STATUTORY INSTRUMENTS

2024 No. 1156

EMPLOYMENT TRIBUNALS

The Employment Tribunals (Procedure Rules) (Consequential Amendments) Regulations 2024

Made - - - -	*2nd December 2024*
Laid before Parliament	*6th December 2024*
Coming into force - -	*6th January 2025*

The Lord Chancellor makes these Regulations in exercise of the power conferred by section 37QB of the Employment Tribunals Act 1996(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Employment Tribunals (Procedure Rules) (Consequential Amendments) Regulations 2024 and come into force on 6th January 2025.

(2) These Regulations extend to England and Wales and Scotland.

Amendment to the Employment Appeal Tribunal Rules 1993

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

(2) In rule 2(1) (interpretation), for the definition of "national security proceedings", substitute—

> ""national security proceedings" means proceedings in which a direction or order under rule 93 of the Employment Tribunal Procedure Rules 2024(**c**) is in force;".

Amendments to the REACH Enforcement Regulations 2008

3.—(1) The REACH Enforcement Regulations 2008(**d**) are amended as follows.

(2) In Part 2 of Schedule 8 (appeals)—

(a) in paragraph 2, for "Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 applies" substitute "The Employment Tribunal Procedure Rules 2024 apply";

(b) in paragraph 3, for "Schedule 1" substitute "the 2024 Rules".

(**a**) 1996 c. 17; section 37QB was inserted by the Judicial Review and Courts Act 2022 (c. 35), Schedule 5, Part 2, paragraph 24.
(**b**) S.I. 1993/2854; relevant amending instruments are S.I. 2001/1128, 2004/2526 and 2013/1693.
(**c**) S.I. 2024/1155.
(**d**) S.I. 2008/2852; relevant amending instruments are S.I. 2013/1948 and 2014/469.

Amendments to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

4.—(1) The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013(**a**) are amended as follows.

(2) In regulation 1(1) (citation), omit the words after "Regulations 2013" to the end.

(3) In regulation 3 (interpretation)—

(a) at the beginning, omit the words from "Except" to "contained in the Schedules,";

(b) for the definition of "national security proceedings", substitute—

> ""national security proceedings" means proceedings in which a direction or order under rule 93 of the Employment Tribunal Procedure Rules 2024 is in force;".

(4) Omit regulations 10A to 13.

(5) In regulation 14(1) (register of judgments), for "Schedules 1 to 3" substitute "the Employment Tribunal Procedure Rules 2024".

(6) After regulation 14, insert—

> **"Appeals against notices given under the Health and Safety at Work etc. Act 1974**
>
> **14A.** A person may appeal against an improvement notice or a prohibition notice given by an inspector under section 21 or 22 respectively of the Health and Safety at Work etc. Act 1974(**b**) by presenting a claim to the Tribunal so that it is received—
>
> (a) before the end of the period of 21 days beginning with the date on which the notice which is the subject of the appeal is sent to the appellant, or
>
> (b) within such further period as the Tribunal considers reasonable where it is satisfied that it was not reasonably practicable for an appeal to be presented within that period.
>
> **Appeals against notices given under the Energy Act 2013**
>
> **14B.** A person may appeal against an improvement notice or a prohibition notice given by an inspector under paragraph 3 or 4 respectively of Schedule 8 to the Energy Act 2013(**c**) by presenting a claim to the Tribunal so that it is received—
>
> (a) before the end of the period of 21 days beginning with the date on which the notice which is the subject of the appeal is sent to the appellant, or
>
> (b) within such further period as the Tribunal considers reasonable where it is satisfied that it was not reasonably practicable for an appeal to be presented within that period.".

(7) Omit Schedules 1 to 3 (rules of procedure).

Amendments to the Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013

5.—(1) The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013(**d**) are amended as follows.

(**a**) S.I. 2013/1237, amended by S.I. 2020/1003; there are other amending instruments but none is relevant.
(**b**) 1974 c. 37.
(**c**) 2013 c. 32. Paragraphs 3 and 4 were amended by the Nuclear Safeguards Act 2018 (c. 15), paragraph 11(2) and (3) of the Schedule, respectively.
(**d**) S.I. 2013/1506, amended by S.I. 2013/1948; there are other amending instruments but none is relevant.

(2) In regulation 27—

(a) in paragraph (2), for "Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 applies" substitute "The Employment Tribunal Procedure Rules 2024 apply";

(b) in paragraph (3), for "that Schedule" substitute "the 2024 Rules".

Amendment to the Employment Tribunals (Early Conciliation: Exemptions and Rules of Procedure) Regulations 2014

6.—(1) The Employment Tribunals (Early Conciliation: Exemptions and Rules of Procedure) Regulations 2014(**a**) are amended as follows.

(2) In regulation 2 (interpretation) in the definition of "claim form", for "by the Secretary of State in accordance with regulation 12(1)(a) of the Employment Tribunals Regulations" substitute "in accordance with rule 9(1)(a) of the Employment Tribunal Procedure Rules 2024".

Amendment to the Control of Major Accident Hazards Regulations 2015

7.—(1) The Control of Major Accident Hazards Regulations 2015(**b**) are amended as follows.

(2) In regulation 23(6) (prohibition of operation), for ", regulation 13(1) of, and Schedule 1 to, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013" substitute "the Employment Tribunal Procedure Rules 2024".

Nic Dakin
Parliamentary Under Secretary of State
Ministry of Justice

2nd December 2024

(**a**) S.I. 2014/254, to which there are amendments not relevant to this instrument.
(**b**) S.I. 2015/483, to which there are amendments not relevant to this instrument.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations primarily amend the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (S.I. 2013/1237) ("the 2013 Regulations") to facilitate the coming into force of the Employment Tribunal Procedure Rules 2024 (S.I. 2024/1155) ("the Procedure Rules"), which replace the rules of procedure that apply to proceedings before employment tribunals.

Regulation 4 revokes those parts of the 2013 Regulations that contain procedural provisions, including revoking the procedure rules contained in Schedules 1 to 3 to the 2013 Regulations. In addition, regulation 4 inserts two new regulations to provide the time limits that apply for presenting an appeal to an employment tribunal in respect of notices given under the Health and Safety at Work etc. Act 1974 (c. 37) and the Energy Act 2013 (c. 32). These time limits are currently prescribed in rules 105(1) and 105A(1) respectively of Schedule 1 to the 2013 Regulations, and are resituated by regulation 4 into the body of the 2013 Regulations so as to survive the general revocation of Schedule 1.

Furthermore, regulations 2, 3, and 5 to 7 make amendments to a number of other statutory instruments in order to update references from the 2013 Regulations to the Procedure Rules as appropriate.

An impact assessment has not been produced for this instrument as no significant impact on the private, voluntary or public sectors is foreseen.

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