

SCHEDULE 1

PART 1

Amendment of primary legislation

- 12.**—(1) The Employment Rights Act 1996(1) is amended as follows.
- (2) In section 11 (references to employment tribunals), omit subsection (5)(2).
- (3) In section 23 (complaints to employment tribunals), for subsection (3A)(3) 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)(4) 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)(5) 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)(6) 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)(7) 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)(8) 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)(9), 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).”.

(1) 1996 c. 18.

(2) 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.

(3) 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.

(4) 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.

(5) 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.

(6) 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.

(7) 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.

(8) 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.

(9) 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.

Status: This is the original version (as it was originally made).

- (10) In section 57ZF (complaint to employment tribunal) for subsection (3) **(10)** 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) **(11)** substitute—
“(4) Section 207B applies for the purposes of subsection (3)(a).”.
- (12) In section 57ZM (complaint to employment tribunal), for subsection (3) **(12)** 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) **(13)** substitute—
“(4) Section 207B applies for the purposes of subsection (3)(a).”.
- (14) In section 57B (complaint to employment tribunal), for subsection (2A) **(14)** 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) **(15)** 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) **(16)** 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) **(17)**, 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) **(18)** 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) **(19)** 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) **(20)** 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).”.

(10) Section 57ZF was inserted by section 127(1) of the 2014 Act.

(11) Section 57ZH was inserted by section 127(1) of the 2014 Act.

(12) Section 57ZM was inserted by section 128(1) of the 2014 Act.

(13) Section 57ZQ was inserted by section 128(1) of the 2014 Act.

(14) 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](#).

(15) 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](#).

(16) 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](#).

(17) 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](#).

(18) 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](#).

(19) 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](#).

(20) Section 70A was inserted by [S.I. 2010/93](#) and amended by paragraph 30 of Schedule 2 to the 2013 Act.

- (21) In section 80 (complaints to employment tribunals), for subsection (2A)(**21**) 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)(**22**) 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)(**23**) 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)(**24**).
- (25) Omit section 207A (extension of time limits because of mediation in certain cross-border disputes)(**25**).
- (26) In section 207B(1) (extension of time limits to facilitate conciliation before institution of proceedings)(**26**), omit from “But it does not apply” to the end.

(21) 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](#).

(22) 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](#).

(23) 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](#).

(24) 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](#).

(25) Section 207A was inserted by [S.I. 2011/1133](#).

(26) Section 207B was inserted by paragraph 35 of Schedule 2 to the 2013 Act.