STATUTORY INSTRUMENTS

2026 No. 114

EMPLOYMENT TRIBUNALS

The Employment Appeal Tribunal (Amendment) Rules 2026

Made - - - -	*5th February 2026*
Laid before Parliament	*9th February 2026*
Coming into force in accordance with rule 1(2)	

The Lord Chancellor, in exercise of the powers conferred by sections 30 and 41(4) 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, commencement and extent

1.—(1) These Rules may be cited as the Employment Appeal Tribunal (Amendment) Rules 2026.

(2) These Rules come into force immediately following the commencement of the Tribunal Procedure and Employment Tribunal Procedure (Amendment) Rules 2026(**b**).

(3) These Rules extend to England and Wales and Scotland.

Amendments to the Employment Appeal Tribunal Rules 1993

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

(2) In rule 2(1) (interpretation)—

(a) after the definition of "excluded person" insert—

""full reasons" has the meaning given in rule 60(7) of the Procedure Rules";

(b) in the definition of "national security proceedings" for "Employment Tribunal Procedure Rules 2024" substitute "Procedure Rules";

(c) after the definition of "the President" insert—

(**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), paragraph 13 of Schedule 14 to the Crime and Courts Act 2013 (c. 22), section 12(3) of the Enterprise and Regulatory Reform Act 2013 (c. 24) and S.I. 1999/3323. Section 30 is to be substituted by section 34(3) of the Judicial Review and Courts Act 2022 (c. 35), which is not yet in force. Once section 30 comes into force section 41(4) will cease to apply by virtue of section 41(5) of the 1996 Act.

(**b**) S.I. 2026/115.

(**c**) S.I. 1993/2854; relevant amending instruments are S.I. 2001/1128, 2004/2526, 2024/1156.

""the Procedure Rules" means the Employment Tribunal Procedure Rules 2024(**a**);";

(d) after the definition of "special advocate" insert—

""summary reasons" has the meaning given in rule 60(7) of the Procedure Rules;".

(3) In rule 3 (institution of appeal)—

(a) in paragraph (1)(c), for "written reasons" substitute "written full reasons" in both places it occurs;

(b) in paragraph (2)(ii)—

(i) for "written reasons" substitute "written full reasons" in the first place it occurs;

(ii) for "or order if the written reasons" substitute "or written reasons for the order, if the written full reasons or the written reasons (as the case may be),";

(c) in paragraph (3)(a)—

(i) in paragraph (i)—

(aa) in the words before sub-paragraph (aa), for "written reasons" substitute "written full reasons";

(bb) in sub-paragraph (aa), from "14 days" to "the parties" substitute "the period specified in paragraph (4C) or (4D)(b) (as the case may be) of rule 60 of the Procedure Rules";

(cc) omit the "or" after sub-paragraph (aa);

(dd) after sub-paragraph (bb) insert "; or

(cc) were provided under paragraph (4E) of rule 60 of the Procedure Rules";

(ee) in the words after sub-paragraph (cc) (as inserted by paragraph (c)(i)(dd)), for "written reasons" substitute "written full reasons";

(ii) in paragraph (iii)—

(aa) in the words before sub-paragraph (aa), for "written reasons" substitute "written full reasons";

(bb) in sub-paragraph (aa), from "14 days" to "the parties" substitute "the period specified in paragraph (4C) or (4D)(b) (as the case may be) of rule 60 of the Procedure Rules";

(cc) omit the "and" after sub-paragraph (aa);

(dd) after sub-paragraph (bb) insert "; and

(cc) were not provided under paragraph (4E) of rule 60 of the Procedure Rules";

(d) in paragraph (4), for "written reasons" substitute "written full reasons or (if any) written summary reasons".

(4) In the Schedule, in Form 1(**b**)—

(a) in paragraph 5(a), for "written reasons" substitute "written full reasons" in both places it occurs;

(b) in paragraph 6—

(i) in the words before sub-paragraph (a), omit "or decision";

(**a**) S.I. 2024/1155, amended by S.I. 2026/115.
(**b**) Form 1 was substituted by S.I. 2005/1871 and amended by S.I. 2013/1693 and 2023/967.

(ii) in sub-paragraph (c), for "written reasons" substitute "written full reasons".

Transitional provision

3. The amendments made by rule 2 of these Rules only apply to an appeal against a judgment of the employment tribunal where the judgment was made on or after the date these Rules commence.

Signed by authority of the Lord Chancellor

Sarah Sackman
Minister of State
Ministry of Justice

5th February 2026

EXPLANATORY NOTE

(This note is not part of the Rules)

The Employment Appeal Tribunal Rules 1993 (S.I. 1993/2854) ("the 1993 Rules") are the rules governing the procedure in the Employment Appeal Tribunal.

Rule 2 makes amendments to the 1993 Rules as a consequence of amendments to the Employment Tribunal Procedure Rules 2024 (S.I. 2024/1155) ("the Procedure Rules") made by the Tribunal Procedure and Employment Tribunal Procedure (Amendment) Rules 2026 (S.I. 2026/115), which enables an employment tribunal to provide summary reasons for a judgment orally at a hearing and subsequently in writing where requested.

The amendments in rule 2 provide that an appeal from a judgment of an employment tribunal must be accompanied by written full reasons. They also amend Form 1 in the 1996 Rules to reflect this requirement and to remove redundant drafting. In addition, the amendments clarify that the time limit to institute an appeal starts from the date that the written full reasons have been sent to the parties, where written full reasons were requested within the relevant period specified by rule 60 of the Procedure Rules. Where written full reasons were not requested in time, an appeal must be instituted within 42 days from the date on which the written record of the judgment was sent to the parties.

Rule 3 specifies that the amendments made by rule 2 only apply to an appeal against a judgment of an employment tribunal made on or after the commencement date.

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

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