



Employment Tribunals Act 1996

1996 CHAPTER 17

PART II

THE EMPLOYMENT APPEAL TRIBUNAL

Procedure

[^{F1}34 **Costs and expenses**

- (1) Appeal Tribunal procedure rules may include provision for the award of costs or expenses.
- (2) Rules under subsection (1) may include provision authorising the Appeal Tribunal to have regard to a person's ability to pay when considering the making of an award against him under such rules.
- (3) Appeal Tribunal procedure rules may include provision for authorising the Appeal Tribunal—
 - (a) to disallow all or part of the costs or expenses of a representative of a party to proceedings before it by reason of that representative's conduct of the proceedings;
 - (b) to order a representative of a party to proceedings before it to meet all or part of the costs or expenses incurred by a party by reason of the representative's conduct of the proceedings.
- (4) Appeal Tribunal procedure rules may also include provision for taxing or otherwise settling the costs or expenses referred to in subsection (1) or (3)(b) (and, in particular in England and Wales, for enabling the amount of such costs to be assessed by way of detailed assessment in the High Court).]

Textual Amendments

F1 S. 34 substituted (9.7.2004) by [2002 c. 22, ss. 23, 55\(2\)](#); [S.I. 2004/1717](#), [art. 2\(1\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Tribunals Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 34(1) substituted by [2022 c. 35 Sch. 5 para. 22\(2\)](#)
- s. 34(2) words substituted by [2022 c. 35 Sch. 5 para. 22\(3\)](#)
- s. 34(3) words substituted by [2022 c. 35 Sch. 5 para. 22\(4\)](#)
- s. 34(4) words substituted by [2022 c. 35 Sch. 5 para. 22\(5\)](#)

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](#)