

2022 No. 932

EMPLOYMENT TRIBUNALS

The Employment Appeal Tribunal (Amendment) Rules 2022

<i>Made</i>	- - - -	<i>1st September 2022</i>
<i>Laid before Parliament</i>		<i>2nd September 2022</i>
<i>Coming into force</i>	- -	<i>25th September 2022</i>

The Lord Chancellor, in exercise of the powers conferred by section 30 of the Employment Tribunals Act 1996(a), makes the following Rules.

The Lord Chancellor has consulted the Lord President of the Court of Session in accordance with section 30(1) of that Act before making these Rules.

Citation and commencement

1. These Rules may be cited as the Employment Appeal Tribunal (Amendment) Rules 2022 and come into force on the 25th September 2022.

Amendment to the Employment Appeal Tribunal Rules 1993

2.—(1) The Employment Appeal Tribunal Rules 1993(b) are amended as follows.

(2) In rule 29 (oral hearings), after paragraph (2), insert—

“(3) Any oral hearing may be conducted, in whole or in part, by use of electronic communication (including by telephone) provided that the Appeal Tribunal considers that it would be just and equitable to do so and provided that the parties and members of the public attending the hearing are able to hear what the Appeal Tribunal hears and see any witness as seen by the Appeal Tribunal.”.

1st September 2022

Bellamy
Parliamentary Under Secretary of State
Ministry of Justice

(a) 1996 c. 17; section 30 was amended by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8), paragraph 5 of Schedule 8 to the Employment Relations Act 1999 (c. 26), paragraph 26 of Schedule 1 to the Employment Relations Act 2004 (c. 24), paragraph 48 of Schedule 8 to the Tribunals, Courts and Enforcement Act 2007 (c. 15), section 12(3) of the Enterprise and Regulatory Reform Act 2013 (c. 24), paragraph 13 of Schedule 14 to the Crime and Courts Act 2013 (c. 22), and S.I. 1999/3323.

(b) S.I. 1993/2854; amended by S.I. 2001/1128 and S.I. 2020/415, there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Rules)

The Employment Appeal Tribunal Rules 1993 (“the 1993 Rules”) are the rules governing the procedure in the Employment Appeal Tribunal. These Rules amend the 1993 Rules to specify that a hearing may be conducted by means of electronic communication.

These Rules make provision replacing the temporary provision to identical effect which was made by the Employment Appeal Tribunal (Coronavirus) (Amendment) Rules 2020 (which expires at midnight on the 24th September 2022, as extended by the Coronavirus Act 2020 (Delay in Expiry: Inquests, Courts and Tribunals, and Statutory Sick Pay) (England and Wales and Northern Ireland) Regulations 2022) (S.I. 2022/362).

No impact assessment has been carried out for this amendment as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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£4.90

<http://www.legislation.gov.uk/id/uksi/2022/932>

ISBN 978-0-34-823862-4



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