



Equality Act 2010

2010 CHAPTER 15

PART 9

ENFORCEMENT

CHAPTER 5

MISCELLANEOUS

140 Conduct giving rise to separate proceedings

- (1) This section applies in relation to conduct which has given rise to two or more separate proceedings under this Act, with at least one being for a contravention of section 111 (instructing, causing or inducing contraventions).
- (2) A court may transfer proceedings to an employment tribunal.
- (3) An employment tribunal may transfer proceedings to a court.
- (4) A court or employment tribunal is to be taken for the purposes of this Part to have jurisdiction to determine a claim or complaint transferred to it under this section; accordingly—
 - (a) a reference to a claim within section 114(1) includes a reference to a claim transferred to a court under this section, and
 - (b) a reference to a complaint within section 120(1) includes a reference to a complaint transferred to an employment tribunal under this section.
- (5) A court or employment tribunal may not make a decision that is inconsistent with an earlier decision in proceedings arising out of the conduct.
- (6) “Court” means—
 - (a) in relation to proceedings in England and Wales, a county court;
 - (b) in relation to proceedings in Scotland, the sheriff.