

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Paragraph 5. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 5

EMPLOYMENT TRIBUNAL PROCEDURE RULES: FURTHER PROVISION

PART 2

OTHER AMENDMENTS OF THE EMPLOYMENT TRIBUNALS ACT 1996

Employment tribunals

- 5 (1) Section 9 (pre-hearing reviews) is amended as follows.
- (2) For the heading substitute “Preliminary hearings”.
- (3) For subsection (1) substitute—
- “(1) If Procedure Rules authorise an employment tribunal to carry out a preliminary hearing, Procedure Rules may make provision for enabling such powers as may be prescribed by the Rules to be exercised in connection with the hearing.”
- (4) In subsection (2)—
- (a) in the words before paragraph (a), for “regulations” substitute “Rules”;
- (b) in paragraph (a)—
- (i) for “pre-hearing review” substitute “preliminary hearing”;
- (ii) omit “under the regulations”;
- (iii) for “regulations” (in the remaining place it occurs) substitute “Rules”;
- (iv) omit “of an amount not exceeding £1,000”.
- (5) After subsection (2) insert—
- “(2ZA) Procedure Rules of the kind mentioned in subsection (2)(a) may not provide for a deposit of an amount exceeding £1,000.”
- (6) For subsection (2A) substitute—
- “(2A) Procedure Rules may not enable a power of striking out to be exercised in a preliminary hearing on a ground which does not apply outside a preliminary hearing.”
- (7) In subsection (3)—
- (a) for “Secretary of State” substitute “Lord Chancellor”;

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(b) for “(2)(a)” substitute “(2ZA)”.

(8) Omit subsection (4).

(9) At the end insert—

“(5) In this section “preliminary hearing” means a hearing in any proceedings before an employment tribunal which takes place at a time before a hearing held for the purpose of determining them.”

Commencement Information

II Sch. 5 para. 5 not in force at Royal Assent, see [s. 51\(4\)](#)

Status:

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Changes to legislation:

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