

*Status:* This version of this part contains provisions that are prospective.  
*Changes to legislation:* There are currently no known outstanding effects for the  
Judicial Review and Courts Act 2022, Part 3. (See end of Document for details)

## SCHEDULES

PROSPECTIVE

### SCHEDULE 5

#### EMPLOYMENT TRIBUNAL PROCEDURE RULES: FURTHER PROVISION

#### PART 3

##### RELATED AMENDMENTS OF OTHER LEGISLATION

##### *Employment Rights Act 1996*

- 27 In section 163 of the Employment Rights Act 1996 (references to employment tribunals about redundancy payments), after subsection (5) insert—

“(6) Where in accordance with Employment Tribunal Procedure Rules an employment tribunal determines in the same proceedings a complaint presented under section 111 (unfair dismissal) and a question referred under this section, subsection (2) has no effect for the purposes of the proceedings in so far as they relate to the complaint under section 111.”

##### Commencement Information

- II** Sch. 5 para. 27 not in force at Royal Assent, see [s. 51\(4\)](#)

##### *Tribunals, Courts and Enforcement Act 2007*

- 28 In section 8(2) of the Tribunals, Courts and Enforcement Act 2007 (functions of the Senior President of Tribunals not capable of delegation under that section), at the end insert—

“paragraph 2 of Schedule A1 to the Employment Tribunals Act 1996.”

##### Commencement Information

- I2** Sch. 5 para. 28 not in force at Royal Assent, see [s. 51\(4\)](#)

- 29 (1) Schedule 5 to the Tribunals, Courts and Enforcement Act 2007 (which, among other things, deals with membership of the Tribunals Procedure Committee) is amended as follows.

- (2) In paragraph 21 (Lord Chancellor’s appointees)—

- (a) in sub-paragraph (1)(a), for “three” substitute “four”;

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(b) after sub-paragraph (1) insert—

“(1A) At least one of those persons must have experience of—

- (a) practice in employment tribunals and the Employment Appeal Tribunal, or
- (b) advising persons involved in employment tribunal proceedings and the Employment Appeal Tribunal.”

(3) In paragraph 22(1) (Lord Chief Justice’s appointees)—

- (a) omit “and” at the end of paragraph (b);
- (b) at the end of paragraph (c) insert “, and
- (d) one person who is a judge, or other member, of the Employment Appeal Tribunal or a member of a panel of members of employment tribunals (whether or not a panel of Employment Judges).”

#### Commencement Information

**I3** Sch. 5 para. 29 not in force at Royal Assent, see [s. 51\(4\)](#)

#### Commencement Information

**I2** Sch. 5 para. 28 not in force at Royal Assent, see [s. 51\(4\)](#)

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