



Equality Act 2010

2010 CHAPTER 15

PART 9

ENFORCEMENT

CHAPTER 4

EQUALITY OF TERMS

128 **References by court to tribunal, etc.**

- (1) If it appears to a court in which proceedings are pending that a claim or counter-claim relating to an equality clause or rule could more conveniently be determined by an employment tribunal, the court may strike out the claim or counter-claim.
- (2) If in proceedings before a court a question arises about an equality clause or rule, the court may (whether or not on an application by a party to the proceedings)—
 - (a) refer the question, or direct that it be referred by a party to the proceedings, to an employment tribunal for determination, and
 - (b) stay or sist the proceedings in the meantime.