

## SCHEDULE 1

### PART 1

#### Amendment of primary legislation

- 12.—(1) The Employment Rights Act 1996 <sup>M1</sup> is amended as follows.
- (2) In section 11 (references to employment tribunals), omit subsection (5) <sup>M2</sup>.
- (3) In section 23 (complaints to employment tribunals), for subsection (3A) <sup>M3</sup> 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) <sup>M4</sup> 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) <sup>M5</sup> 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) <sup>M6</sup> 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) <sup>M7</sup> 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) <sup>M8</sup> 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) <sup>M9</sup>, 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) <sup>M10</sup> 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) <sup>M11</sup> substitute—  
“(4) Section 207B applies for the purposes of subsection (3)(a).”.
- (12) In section 57ZM (complaint to employment tribunal), for subsection (3) <sup>M12</sup> 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) <sup>M13</sup> substitute—  
“(4) Section 207B applies for the purposes of subsection (3)(a).”.
- (14) In section 57B (complaint to employment tribunal), for subsection (2A) <sup>M14</sup> 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) <sup>M15</sup> 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) <sup>M16</sup> 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) <sup>M17</sup>, 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) <sup>M18</sup> 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) <sup>M19</sup> 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) <sup>M20</sup> 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) <sup>M21</sup> 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) <sup>M22</sup> 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) <sup>M23</sup> 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) <sup>M24</sup>.
- (25) Omit section 207A (extension of time limits because of mediation in certain cross-border disputes) <sup>M25</sup>.
- (26) In section 207B(1) (extension of time limits to facilitate conciliation before institution of proceedings) <sup>M26</sup>, omit from “But it does not apply” to the end.

#### Commencement Information

- II** 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

- M1** 1996 c. 18.

- M2** 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](#).
- M3** 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](#).
- M4** 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](#).
- M5** Section 48 was amended 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](#).
- M6** 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](#).
- M7** 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](#).
- M8** 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](#).
- M9** 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.
- M10** Section 57ZF was inserted by section 127(1) of the 2014 Act.
- M11** Section 57ZH was inserted by section 127(1) of the 2014 Act.
- M12** Section 57ZM was inserted by section 128(1) of the 2014 Act
- M13** Section 57ZQ was inserted by section 128(1) of the 2014 Act.
- M14** 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](#).
- M15** 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](#).
- M16** 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](#).
- M17** 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](#).
- M18** 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](#).
- M19** 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](#).
- M20** Section 70A was inserted by [S.I. 2010/93](#) and amended by paragraph 30 of Schedule 2 to the 2013 Act.
- M21** 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](#).
- M22** 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](#).
- M23** 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](#).
- M24** 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](#).
- M25** Section 207A was inserted by [S.I. 2011/1133](#).

**Changes to legislation:** There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019, Paragraph 12. (See end of Document for details)

**M26** Section 207B was inserted by paragraph 35 of Schedule 2 to the 2013 Act.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019, Paragraph 12.