

SCHEDULE 8

Consequential etc. provisions

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

6.—(1) Schedule 6 to those Regulations (The Employment Tribunals (Equal Value) Rules of Procedure)(2) is amended as follows.

(2) In rule 2(1)—

(a) in the definition of “comparator”, omit “as described in section 1(2)(c) of the Equal Pay Act”;

(b) omit the definition of “Equal Pay Act”;

(c) for the definition of “equal value claim” substitute—

““equal value claim” means a claim relating to a breach of a sex equality clause or rule within the meaning of the Equality Act in a case involving work within section 65(1)(c) of that Act;”;

(d) in the definition of “independent expert”, for “section 2A(4) of the Equal Pay Act” substitute “section 131(8) of the Equality Act”;

(e) in the definition of “the question”, omit “as described in section 1(2)(c) of the Equal Pay Act”;

(f) in the definition of “report”, for “section 2A(1)(b) of the Equal Pay Act” substitute “section 131(2) of the Equality Act”.

(3) After rule 2(3), insert the following—

“(4) A reference in this Schedule to one person’s work being of equal value to another’s is to be construed in accordance with section 65(6) of the Equality Act.”.

(4) In rule 4(1), for “any work is of equal value as mentioned in section 1(2)(c) of the Equal Pay Act” substitute “one person’s work is of equal value to another’s”.

(5) In rule 4(3)(a)(3)—

(a) for “section 2A(2) of the Equal Pay Act” substitute “section 131(6) of the Equality Act”;

(b) for “section 2A(2A) of that Act” substitute “that section”.

(6) In rule 4(3)(b), for “section 2A(1) of the Equal Pay Act” substitute “section 131(2) of the Equality Act”.

(7) In rule 4(4)(4), for “section 2A(2A) of the Equal Pay Act” substitute “section 131(6) of the Equality Act”.

(8) In rule 4(5), for “section 1(3) of the Equal Pay Act (defence of a genuine material factor)” substitute “section 69 of the Equality Act (defence of material factor)”.

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

(2) Schedule 6 was inserted by [S.I. 2004/2351](#).

(3) Rule 4(3) was amended by [S.I. 2008/3240](#).

(4) Rule 4(4) was amended by [S.I. 2008/3240](#).