



# Equality Act 2010

## 2010 CHAPTER 15

### PART 9

#### ENFORCEMENT

### CHAPTER 3

#### EMPLOYMENT TRIBUNALS

#### **122 References by court to tribunal, etc.**

- (1) If it appears to a court in which proceedings are pending that a claim or counter-claim relating to a non-discrimination rule could more conveniently be determined by an employment tribunal, the court may strike out the claim or counter-claim.
- (2) If in proceedings before a court a question arises about a non-discrimination rule, the court may (whether or not on an application by a party to the proceedings)—
  - (a) refer the question, or direct that it be referred by a party to the proceedings, to an employment tribunal for determination, and
  - (b) stay or sist the proceedings in the meantime.

#### **Commencement Information**

- II** S. 122 wholly in force; s. 122 not in force at Royal Assent see s. 216; s. 122 in force at 1.10.2010 by S.I. 2010/2317, art. 2(1)(9)(f) (with art. 15, and subject to transitional provision in art. 7)

**Status:**

Point in time view as at 31/03/2021.

**Changes to legislation:**

Equality Act 2010, Section 122 is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.