACAS, Commissioners and Certification Officer

25 CAC: proceedings.

- (1) The Trade Union and Labour Relations (Consolidation) Act 1992 shall be amended as follows.
- (2) In section 263 (proceedings of the Committee) this subsection shall be inserted after subsection (6)—
 - “(7) In relation to the discharge of the Committee’s functions under Schedule A1—
 - (a) section 263A and subsection (6) above shall apply, and
 - (b) subsections (1) to (5) above shall not apply.”
- (3) This section shall be inserted after section 263—

“263A Proceedings of the Committee under Schedule A1.

- (1) For the purpose of discharging its functions under Schedule A1 in any particular case, the Central Arbitration Committee shall consist of a panel established under this section.
- (2) The chairman of the Committee shall establish a panel or panels, and a panel shall consist of these three persons appointed by him—
 - (a) the chairman or a deputy chairman of the Committee, who shall be chairman of the panel;
 - (b) a member of the Committee whose experience is as a representative of employers;
 - (c) a member of the Committee whose experience is as a representative of workers.
- (3) The chairman of the Committee shall decide which panel is to deal with a particular case.

Changes to legislation: There are currently no known outstanding effects for the Employment Relations Act 1999, Section 25. (See end of Document for details)

- (4) A panel may at the discretion of its chairman sit in private where it appears expedient to do so.
- (5) If—
- (a) a panel cannot reach a unanimous decision on a question arising before it, and
 - (b) a majority of the panel have the same opinion,
- the question shall be decided according to that opinion.
- (6) If—
- (a) a panel cannot reach a unanimous decision on a question arising before it, and
 - (b) a majority of the panel do not have the same opinion,
- the chairman of the panel shall decide the question acting with the full powers of an umpire or, in Scotland, an oversman.
- (7) Subject to the above provisions, a panel shall determine its own procedure.”
- (4) In section 264 (awards of the Committee)—
- (a) in subsection (1) after “award” there shall be inserted “, or in any decision or declaration of the Committee under Schedule A1, ”;
 - (b) in subsection (2) after “of the Committee,” there shall be inserted “ or of a decision or declaration of the Committee under Schedule A1, ”.

Changes to legislation:

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