

SCHEDULE 8

Consequential etc. provisions

The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(1)

5.—(1) Schedule 1 to those Regulations (The Employment Tribunals Rules of Procedure) is amended as follows.

(2) In rule 50(1), for sub-paragraph (b)(2) substitute the following—

“(b) proceedings under the Equality Act in which evidence of a personal nature is likely to be heard by the tribunal or an Employment Judge—

- (i) on a complaint relating to a contravention of Part 5 so far as relating to disability;
- (ii) on a complaint relating to a contravention of section 112 that relates to Part 5 so far as relating to disability.”

(3) In rule 50(2)(3), for “Disability Discrimination Act” substitute “Equality Act”.

(4) In rule 52(4), for “section 6(4A)(5) of the Sex Discrimination Act 1986” substitute “section 146(1) of the Equality Act so far as relating to sex, gender reassignment, marriage and civil partnership or pregnancy and maternity”.

(5) In rule 61(8)(6), for “Equal Pay Act, the Sex Discrimination Act, the Sex Discrimination Act 1986, the Race Relations Act or the Disability Discrimination Act”, substitute “Equality Act of the kind referred to in paragraph (9)”.

(6) After paragraph (8), insert the following paragraph—

“(9) The proceedings referred to in paragraph (8) are—

- (a) proceedings on a complaint relating to a breach of an equality clause or rule within the meaning of the Equality Act;
- (b) proceedings on a complaint relating to a contravention of that Act so far as relating to sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race or disability;
- (c) proceedings on a complaint under section 146(1) of that Act so far as relating to sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race or disability.”

(1) [S.I. 2004/1861](#).

(2) Rule 50(1)(b) was amended by [S.I. 2008/2683](#).

(3) Rule 50(2) was amended by [S.I. 2008/2683](#).

(4) Rule 52 was amended by [S.I. 2008/2683](#).

(5) Subsection (4A) was inserted by the Trade Union Reform and Employment Rights Act [1993 \(c.19\)](#), section 32 and amended by the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a).

(6) Rule 61(8) was substituted by [S.I. 2007/2602](#).