
STATUTORY INSTRUMENTS

2019 No. 469

**EXITING THE EUROPEAN UNION
MEDIATION**

**The Cross-Border Mediation (EU
Directive) (EU Exit) Regulations 2019**

Made - - - - 1st March 2019

Coming into force in accordance with regulation 1(1)

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 ^{M1}.

In accordance with paragraph 1(3) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Marginal Citations

M1 2018 c. 16.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019 and come into force on exit day.

(2) Any amendment [^{F1}or revocation] made by these Regulations has the same extent as the provision amended [^{F2}or revoked] .

F1 Words in reg. 1(2) substituted (31.12.2020 immediately before IP completion day) by [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), [4\(2\)\(a\)](#)

F2 Words in reg. 1(2) substituted (31.12.2020 immediately before IP completion day) by [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), [4\(2\)\(b\)](#)

Commencement Information

I1 Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

Revocation^{F3}... of the Cross-Border Mediation (EU Directive) Regulations 2011

2.—(1) The Cross-Border Mediation (EU Directive) Regulations 2011^{M2} are revoked.

^{F4}(2)

^{F5}(3)

^{F6}(4)

F3 Words in reg. 2 heading omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(3)(a)**

F4 Reg. 2(2) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(3)(b)**

F5 Reg. 2(3) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(3)(b)**

F6 Reg. 2(4) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(3)(b)**

Commencement Information

I2 Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M2 [S.I. 2011/1133](#).

Revocation^{F7}... of the Cross-Border Mediation Regulations (Northern Ireland) 2011

3.—(1) The Cross-Border Mediation Regulations (Northern Ireland) 2011^{M3} (“the Northern Ireland 2011 Regulations”) are revoked.

^{F8}(2)

^{F9}(3)

^{F10}(4)

F7 Words in reg. 3 heading omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(4)(a)**

F8 Reg. 3(2) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(4)(b)**

F9 Reg. 3(3) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(4)(b)**

F10 Reg. 3(4) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(4)(b)**

Commencement Information

I3 Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M3 [S.R. 2011/157](#).

Amendment of enactments specified in Schedule 1

4. Schedule 1 contains amendments to enactments.

Commencement Information

- I4** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

[^{F11}**Saving: application of Article 69 of the withdrawal agreement – mediations begun before IP completion day**]

[^{F11}**5.** Nothing in these Regulations affects the application of paragraph 1(b) of Article 69 of the withdrawal agreement and legislation amended or revoked by these Regulations continues to have effect for the purposes of that paragraph as if the amendments or revocations had not been made.]

- F11** Reg. 5 substituted (31.12.2020 immediately before IP completion day) by [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(5)**

Commencement Information

- I5** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Ministry of Justice

Lucy Frazer
Parliamentary Under Secretary of State

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

SCHEDULE 1

Regulation 4

PART 1

Amendment of primary legislation

1. In the Prescription Act 1832 ^{M4}, omit section 8A (exclusion of time because of mediation in certain cross-border disputes).

Commencement Information

I6 Sch. 1 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M4 1832 c. 71. Section 8A was inserted by **S.I. 2011/1133**.

2.—(1) The Land Registration Act (Northern Ireland) 1970 ^{M5} is amended as follows.

(2) In Schedule 9 (compensation payable under the Act)—

- (a) in paragraph 4(1), omit “and paragraph 4A”;
- (b) omit paragraph 4A.

Commencement Information

I7 Sch. 1 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M5 1970 c. 18. Schedule 9 was amended by **S.R. 2011/157**. There are other amendments to Schedule 9 which are not relevant for the purpose of these Regulations.

3.—(1) The Equal Pay Act (Northern Ireland) 1970 ^{M6} is amended as follows.

(2) In section 2ZA, in subsections (3) to (6) (“qualifying date” under section 2(4)), omit “, subject to section 2ZAA,” each time it occurs.

(3) Omit section 2ZAA (extension of time limit: mediation).

Commencement Information

I8 Sch. 1 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M6 1970 c. 32. Section 2ZA was inserted by **S.R. 2004/171**, and amended by **S.R. 2011/157**. Section 2ZAA was also inserted by **S.R. 2011/157**.

4.—(1) The Prescription and Limitation (Scotland) Act 1973 ^{M7} is amended as follows.

(2) In section 22A (ten years' prescription of obligations), omit subsections (5), (6), (7) and (8).

- (3) Omit section 22CB (extension of limitation period 1987 Act actions: mediation).

Commencement Information

I9 Sch. 1 para. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M7 [1973 c. 52](#). Section 22A was inserted by paragraph 1 of Schedule 10 to the [Consumer Protection Act 1987 \(c. 43\)](#) and amended by paragraph 6(3) of Schedule 8 to the [Bankruptcy \(Scotland\) Act 2016 \(asp 21\)](#), [section 23\(5\)](#) of the [Arbitration \(Scotland\) Act 2010 \(asp 1\)](#), and [S.I. 2011/1133](#). Section 22CB was also inserted by [S.I. 2011/1133](#).

5.—(1) The Sex Discrimination (Northern Ireland) Order 1976 ^{M8} is amended as follows.

(2) In Article 76 (period within which proceedings to be brought)—

(a) in paragraphs (1), (3) and (4), for “Subject to Article 76A, an industrial tribunal” substitute “An industrial tribunal”;

(b) in paragraph (2), for “Subject to Article 76A, a county court” substitute “A county court”.

(3) Omit Article 76A (extension of time limit: mediation).

Commencement Information

I10 Sch. 1 para. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M8 [S.I. 1976/1042 \(N.I. 15\)](#). Article 76 was amended, and Article 76A inserted, by [S.R. 2011/157](#).

6.—(1) The Matrimonial Causes (Northern Ireland) Order 1978 ^{M9} is amended as follows.

(2) In Article 55 (extension of section 17 of Married Women's Property Act 1882) omit “, subject to Article 55A, ”.

(3) Omit Article 55A (extension of time limit: mediation).

Commencement Information

I11 Sch. 1 para. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M9 [S.I. 1978/1045 \(N.I. 15\)](#); Article 55 was amended, and Article 55A inserted, by [S.R. 2011/157](#).

7.—(1) The Limitation Act 1980 ^{M10} is amended as follows.

(2) In section 10(5) (special time limit for claiming contribution), omit “, 33A”.

(3) In section 12(3) (special time limit for actions under Fatal Accidents legislation), omit “, 33A”.

(4) Omit section 33A (extension of time limits because of mediation in certain cross-border disputes).

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I12 Sch. 1 para. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M10 [1980 c. 58](#). Section 10(5) was amended by [S.I. 2011/1133](#); that S.I. also amended section 12(3) and inserted section 33A. Section 12 was also amended by paragraph 2 of Schedule 1 to the [Consumer Protection Act 1987 \(c. 43\)](#), and [S.I. 2015/1392](#).

- 8.—(1)** The Domestic Proceedings (Northern Ireland) Order 1980 ^{M11} is amended as follows.
- (2) In Article 35 (time limits for applications), omit “, and subject to Article 35A.”.
- (3) Omit Article 35A (extension of time: mediation).

Commencement Information

I13 Sch. 1 para. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M11 [S.I. 1980/563 \(N.I. 5\)](#). Article 35 was amended by [S.R. 2011/157](#), and Article 35A was inserted by the same instrument.

- 9.—(1)** The Magistrates' Courts (Northern Ireland) Order 1981 ^{M12} is amended as follows.
- (2) In Article 63(1) (time within which debt proceedings may be commenced) omit “and Article 63A”.
- (3) Omit Article 63A (extension of time limit: mediation).

Commencement Information

I14 Sch. 1 para. 9 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M12 [S.I. 1981/1675 \(N.I. 26\)](#). Article 63 was amended by [S.R. 2011/157](#), and Article 63A was inserted by the same instrument.

- 10.—(1)** The Foreign Limitation Periods Act 1984 ^{M13} is amended as follows.
- (2) In section 1(1)(a) (application of foreign limitation law), for “sections 1A and 1B” substitute “section 1B”.
- (3) Omit section 1A (extension of limitation periods because of mediation of certain cross-border disputes).

Commencement Information

I15 Sch. 1 para. 10 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M13 1984 c. 16. Section 1 was amended by [S.I. 2011/1133](#) and [S.I. 2015/1392](#). Section 1A was also inserted by [S.I. 2011/1133](#).

11. In the Limitation (Northern Ireland) Order 1989 ^{M14}, omit Article 51A (extension of time limits: mediation).

Commencement Information

I16 Sch. 1 para. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M14 [S.I. 1989/1339 \(N.I. 11\)](#). Article 51A was inserted by [S.R. 2011/157](#).

- 12.**—(1) The Employment Rights Act 1996 ^{M15} is amended as follows.
- (2) In section 11 (references to employment tribunals), omit subsection (5) ^{M16}.
- (3) In section 23 (complaints to employment tribunals), for subsection (3A) ^{M17} substitute—
“(3A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2).”
- (4) In section 34 (complaints to employment tribunals), for subsection (2A) ^{M18} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”
- (5) In section 48 (complaints to employment tribunals), for subsection (4A) ^{M19} substitute—
“(4A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (3)(a).”
- (6) In section 51 (complaints to employment tribunals), for subsection (2A) ^{M20} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”
- (7) In section 54 (complaints to employment tribunals), for subsection (2A) ^{M21} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”
- (8) In section 57 (complaints to employment tribunals), for subsection (2A) ^{M22} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”
- (9) In section 57ZC (complaint to employment tribunal: agency workers) ^{M23}, for subsection (3A) substitute—
“(3A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (3)(a).”
- (10) In section 57ZF (complaint to employment tribunal) for subsection (3) ^{M24} substitute—
“(3) Section 207B applies for the purposes of subsection (2)(a).”
- (11) In section 57ZH (complaint to employment tribunal: agency workers), for subsection (4) ^{M25} substitute—

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

- “(4) Section 207B applies for the purposes of subsection (3)(a).”.
- (12) In section 57ZM (complaint to employment tribunal), for subsection (3) ^{M26} substitute—
“(3) Section 207B applies for the purposes of subsection (2)(a).”.
- (13) In section 57ZQ (complaint to employment tribunal: agency workers), for subsection (4) ^{M27} substitute—
“(4) Section 207B applies for the purposes of subsection (3)(a).”.
- (14) In section 57B (complaint to employment tribunal), for subsection (2A) ^{M28} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”.
- (15) In section 60 (complaints to employment tribunals), for subsection (2A) ^{M29} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”.
- (16) In section 63 (complaints to employment tribunals) for subsection (2A) ^{M30} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”.
- (17) In section 63C (complaints to employment tribunals) for subsection (2A) ^{M31}, substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”.
- (18) In section 63I (complaints to employment tribunals), for subsection (7) ^{M32} substitute—
“(7) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies to subsection (5)(a).”.
- (19) In section 70 (complaints to employment tribunals), for subsection (8) ^{M33} substitute—
“(8) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsections (2)(a) and (5)(a).”.
- (20) In section 70A (complaints to employment tribunals: agency workers), for subsection (7A) ^{M34} substitute—
“(7A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsections (2)(a) and (5)(a).”.
- (21) In section 80 (complaints to employment tribunals), for subsection (2A) ^{M35} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) apply] for the purposes of subsection (2)(a).”.
- (22) In section 80H (complaints to employment tribunals), for subsection (7) ^{M36} substitute—
“(7) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (5)(a).”.
- (23) In section 111 (complaints to employment tribunals), for subsection (2A) ^{M37} substitute—
“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of subsection (2)(a).”.
- (24) In section 164 (claims for redundancy payment), omit subsection (4) ^{M38}.
- (25) Omit section 207A (extension of time limits because of mediation in certain cross-border disputes) ^{M39}.
- (26) In section 207B(1) (extension of time limits to facilitate conciliation before institution of proceedings) ^{M40}, omit from “But it does not apply” to the end.

Commencement Information

- I17** Sch. 1 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

- M15** 1996 c. 18.
- M16** Section 11 was amended by section 1 of the [Employment Rights \(Dispute Resolution\) Act 1998 \(c. 8\)](#) (“the 1998 Act”), paragraph 16 of Schedule 2 to the [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#) (“the 2013 Act”), paragraph 68 of Schedule 13 to the [Pensions Act 2014 \(c. 19\)](#), **S.I. 2011/1133**, **S.I. 2014/431** and 2018/529.
- M17** Section 23 was amended by section 1 of, and paragraph 18 of Schedule 1 to, the 1998 Act, paragraph 17 of Schedule 2 to the 2013 Act, section 129(2) of the [Children and Families Act 2014 \(c. 6\)](#), **S.I. 2011/1133** and 2014/3322.
- M18** Section 34 was amended by section 1 of the 1998 Act, paragraph 18 of Schedule 2 to the 2013 Act and **S.I. 2011/1133**.
- M19** Section 48 was amended by section 1 of the 1998 Act, section 3 of the [Public Interest Disclosure Act 1998 \(c. 23\)](#), **paragraph 11** of Schedule 3 to the [Teaching and Higher Education Act 1998 \(c. 30\)](#), **paragraph 1** of Schedule 1 to the [Tax Credits Act 2001 \(c. 21\)](#), **section 40(2)** of the [Employment Relations Act 2004 \(c. 24\)](#), **paragraph 2** of Schedule 1 to the [Apprenticeship, Skills, Children and Learning Act 2009 \(c. 22\)](#) (“the 2009 Act”), section 31(3) of the [Growth and Infrastructure Act 2013 \(c. 27\)](#), **section 19(2)** of, and paragraphs 18 and 19 of Schedule 2 to, the 2013 Act, section 129(2) of the [Children and Families Act 2014 \(c. 6\)](#) (“the 2014 Act”), paragraph 5 of Schedule 8 to the [Enterprise Act 2016 \(c. 12\)](#), **S.I. 1998/1833**, and **S.I. 2011/1133**.
- M20** Section 51 was amended by section 1 of the 1998 Act, paragraph 20 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M21** Section 54 was amended by section 1 of the 1998 Act, paragraph 21 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M22** Section 57 was amended by section 1 of the 1998 Act, paragraph 22 of Schedule 2 to the 2013 Act, section 130(1) of the 2014 Act, and **S.I. 2011/1133**.
- M23** Section 57ZC was inserted by **S.I. 2010/93**, and amended by paragraph 23 of Schedule 2 to the 2013 Act, and section 130(2) of the 2014 Act.
- M24** Section 57ZF was inserted by section 127(1) of the 2014 Act.
- M25** Section 57ZH was inserted by section 127(1) of the 2014 Act.
- M26** Section 57ZM was inserted by section 128(1) of the 2014 Act.
- M27** Section 57ZQ was inserted by section 128(1) of the 2014 Act.
- M28** Section 57B was inserted by Part 2 of Schedule 4 to the [Employment Relations Act 1999 \(c. 26\)](#) (“the 1999 Act”), paragraph 24 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M29** Section 60 was amended by section 1(2) of the 1998 Act, paragraph 25 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M30** Section 63 was amended by section 1(2) of the 1998 Act, paragraph 26 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M31** Section 63C was inserted by section 33 of the [Teaching and Higher Education Act 1998 \(c. 30\)](#), and amended by paragraph 27 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M32** Section 63I was inserted by section 40 of the 2009 Act, amended by paragraph 28 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M33** Section 70 was amended by section 1(2) of the 1998 Act, paragraph 29 of Schedule 2 to the 2013 Act, and **S.I. 2011/1133**.
- M34** Section 70A was inserted by **S.I. 2010/93** and amended by paragraph 30 of Schedule 2 to the 2013 Act.
- M35** Section 80 was amended by Part 1 of Schedule 4 to the 1999 Act, paragraph 31 of Schedule 2 to the 2013 Act and **S.I. 2011/1133**.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

- M36** Section 80H was inserted by section 47 of the [Employment Act 2002 \(c. 22\)](#) (“the 2002 Act”), amended by paragraph 32 of Schedule 2 to the 2013 Act, amended by section 133 of the 2014 Act and [S.I. 2011/1133](#).
- M37** Section 111 was amended by section 1(2) of the 1998 Act, paragraph 33 of Schedule 2 to the 2013 Act, [S.I. 2010/493](#) and [S.I. 2011/1133](#).
- M38** Section 164 was amended by section 1(2) of the 1998 Act, paragraph 34 of Schedule 2 to the 2013 Act and [S.I. 2011/1133](#).
- M39** Section 207A was inserted by [S.I. 2011/1133](#).
- M40** Section 207B was inserted by paragraph 35 of Schedule 2 to the 2013 Act.

13. In the Employment Rights (Northern Ireland) Order 1996, omit Article 249A ^{M41} (time limits in relation to certain mediated cross-border disputes).

Commencement Information

- I18** Sch. 1 para. 13 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M41** [S.I. 1996/1919 \(N.I.16\)](#). Article 249A was inserted by [S.I. 2011/157](#).

14.—(1) The Fair Employment and Treatment (Northern Ireland) Order 1998 ^{M42} is amended as follows.

(2) In Article 46 (period within which proceedings must be brought)—

[^{F12}(a) in paragraph (1), for “Articles 46A and” substitute “Article”];

(b) in paragraphs (2), (3) and (4), omit “and to Article 46A,”.

(3) Omit Article 46A (extension of time limits: mediation).

[^{F13}(4) In Article 46B(1) (extension of time limit to allow conciliation), omit the second sentence.]

- F12** Sch. 1 para. 14(2)(a) substituted (17.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, **2(2)**

- F13** Sch. 1 para. 14(4) inserted (17.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, **2(3)**

Commencement Information

- I19** Sch. 1 para. 14 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M42** [S.I. 1998/3162 \(N.I. 21\)](#). Article 46 was amended by [S.I. 2003/2902 \(N.I. 15\)](#) and [S.R. 2011/157](#), which also inserted Article 46A.

15.—(1) Section 11 of the Employment Relations Act 1999 ^{M43} (complaint to employment tribunal) is amended as follows.

(2) For subsection (2A) substitute—

“(2A) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) of the Employment Rights Act 1996 applies for the purposes of subsection (2)(a).”.

(3) In subsection (2B), for “sections 207A and” substitute “ section ”.

Commencement Information

I20 Sch. 1 para. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M43 1999 c. 26. Section 11 was amended by paragraph (1) of Schedule 8 to the 2002 Act, section 37(2) of the 2004 Act, and paragraph 40 of Schedule 2 to the 2013 Act.

16.—(1) The Land Registration Act 2002 ^{M44} is amended as follows.

(2) In Schedule 6 (registration of adverse possessor)—

- (a) in paragraph 1(1), omit “Subject to paragraph 16,”;
- (b) in paragraph 1(2), omit “Subject to paragraph 16,”;
- (c) in paragraph 6 omit sub-paragraph (1A);
- (d) omit paragraph 16 (extension of time limits because of mediation in certain cross-border disputes).

Commencement Information

I21 Sch. 1 para. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M44 2002 c. 9. Schedule 6 was amended by **S.I. 2011/1133**.

17.—(1) The Equality Act 2010 ^{M45} is amended as follows.

(2) In section 118(1) (time limits) ^{M46}, for “sections 140A and” substitute “ section ”.

(3) In section 123(1) (time limits) ^{M47}, for “sections 140A and” substitute “ section ”.

(4) In section 129(3) (time limits) ^{M48}, for “sections 140A and” substitute “ section ”.

(5) Omit section 140A (extension of time limits because of mediation in certain cross-border disputes) ^{M49}.

(6) In section 140B(1) (extension of time limits to facilitate conciliation before institution of proceedings) ^{M50}, omit from “But it does not apply” to the end.

Commencement Information

I22 Sch. 1 para. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M45 2010 c. 15.

M46 Section 118 was amended by section 64 of the 2013 Act, **S.I. 2011/1133** and **S.I. 2015/1392**. There are other amendments which are not relevant for the purposes of these Regulations.

M47 Section 123 was amended by paragraph 43 of Schedule 2 to the 2013 Act and **S.I. 2011/1133**.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

M48 Section 129 was amended by paragraph 44 of Schedule 2 to the 2013 Act and [S.I. 2011/1133](#).

M49 Section 140A was inserted by [S.I. 2011/1133](#).

M50 Section 140B was inserted by paragraph 45 of Schedule 2 to the 2013 Act.

PART 2

Amendment of subordinate legislation

18.—(1) The Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994^{M51} is amended as follows.

(2) In article 7 (time within which proceedings may be brought), for “articles 8A and” substitute “article ”.

(3) In article 8 (time within which proceedings may be brought), for “articles 8A and” substitute “article ”.

(4) Omit article 8A (extension of time limits because of mediation in certain cross-border disputes).

Commencement Information

I23 Sch. 1 para. 18 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M51 [S.I. 1994/1623](#). This instrument was amended by section 1(2) of the 1998 Act (which, amongst other things, amended its title), [S.I. 2011/1133](#) and [S.I. 2014/431](#). There are other amendments which are not relevant for the purposes of these Regulations.

19.—(1) The Employment Tribunals Extension of Jurisdiction (Scotland) Order 1994^{M52} is amended as follows.

(2) In article 7, in the opening words, for “articles 8A and” substitute “ article ”.

(3) In article 8, for “articles 8A and” substitute “ article ”.

(4) Omit article 8A (extension of time limits because of mediation in certain cross-border disputes).

Commencement Information

I24 Sch. 1 para. 19 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M52 [S.I. 1994/1624](#). This instrument was amended by section 1(2) of the 1998 Act (which, amongst other things, amended its title), [S.I. 2011/1133](#) and [S.I. 2014/431](#). There are other amendments which are not relevant for the purposes of these Regulations.

20.—(1) The Working Time Regulations 1998^{M53} are amended as follows.

(2) In regulation 30(2) (remedies), for “regulations 30A and” substitute “ regulation ”.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

(3) Omit regulation 30A (extension of time limits because of mediation in certain cross-border disputes).

Commencement Information

I25 Sch. 1 para. 20 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M53 **S.I. 1998/1833**. Regulation 30 was amended by **S.I. 2003/1684**, **S.I. 2004/752**, **S.I. 2007/2079**, **S.I. 2011/1133** and **S.I. 2014/386**. Regulation 30A was inserted by **S.I. 2011/1133**.

21.—(1) The Land Registration Rules 2003 ^{M54} are amended as follows.

(2) In Schedule 8 (modified form of Schedule 6 to the Act applicable to registered rentcharges; registration of adverse possessor)—

- (a) in paragraph 1(1), for “Subject to paragraph 13, a person” substitute “ A person ”;
- (b) in paragraph 6, omit sub-paragraph (1A);
- (c) omit paragraph 13 (extension of time limits because of mediation in certain cross-border disputes).

Commencement Information

I26 Sch. 1 para. 21 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M54 **S.I. 2003/1417**. Schedule 8 was amended by **S.I. 2011/1133**.

22.—(1) The Working Time Regulations (Northern Ireland) 2016 ^{M55} are amended as follows.

(2) In regulation 43(2) (remedies), for “Subject to regulation 44, an” substitute “ An ”.

(3) Omit regulation 44 (extension of time limits because of mediation in certain cross-border disputes).

Commencement Information

I27 Sch. 1 para. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M55 **S.R. 2016/49**, to which there are amendments not relevant to these Regulations.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019. (See end of Document for details)

F14 Sch. 2 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **4(6)**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (c) and (d) of that Act) arising from the withdrawal of the UK from the European Union.

These Regulations revoke the Cross-Border Mediation (EU Directive) Regulations 2011 and the Cross-Border Mediation Regulations (Northern Ireland) 2011 (together “the 2011 Regulations”), subject to saving and transitional provision.

The 2011 Regulations partially implemented Directive [2008/52/EC](#) of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters (“the Mediation Directive”) in the United Kingdom. (Scotland made provision implementing the Mediation Directive in respect of non-reserved matters in the Cross-Border Mediation (Scotland) Regulations 2011, which these Regulations do not affect).

These Regulations also make amendments to provision which implemented the Mediation Directive relating to limitation periods (in Schedule 1 to these Regulations). The effect of regulation 5 read with Schedule 2 is to enable the continued application, with modification, of the provision amended by Schedule 1 to mediations begun before exit day.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Ministry of Justice, 102 Petty France, London SW1H 9AJ and is published with an Explanatory Memorandum alongside this instrument on <https://legislation.gov.uk>.

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019.