



EMPLOYMENT TRIBUNALS

Appellant
Direct International Ltd.

v

Respondent
HMRC.

JUDGMENT ON RECONSIDERATION APPLICATION

The appellant's application dated 1 August 2019 for a reconsideration of the judgment sent to the parties on 19 July 2019 is refused because there is no reasonable prospect of the original decision being varied or revoked.

REASONS

1. In a Judgment dated 24 June 2019 but sent to parties on 19 July 2019, the Employment Tribunal determined that it did not have jurisdiction to entertain the appeal.
2. In an email to the Tribunal dated 1 August 2019, the appellant applied for a reconsideration of the Tribunal judgment. The claimant's email provided authority for Ms Zang to appear on behalf of the appellant and also took issue with the calculations reached by HMRC.
3. Rule 70 of the Employment Tribunal Rules of Procedure 2013 provides:
"A Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so. On reconsideration, the decision ("the original decision") may be confirmed, varied or revoked. If it is revoked it may be taken again."
4. In the reasons for the Judgment, paragraphs 3 set out the reason why the tribunal concluded that it did not have jurisdiction. The email requesting reconsideration does not take any issue with that finding.
5. The Tribunal considers that there are no grounds for revisiting the judgment within the scope of its powers of reconsideration under Rule 70 of the Employment Tribunal Rules of Procedure 2013.
6. The appellant's application for reconsideration of the Judgment sent to the parties on 19 July 2019 is refused because there is no reasonable prospect of the original decision of the Tribunal being varied or revoked.

Employment Judge Truscott QC

Date: 5 August 2019