
STATUTORY INSTRUMENTS

1984 No. 1167

The University of Ulster (Northern Ireland) Order 1984

Staff of The New University of Ulster and Ulster Polytechnic

- 5.—(1) Where any person to whom paragraph (4) applies—
- (a) declines to accept an offer of employment by the University; or
 - (b) within the period of 6 months from the appointed day relinquishes his employment by the University, on the grounds that—
 - (i) he is to suffer, or has suffered a diminution in pay; or
 - (ii) he is not to be employed, or has not been employed, on terms and conditions which are as nearly as practicable the same as those which governed his employment immediately before the appointed day;

he shall be entitled to compensation from the University on such terms and subject to such conditions as may be specified in regulations made by the Department.

(2) Without prejudice to anything in section 17 of the Interpretation Act (Northern Ireland) 1954, regulations made under paragraph (1)—

- (a) may include provision as to the manner in which, the time within which and the person to whom, any claim for compensation is to be made; and
- (b) shall be subject to negative resolution.

(3) Where any person to whom paragraph (4) applies enters into a contract of employment with the University, his employment by the University and his previous employment by The New University of Ulster or, as the case may be, by the Governors of the Ulster Polytechnic shall be deemed for all purposes of those bodies to be a single continuing employment.

(4) This paragraph applies to any person—

- (a) who, immediately before the appointed day, was employed—
 - (i) by The New University of Ulster for purposes wholly or mainly connected with that University, or
 - (ii) by the Governors of the Ulster Polytechnic for purposes wholly or mainly connected with the Ulster Polytechnic; and
- (b) who was not so employed on a temporary basis or on the basis of a fixed term contract which expired on or before the appointed day.

(5) If any question arises as to whether a person is, on either of the grounds mentioned in paragraph (1), justified in declining or relinquishing employment by the University, that person may require the question to be referred to and determined by an industrial tribunal.

(6) Where a question is referred to an industrial tribunal under paragraph (5), it shall be for the University to show that the grounds upon which the reference is founded do not exist.

(7) A person to whom paragraph (4) applies shall not be taken to have been dismissed from his employment by The New University of Ulster, or, as the case may be, the Governors of the Ulster Polytechnic by reason of redundancy.

Changes to legislation:

There are currently no known outstanding effects for the The University of Ulster (Northern Ireland) Order 1984, Section 5.