



Employment Tribunals Act 1996

1996 CHAPTER 17

PART II

THE EMPLOYMENT APPEAL TRIBUNAL

Jurisdiction

21 Jurisdiction of Appeal Tribunal.

- (1) An appeal lies to the Appeal Tribunal on any question of law arising from any decision of, or arising in any proceedings before, an [^{F1}employment tribunal] under or by virtue of—
- ^{F2}(a)
 - ^{F2}(b)
 - ^{F2}(c)
 - (d) ^{M1} the Trade Union and Labour Relations (Consolidation) Act 1992,
 - ^{F3}(e)
 - (f) ^{M2} the Employment Rights Act 1996 ^{F4}[^{F5} . . .
[^{F6}]
 - (fg)
 - [^{F7}(g) this Act,
(ga) the National Minimum Wage Act 1998,
(gb) the Employment Relations Act 1999,
^{F8}(gc) the Equality Act 2006,
^{F9}(gd) the Pensions Act 2008,
^{F10}(ge) the Equality Act 2010,
^{F11}(h) the Working Time Regulations 1998, ^{F12} . . .
(i) the Transnational Information and Consultation of Employees Regulations 1999]^{F13}[^{F14} . . .
(j) the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000]^{F15}[^{F16} . . .

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- (k) the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002]^{F17}[^{F18} . . .
 - (l) ^{F19}]
 - [^{F20}(m) ^{F21}]
 - [^{F22}(n) the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003]^{F23}[^{F24} . . .
 - (o) the European Public Limited-Liability Company Regulations 2004]
 - [^{F25}[^{F26}(p) the Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004]^{F27}[^{F28} . . .
 - (q) the Information and Consultation of Employees Regulations 2004][^{F29}, ^{F30} . . .
 - (r) the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006]^{F31}[^{F32} . . .
 - (s) ^{F33}]
 - [^{F34}(t) the European Cooperative Society (Involvement of Employees) Regulations 2006]^{F35} . . .
 - ^{F36}(u)
 - [^{F37}(v) the Cross-border Railway Services (Working Time) Regulations 2008][^{F38}, ^{F39} . . .
 - (w) the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009(S.I. 2009/2401).][^{F40}, ^{F41} . . .
 - (x) the Employment Relations Act 1999 (Blacklists) Regulations 2010.][^{F42}, ^{F43} . . .
 - (y) the Agency Workers Regulations 2010.][^{F44}, or]
 - [^{F45}(z) the Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018 (S.I. 2018/58).]
- (2) No appeal shall lie except to the Appeal Tribunal from any decision of an [^{F1}employment tribunal] under or by virtue of the Acts listed [^{F46}or the Regulations referred to] in subsection (1).
- (3) Subsection (1) does not affect any provision contained in, or made under, any Act which provides for an appeal to lie to the Appeal Tribunal (whether from an [^{F1}employment tribunal], the Certification Officer or any other person or body) otherwise than on a question to which that subsection applies.
- [^{F47}(4) The Appeal Tribunal also has any jurisdiction in respect of matters other than appeals which is conferred on it by or under—
- (a) the Trade Union and Labour Relations (Consolidation) Act 1992,
 - (b) this Act, or
 - (c) any other Act.]

Textual Amendments

- F1** Words in s. 21 substituted (1.8.1998) by 1998 c. 8, s. 1(2)(a) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1
- F2** S. 21(1)(a)(b)(c) repealed by Equality Act 2010 (c. 15), Sch. 26 Pt. 1 para. 32(a), Sch. 27 Pt 1 (as amended) (1.10.2010) by S.I. 2010/2279, art. 1(2), Sch. 1 para. 5, Sch. 2 (see S.I. 2010/2317, art. 2)
- F3** S. 21(1)(e) repealed by Equality Act 2010 (c. 15), Sch. 26 Pt. 1 para. 32(a), Sch. 27 Pt 1 (as amended) (1.10.2010) by S.I. 2010/2279, art. 1(2), Sch. 1 para. 5, Sch. 2 (see S.I. 2010/2317, art. 2)

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- F4** Word at the end of s. 21(1)(f) repealed (1.11.1998) by 1998 c. 39, s. 53, **Sch. 3** (with s. 36); S.I. 1998/2574, art. 2(1), **Sch. 1**
- F5** S. 21(1)(g) and word “or” immediately preceding inserted (*retrospectively*) by 1998 c. 8, ss. 15, 17(3), **Sch. 1 para. 17(1)(2)**
- F6** S. 21(1)(fg) inserted (5.10.1999) by 1999 c. 10, ss. 7, 19(4), 20(2), Sch. 3 para. 5, Sch. 6 and repealed (6.4.2003) by 2002 c. 21, ss. 60, 61, Sch. 6; S.I. 2003/962, **art. 2(3)(e)**, Sch. 1 (subject to arts. 3, 4)
- F7** S. 21(1)(g)(ga)(gb) substituted (1.10.2004) for s. 21(1)(ff)(g) by Employment Relations Act 2004 (c. 24), **ss. 38, 59**; S.I. 2004/2566, **art. 3(a)**
- F8** S. 21(1)(gc) inserted (30.4.2007) by Equality Act 2006 (c. 3), ss. 40, 93, **Sch. 3 para. 57**; S.I. 2007/1092, **art. 2(e)**
- F9** S. 21(1)(gd) inserted (30.6.2012) by Pensions Act 2008 (c. 30), **ss. 59, 149(1)**; S.I. 2012/1682, art. 2, Sch. 2
- F10** S. 21(1)(ge) inserted by Equality Act 2010 (c. 15), Sch. 26 Pt. 1 para. 32(b) (as amended) (1.10.2010) by S.I. 2010/2279, art. 1(2), **Sch. 1 para. 5** (see S.I. 2010/2317, art. 2)
- F11** S. 21(1)(h)(i) substituted (15.1.2000) for words at the end of subsection (1) by S.I. 1999/3323, **reg. 35(3)**
- F12** Word at the end of s. 21(1)(h) omitted (1.7.2000) by virtue of S.I. 2000/1551, **reg. 10, Sch. para. 1(b)(i)**
- F13** Word at the end of s. 21(1)(i) omitted (1.10.2002) by virtue of S.I. 2002/2034, **reg. 11 Sch. 2 para. 2(b)(i)**
- F14** S. 21(1)(j) and word “or” immediately preceding it inserted (1.7.2000) by S.I. 2000/1551, **reg. 10, Sch. para. 1(b)(ii)**
- F15** Word at the end of s. 21(1)(j) omitted (1.12.2003) by virtue of The Employment Equality (Sexual Orientation) Regulations 2003 (S.I. 2003/1661), **reg. 39, Sch. 5 para. 1(b)(i)**
- F16** S. 21(1)(k) inserted (1.10.2002) by S.I. 2002/2034, **reg. 11 Sch. 2 para. 2(b)(ii)**
- F17** Word at the end of s. 21(1)(k) omitted (2.12.2003) by virtue of The Employment Equality (Religion or Belief) Regulations 2003 (S.I. 2003/1660), **reg. 39(2), Sch. 5 para. 1(b)(i)**
- F18** S. 21(1)(l) and preceding word inserted (1.12.2003) by The Employment Equality (Sexual Orientation) Regulations 2003 (S.I. 2003/1661), **reg. 39, Sch. 5 para. 1(b)(ii)**
- F19** S. 21(1)(l) repealed by Equality Act 2010 (c. 15), Sch. 26 Pt. 1 para. 32(a), Sch. 27 Pt 1 (as amended) (1.10.2010) by S.I. 2010/2279, art. 1(2), Sch. 1 para. 5, **Sch. 2** (see S.I. 2010/2317, art. 2)
- F20** S. 21(1)(m) and preceding word inserted (2.12.2003) by The Employment Equality (Religion or Belief) Regulations 2003 (S.I. 2003/1660), **reg. 39(2), Sch. 5 para. 1(b)(ii)**
- F21** S. 21(1)(m) repealed by Equality Act 2010 (c. 15), Sch. 26 Pt. 1 para. 32(a), Sch. 27 Pt 1 (as amended) (1.10.2010) by S.I. 2010/2279, art. 1(2), Sch. 1 para. 5, **Sch. 2** (see S.I. 2010/2317, art. 2)
- F22** S. 21(1)(n) inserted (24.12.2003) by The Merchant Shipping (Working Time: Inland Waterways) Regulations 2003 (S.I. 2003/3049), **reg. 20, Sch. 2 para. 2(3)**
- F23** Word at the end of s. 21(1)(n) repealed (6.4.2005) by The Information and Consultation of Employees Regulations 2004 (S.I. 2004/3426), **reg. 37(a)** (with reg. 3)
- F24** S. 21(1)(o) and preceding word inserted (8.10.2004) by The European Public Limited-Liability Company Regulations 2004 (S.I. 2004/2326), **reg. 49**
- F25** S. 21(1)(o) inserted (16.8.2004) by The Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004 (S.I. 2004/1713), **reg. 22, Sch. 2 para.1(3)**
- F26** S. 21(1)(o) renumbered (6.4.2005) as s. 21(1)(p) by virtue of The Information and Consultation of Employees Regulations 2004 (S.I. 2004/3426), **reg. 37(b)** (with reg. 3)
- F27** Word at the end of s. 21(1)(p) omitted (6.4.2006) by virtue of The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 (S.I. 2006/349), **reg. 17, Sch. para. 10(a)** (with reg. 3)
- F28** S. 21(1)(q) and preceding word inserted (6.4.2004) by The Information and Consultation of Employees Regulations 2004 (S.I. 2004/3426), **reg. 37(c)** (with reg. 3)
- F29** S. 21(1)(r) and preceding word inserted (6.4.2006) by The Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 (S.I. 2006/349), **reg. 17, Sch. para. 10(b)** (with reg. 3)

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- F30** Word at the end of s. 21(1)(q) omitted (1.10.2006) by virtue of The Employment Equality (Age) Regulations 2006 (S.I. 2006/1031), reg. 49(1), **Sch. 8 para. 20(2)** (with reg. 44)
- F31** Word at the end of s. 21(1)(r) omitted (18.8.2006) by virtue of The European Cooperative Society (Involvement of Employees) Regulations 2006 (S.I. 2006/2059), **reg. 38(a)**
- F32** S. 21(1)(s) and preceding word inserted (1.10.2006) by The Employment Equality (Age) Regulations 2006 (S.I. 2006/1031), reg. 49(1), **Sch. 8 para. 20(3)** (with reg. 44)
- F33** S. 21(1)(s) repealed by Equality Act 2010 (c. 15), Sch. 26 Pt. 1 para. 32(a), Sch. 27 Pt 1 (as amended) (1.10.2010) by S.I. 2010/2279, art. 1(2), Sch. 1 para. 5, **Sch. 2** (see S.I. 2010/2317, art. 2)
- F34** S. 21(1)(t) and preceding word inserted (18.8.2006) by The European Cooperative Society (Involvement of Employees) Regulations 2006 (S.I. 2006/2059), **reg. 38(b)**
- F35** Word in s. 21(1)(t) omitted (27.7.2008) by virtue of The Cross-border Railway Services (Working Time) Regulations 2008 (S.I. 2008/1660), reg. 1(1), **Sch. 3 para. 1(b)(i)**
- F36** S. 21(1)(u) omitted (31.12.2020) by virtue of The Companies, Limited Liability Partnerships and Partnerships (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/348), reg. 2, **Sch. 3 para. 4**; 2020 c. 1, Sch. 5 para. 1(1)
- F37** S. 21(1)(v) and word inserted (27.7.2008) by The Cross-border Railway Services (Working Time) Regulations 2008 (S.I. 2008/1660), reg. 1(1), **Sch. 3 para. 1(b)(ii)**
- F38** S. 21(1)(w) and word inserted (1.10.2009) by The European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009 (S.I. 2009/2401), regs. 1(2), **36** (with regs. 4, 41)
- F39** Word in s. 21(1)(v) omitted (2.3.2010) by virtue of The Employment Relations Act 1999 (Blacklists) Regulations 2010 (S.I. 2010/493), regs. 1(b), **17(5)(a)**
- F40** S. 21(1)(x) and word inserted (2.3.2010) by The Employment Relations Act 1999 (Blacklists) Regulations 2010 (S.I. 2010/493), regs. 1(b), **17(5)(b)**
- F41** Word in s. 21(1)(w) omitted (1.10.2011) by virtue of The Agency Workers Regulations 2010 (S.I. 2010/93), reg. 1(1), **Sch. 2 para. 8(b)(i)**
- F42** S. 21(1)(y) and word inserted (1.10.2011) by The Agency Workers Regulations 2010 (S.I. 2010/93), reg. 1(1), **Sch. 2 para. 8(b)(ii)**
- F43** Word in s. 21(1)(x) omitted (17.3.2014) by virtue of The Merchant Shipping (Maritime Labour Convention) (Hours of Work) (Amendment) Regulations 2014 (S.I. 2014/308), reg. 1(2), **Sch. para. 1(3)(a)**
- F44** Word in s. 21(1)(y) inserted (17.3.2014) by The Merchant Shipping (Maritime Labour Convention) (Hours of Work) (Amendment) Regulations 2014 (S.I. 2014/308), reg. 1(2), **Sch. para. 1(3)(b)**
- F45** S. 21(1)(z) substituted (6.4.2018) by The Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018 (S.I. 2018/58), reg. 1, **Sch. 2 para. 1(b)** (with regs. 3, 4)
- F46** Words in s. 21(2) inserted (1.10.1998) by S.I. 1998/1833, **reg. 34(b)**
- F47** S. 21(4) inserted (1.8.1998) by 1998 c. 8, s. 15, **Sch. 1 para. 17(3)**; S.I. 1998/1658, art. 2(1), **Sch. 1**

Marginal Citations

- M1** 1992 c.52
- M2** 1996 c.18

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7A(2F) inserted by [2022 c. 35 Sch. 4 para. 1\(2\)](#)
- s. 7B(A1) inserted by [2022 c. 35 Sch. 5 para. 4\(2\)](#)
- s. 9(2ZA) inserted by [2022 c. 35 Sch. 5 para. 5\(5\)](#)
- s. 9(5) inserted by [2022 c. 35 Sch. 5 para. 5\(9\)](#)
- s. 10(10) inserted by [2022 c. 35 Sch. 5 para. 6\(4\)](#)
- s. 29A(11) inserted by [2022 c. 35 Sch. 4 para. 1\(3\)](#)
- s. 30A inserted by [2022 c. 35 Sch. 5 para. 19](#)
- s. 37QA and cross-heading inserted by [2022 c. 35 s. 34\(4\)](#)
- s. 37QB inserted by [2022 c. 35 Sch. 5 para. 24](#)
- Sch. A1 para. 21A inserted by [2022 c. 35 Sch. 4 para. 1\(4\)](#)
- Sch. A1 inserted by [2022 c. 35 Sch. 5 para. 1](#)