
STATUTORY INSTRUMENTS

2005 No. 1865

The Employment Tribunals (Constitution and Rules of Procedure) (Amendment) (No. 2) Regulations 2005

Amendment

2.—(1) The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004⁽¹⁾ shall be amended as follows—

- (2) In Regulation 1(1)(a), (b), (c), (d) (e) and (f) add “2004” after “Procedure”.
- (3) In Regulation 2 —
 - (a) delete “(Scotland)” from the definition of “old (England & Wales) regulations”;
 - (b) insert “(Scotland)” before “Regulations” in the definition of “old (Scotland) regulations”.
- (4) In Schedule 1—
 - (a) in rule 9(b) replace “rule 34(a), (b) or (e)” with “rule 34(3)(a), (b) or (e)”;
 - (b) in rule 10(5) delete “either”;
 - (c) in rule 17(1) replace “may be held in private” with “shall be held in private”;
 - (d) in rule 18(6) replace “order” in lines 2 and 4 with “orders”;
 - (e) in rule 22(4) insert “the day following” after “commences on” in the first line;
 - (f) in rule 22(5) insert “(e) regulations 13, 14(2) or 16(1) of the Working Time Regulations 1998c (right to paid annual leave).”;
 - (g) to rule 22(5)(e) add the footnote “(c) [S.I.1998/1833](#).”;
 - (h) in rule 30(3) replace “Subject to paragraph (1)” with “Where oral reasons have been provided”;
 - (i) in rules 38(2), 39(1) and 43(1) insert “or chairman” after “tribunal”;
 - (j) in rule 54(2)(a) insert “in relation to particular proceedings before it” after “do” and “in relation to particular Crown employment proceedings” between “done” and “under”.
- (5) In Schedule 4, rule 10(2), replace “,expenses or remuneration” with “or expenses”.
- (6) In Schedule 6—
 - (a) in rule 7(2) insert “conducted by a tribunal” before “composed”;
 - (b) in rule 7(4)(a) replace “Subject” with “subject”;
 - (c) in rule 7(6) delete “the” preceding “some”;
 - (d) in the Annex insert “8 weeks” into the column headed “Claims involving an independent expert” immediately above the words “Independent expert’s report”.

(1) [S.I. 2004/1861](#), amended by [S.I.2004/2351](#); there is another amending instrument which is not relevant.