
STATUTORY INSTRUMENTS

2004 No. 1861

**The Employment Tribunals (Constitution
and Rules of Procedure) Regulations 2004**

Jurisdiction of tribunals in Scotland and in England & Wales

19.—(1) An employment tribunal in England or Wales shall only have jurisdiction to deal with proceedings (referred to as “English and Welsh proceedings”) where —

- (a) the respondent or one of the respondents resides or carries on business in England and Wales;
- (b) had the remedy been by way of action in the county court, the cause of action would have arisen wholly or partly in England and Wales;
- (c) the proceedings are to determine a question which has been referred to the tribunal by a court in England and Wales; or
- (d) in the case of proceedings to which Schedule 3, 4 or 5 applies, the proceedings relate to matters arising in England and Wales.

(2) An employment tribunal in Scotland shall only have jurisdiction to deal with proceedings (referred to as “Scottish proceedings”) where —

- (a) the respondent or one of the respondents resides or carries on business in Scotland;
- (b) the proceedings relate to a contract of employment the place of execution or performance of which is in Scotland;
- (c) the proceedings are to determine a question which has been referred to the tribunal by a sheriff in Scotland; or
- (d) in the case of proceedings to which Schedule 3, 4 or 5 applies, the proceedings relate to matters arising in Scotland.