

SCHEDULES

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Article 4.

COMPENSATION FOR CERTAIN DISMISSALS

Power of Department to make payments

1. The Department may, if it thinks fit, pay to a person who satisfies the conditions specified in paragraph 2 an amount not exceeding that specified in paragraph 3.

Conditions of eligibility

2. A person may apply for compensation under this Schedule where—
- (a) he was dismissed from his employment on or after 1st October 1976 (when Article 22(6) of the No. 1 Order came into force) and before 4th May 1982 (when the amendments of Article 22 of the No. 1 Order made by Article 8 of and Schedule 2 to the 1982 Order came into force);
 - (b) he did not bring, or brought but did not succeed in, a complaint of unfair dismissal; and
 - (c) if the amendments referred to in sub-paragraph (a) had been in force in relation to his dismissal (the law otherwise being as it was at the time), he would have been entitled by virtue of those amendments to succeed in a complaint of unfair dismissal.

Maximum amount of compensation

3. The maximum amount which the Department may pay to a person in respect of his dismissal is the amount which that person would have been awarded if he had brought a successful complaint of unfair dismissal—
- (a) disregarding any question of an order for reinstatement or re-engagement; and
 - (b) taking into account the actual loss sustained by him rather than such loss as might have been foreseen at the time, together with interest from the date of the dismissal calculated at the rate from time to time in force in relation to interest on amounts awarded by decree in the county court.

Construction of references to date of dismissal

4.—(1) Subject to sub-paragraph (2), references in paragraph 2 to the date of a dismissal are to the effective date of termination in relation to that dismissal as defined in Article 21(4) of the No. 1 Order.

(2) Where the notice required to be given by an employer by section 1(1) of the Act of 1965 (minimum period of notice) would, if duly given when notice of termination was given by the employer, or (where no notice was given) when the contract of employment was terminated by the employer, have expired on a date later than the effective date of termination as defined by Article 21(4) of the No. 1 Order, then, in ascertaining for the purposes of paragraph 2(a) whether a person was dismissed before 4th May 1982, that later date shall be treated as the date of the dismissal.

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Making an application

5. An application for compensation under this Schedule must be made in writing to the Department within twelve months from the making of this Order or such further period as the Department may allow.

Reference of questions to appointed person

6.—(1) The Department may, if it thinks fit, before deciding an application for compensation under this Schedule, refer any question arising in connection with the application for inquiry and report by a person appointed by it under this paragraph.

(2) In any such case the applicant shall be informed of the identity of the appointed person and of the question or questions referred and shall be given an opportunity to make representations to the appointed person including oral representations if he so wishes.

(3) The Department may pay to any person attending at any place for the purpose of making such representations such travelling and other allowances as would be payable in connection with attendance at an industrial tribunal.

(4) A person may be appointed by the Department under this paragraph either for the purposes of a particular reference or for the purpose of such references as may from time to time be made to him; and the Department may pay to a person so appointed such remuneration and such travelling and other allowances as it may determine with the approval of the Department of Finance and Personnel.

Consideration of application

7. In considering an application for compensation under this Schedule, the Department shall have regard to, but shall not be bound by—

- (a) the findings of any industrial tribunal in proceedings arising out of the dismissal in question; and
- (b) any report made in relation to the application by a person appointed under paragraph 6.

Notification of decision

8.—(1) The Department shall notify the applicant in writing of its decision.

(2) The notification shall be accompanied by a copy of any report made in relation to the application by a person appointed under paragraph 6.

Reconsideration of decision

9.—(1) The Department may, of its own motion or on the request of the applicant, reconsider its decision on any application for compensation under this Schedule on the ground that the decision was made in ignorance of, or was based on a mistake as to, some material fact.

(2) Where the Department decides of its own motion to reconsider a decision, it shall inform the applicant of that fact and of the grounds for reopening the case.

(3) A request by the applicant for reconsideration of the decision on his application must be made in writing to the Department within three months from the date on which the decision was notified to him, or such further period as the Department may allow.

(4) The provisions of paragraphs 6 to 8 shall, with the necessary modifications, apply in relation to the reconsideration of an application as they apply in relation to the original consideration of an application.

Liability to repay in certain cases

10.—(1) Where, for the purpose of obtaining compensation under this Schedule for himself or for another, any person misrepresents or fails to disclose any material fact, whether fraudulently or otherwise, the person to whom any such payment is in consequence made shall be liable to repay so much of it as the Department may direct, unless he can show that the misrepresentation or failure occurred without his connivance or consent.

(2) Except as provided by this paragraph, the reconsideration of a decision under paragraph 9 shall not give rise to a liability to repay.

(3) Any sum received by the Department by virtue of this paragraph shall be paid into the Consolidated Fund.

False statement an offence

11.—(1) It is an offence for a person to make, for the purpose of obtaining compensation under this Schedule for himself or for another, a statement which is false in a material particular and which he knows to be so false.

(2) An offence under this paragraph is punishable on summary conviction with a fine not exceeding level 5 on the standard scale.

CHANGE OF BASIS OF COMPUTATION OF PERIOD OF CONTINUOUS EMPLOYMENT

Right to minimum period of notice

1.—(1) In sections 1 and 2 of the Act of 1965 (rights of employer and employee to a minimum period of notice) for the words “four weeks” in section 1(1), (2) and (3) and section 2(1) and (2) (which relate to the period of continuous employment necessary before either right arises) there shall be substituted “one month”.

(2) In section 1(4) of that Act (which converts into a contract for an indefinite period a contract for a term certain of four weeks or less where the employee has been continuously employed for twelve weeks or more) for the words “twelve weeks” there shall be substituted “three months” and for the words “four weeks” there shall be substituted “one month”.

(3) After that subsection there shall be inserted—

“(4A) Subsections (1) and (2) do not apply to a contract made in contemplation of the performance of a specific task which is not expected to last for more than three months unless the employee has been continuously employed for a period of more than three months.”.

(4) In section 1(5) of that Act (calculating period of continuous employment) at the beginning there shall be inserted the words “Article 22 of the Industrial Relations (Northern Ireland) Order 1987 and”.

Right to written particulars of terms of employment

2.—(1) In section 4(1) of the Act of 1965 (obligation to give written particulars of terms of employment)—

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- (a) for the words “the beginning of an employee’s period of employment” there shall be substituted “the beginning of an employee’s employment”; and
 - (b) for the words from “whether any employment” to “continuous period of employment began” there shall be substituted “the date on which the employee’s period of continuous employment began (taking into account any employment with a previous employer which counts towards that period).”.
- (2) In section 4 of that Act—
- (a) in subsection (6A)(b) (change of employer to be treated as change of terms where continuity of employment is not broken) the words from “in accordance with” to “Schedule 1” shall be omitted; and
 - (b) in subsection (6B) (duty in such a case to specify date from which employment is continuous) for the words “continuous period of employment” there shall be substituted “period of continuous employment”.
- (3) For section 4(7) of that Act (exclusion of obligation to give written statement where terms the same as those of previous employment) there shall be substituted—
- “(7) No statement need be given under subsection (1) where—
- (a) the employee’s terms of employment are the same as those of earlier employment with the same employer in respect of which a statement under that subsection and any information subsequently required under subsection (4) was duly given, and
 - (b) that earlier employment ended not more than six months before the beginning of the employment in question; but without prejudice to the operation of subsection (4) if there is subsequently a change in the terms of employment.”.
- (4) After section 4(11A) there shall be inserted—
- “(11B) This section shall apply to an employee who at any time comes or ceases to come within the exceptions from this section provided for by subsections (8) to (11A) or by section 6 or 9 as if his employment with his employer terminated or began at that time.
- (11C) Subsection (1) shall apply to an employee who ceases to come within the exception provided by subsection (8) with the substitution for the words “thirteen weeks” of the words “one month”.
- (11D) The fact that subsection (1) is directed to apply to an employee as if his employment began on his ceasing to come within one of the exceptions referred to in subsection (11B) shall not affect the obligation under subsection (1) to specify the date on which his employment actually began.”.
- (5) In section 7 of that Act (power to vary references to hours of employment) for subsections (1) and (2) there shall be substituted—
- “(1) The Department may by order vary or exclude the operation of sections 1(4A) and 4(9) to (11A).”.

Right to redundancy payment

- 3.—(1) In section 18(1) of the Act of 1965 (requisite period qualifying for right to redundancy payment), the words from “excluding any week” onwards (which relate to weeks before the employee attained the age of eighteen) shall be omitted.
- (2) In section 18(2) of that Act (calculation of period of continuous employment) for the words from “the provisions of Schedule 1” to “modifies Schedule 1” there shall be substituted “Article 22 of the Industrial Relations (Northern Ireland) Order 1987 and Schedule 1”.

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(3) In section 40(2) of that Act (exclusion of redundancy rebate where employee's right under collective agreement arises by virtue of a period of employment which is less than one hundred and four weeks)—

(a) for the words "period of employment" there shall be substituted "period of continuous employment"; and

(b) for the words "one hundred and four weeks" there shall be substituted "two years".

(4) In section 42(2) of that Act (conditions to be satisfied before an employee can claim his unpaid redundancy payment from the Department), in paragraph (c) (exclusion where right under collective agreement arises by virtue of a period of employment which is less than one hundred and four weeks)—

(a) for the words "period of employment" there shall be substituted "period of continuous employment"; and

(b) for the words "one hundred and four weeks" there shall be substituted "two years".

(5) In Schedule 3 to that Act (calculation of redundancy payment),—

(a) in paragraph 2(a) and (b) the words "which consists wholly of weeks" shall cease to have effect; and

(b) paragraphs 1(a) and 8 shall cease to have effect.

Computation of period of continuous employment

4.—(1) In Schedule 1 to the Act of 1965 (computation of period of employment) for paragraphs 1 and 2 (preliminary provisions) there shall be substituted—

"Preliminary

1.—(1) Except so far as otherwise provided by the following provisions of this Schedule, a week which does not count under paragraphs 3 to 5A breaks the continuity of the period of employment.

(2) The provisions of this Schedule apply, subject to section 27, to a period of employment notwithstanding that during that period the employee was engaged in work wholly or mainly outside Northern Ireland, or was excluded by or under this Act from any right conferred by this Act.

(3) A person's employment during any period shall, unless the contrary is shown, be presumed to have been continuous.

2. Save as otherwise expressly provided, the provisions of this Schedule apply to periods before it comes into force as they apply to later periods."

(2) After paragraph 4C of that Schedule there shall be inserted—

"Power to amend paragraphs 3 to 4C by order

4D.—(1) The Department may by order—

(a) amend paragraphs 3 to 4C so as to substitute for each of the references to sixteen hours a reference to such other number of hours less than sixteen as may be specified in the order; and

(b) amend paragraphs 4B and 4C so as to substitute for each of the references to eight hours a reference to such other number of hours less than eight as may be specified in the order.

(2) No order under this paragraph shall be made unless a draft of the order has been laid before and approved by a resolution of the Assembly.

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(3) The provisions of any order under this paragraph shall apply to periods before the order takes effect as they apply to later periods.

(4) An order under this paragraph may contain incidental, supplementary and transitional provisions.”.

Right not to be unfairly dismissed

5.—(1) In Article 24(1)(a) of the No. 1 Order (qualifying period for the right not to be unfairly dismissed) for the words “104 weeks” there shall be substituted “two years”.

(2) In Article 9(4) of the No. 2 Order (qualifying period if dismissal on medical grounds) for the words “104 weeks” and “4 weeks” there shall be substituted, respectively, “two years” and “one month”.

(3) In Article 34(3) of the No. 1 Order (calculation of basic award for unfair dismissal), in sub-paragraphs (a) and (b) the words “which consists wholly of weeks” shall be omitted.

(4) Sub-paragraphs (1) and (2) do not affect the operation of any order made before the coming into operation of this paragraph under Article 24(3) of the No. 1 Order.

Right to written statement of reasons for dismissal

6. In Article 48(2) of the No. 1 Order (period of continuous employment after which an employee has a right to a written statement of the reasons for his dismissal) for the words from “26 weeks” onwards there shall be substituted “six months ending with that date”.

Rights in connection with redundancy

7. In Article 76(10) of the No. 1 Order (exclusion of employees on short-term contracts from protection of provisions requiring consultation and notification in case of certain redundancies) for the words “12 weeks”, in each place where they occur, there shall be substituted “three months”.

Right to guarantee payment

8.—(1) In Article 3 of the No. 2 Order (right to a guarantee payment) for paragraph (3) there shall be substituted—

“(3) An employee shall not be entitled to a guarantee payment unless he has been continuously employed for a period of not less than one month ending with the day before that in respect of which the guarantee payment is claimed.”.

(2) In Article 49 of that Order (excluded classes of employment) for paragraph (4) there shall be substituted—

“(4) Article 3 does not apply to employment—

- (a) under a contract for a fixed term of three months or less; or
- (b) under a contract made in contemplation of the performance of a specific task which is not expected to last for more than three months, unless the employee has been continuously employed for a period of more than three months ending with the day before that in respect of which the guarantee payment is claimed.”.

Right to remuneration on suspension on medical grounds

9.—(1) In Article 10 of the No. 2 Order (general exclusions from the right to remuneration on suspension on medical grounds) for paragraph (1) there shall be substituted—

“(1) An employee shall not be entitled to remuneration under Article 9 unless he has been continuously employed for a period of not less than one month ending with the day before that on which the suspension begins.”.

(2) In Article 49 of that Order (excluded classes of employment) after paragraph (4) there shall be inserted—

“(4A) Article 9 does not apply to employment—

- (a) under a contract for a fixed term of three months or less; or
- (b) under a contract made in contemplation of the performance of a specific task which is not expected to last for more than three months, unless the employee has been continuously employed for a period of more than three months ending with the day before that on which the suspension begins.”.

MINOR AND CONSEQUENTIAL AMENDMENTS

The Industrial Courts Act 1919 (c. 69)

1. In section 8 for the definition of “trade dispute” there shall be substituted—

““trade dispute” has the same meaning as in part II of the Industrial Relations (Northern Ireland) Order 1976;”.

The Trade Disputes and Trade Unions Act (Northern Ireland) 1927 (c. 20)

2. In section 8(3) (service of documents on trade unions not registered in Northern Ireland) for the words from “Any process” to the end there shall be substituted—

“(3A) Any process or notice required to be served on a trade union to which subsection (3) applies shall be sufficiently served if—

- (a) it is addressed to any person whose name has been furnished to the Registrar of Friendly Societies under that subsection and left at, or sent by post to, the address which has been so furnished; or
- (b) where—
 - (i) any such trade union makes default in furnishing to the Registrar of Friendly Societies the name and address of a person resident in Northern Ireland who is authorised to accept on behalf to the trade union service of process or notices; or
 - (ii) at any time all the persons whose names and addresses have been so furnished are dead, or have ceased to so reside, or refuse to accept service on the trade union’s behalf, or for any reason cannot be served, it is left at, or sent by post to, any place where the business of the trade union is carried on in Northern Ireland.”.

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The Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (c. 19)

3.—(1) Sections 6(3) and 26(2) (exemptions for employment where the employer is the husband or wife of the employee) shall cease to have effect.

(2) In section 48(3)(b) for the words “United Kingdom Act” there shall be substituted “Employment Protection (Consolidation) Act 1978 (or any Act replacing that Act or part thereof)”.

(3) In Schedule 1 in paragraph 9 (continuity of employment on re-instatement after service with armed forces)—

(a) for the words “Part II of the National Service Act 1948 (re-instatement in civil employment)” there shall be substituted “the Reserve Forces (Safeguard of Employment) Act 1985”;

(b) for the words “section 35(2)(b)” there shall be substituted “section 1(4)(b)”. The Industrial Relations (Northern Ireland) Order 1976 (1976 NI 16)

4.—(1) In Article 21 (meaning of “dismissal”) for paragraph (5) there shall be substituted—

“(5) Where the contract of employment is terminated by the employer and the notice required by section 1(1) of the Act of 1965 to be given by an employer would, if duly given on the material date, expire on a date later than the effective date of termination (as defined by paragraph (4)) then, for the purposes of Articles 24(1)(a), 24A, 34(3), 35(5) and 48(2), the later date shall be treated as the effective date of termination in relation to the dismissal.

(6) Where the contract of employment is terminated by the employee and—

(a) the material date does not fall during a period of notice given by the employer to terminate that contract; and

(b) had the contract been terminated not by the employee but by notice given on the material date by the employer, that notice would have been required by section 1 of the Act of 1965 to expire on a date later than the effective date of termination (as defined by paragraph (4)), then, for the purposes of Articles 24(1)(a), 24A, 34(3) and 35(5), the later date shall be treated as the effective date of termination in relation to the dismissal.

(7) “Material date” means—

(a) in paragraph (5), the date when notice of termination was given by the employer or (where no notice was given) the date when the contract of employment was terminated by the employer; and

(b) in paragraph (6), the date when notice of termination was given by the employee or (where no notice was given) the date when the contract of employment was terminated by the employee.”.

(2) In Article 24(2) (qualifying period and upper age limit in connection with unfair dismissal), for the words “an inadmissible reason” there shall be substituted “one of those specified in Article 22A(1)”.

(3) In Article 24A(2)(b) (extended qualifying period where there are no more than twenty employees) for the words “an inadmissible reason” there shall be substituted “one of those specified in Article 22A(1)”.

(4) In Article 29(1) (complaints to industrial tribunal) for the word “employee” there shall be substituted “person (in this part referred to as “the complainant”)”.

(5) In Article 32(2)(a), (5) and (6) (compensation for unfair dismissal), for the words “Articles 33 to 36” there shall be substituted in each case “Articles 33 to 38”.

(6) In Articles 34(4), 35(3), 35(5) and 68(2) (later date treated as the effective date of termination) after the words “21(5)” there shall be inserted in each case “or, as the case may be, (6)”.

(7) In Article 36(3) (calculation of compensatory award), for the words “Article 35(6) or (7)” there shall be substituted “Article 35(6A) to (7)”.

(8) In Article 39 (interim relief pending determination of complaint of unfair dismissal)—

(a) in paragraph (2) at the beginning of sub-paragraph (b) there shall be inserted the words “in a case in which the employee relies on Article 22A(1)(a) or (b)”;

(b) in paragraph (3), before the words “the relevant certificate” there shall be inserted “(where appropriate)”;

(c) in paragraph (5) for the words from “was unfairly” to “paragraph (1)” there shall be substituted “is by virtue of Article 22A to be regarded as having been unfairly dismissed”.

(9) In Article 42 for paragraph (2) (definition of “relevant date” in relation to certain debts due from insolvent employers to their employees) there shall be substituted—

“(2) In this Article the “relevant date”, in relation to a debt, means whichever is the latest of—

(a) the date on which the employer became insolvent;

(b) the date of the termination of the employee’s employment; or

(c) where the debt falls within paragraph (3)(d) or (4)(a), the date on which the award was made.”.

(10) In Article 42(3) (debts to which the provisions of Article 42 about employee’s rights on insolvency of employers apply)—

(a) for sub-paragraph (a) there shall be substituted—

“(a) any arrears of pay in respect of one or more (but not more than eight) weeks;”;

(b) for sub-paragraph (c) there shall be substituted—

“(c) any holiday pay—

(i) in respect of a period or periods of holiday not exceeding six weeks in all; and

(ii) to which the employee became entitled during the twelve months ending with the relevant date;”.

(11) In Articles 42(9) and 43(9) (employee’s rights on insolvency of employer and payment of unpaid contributions to occupational pension scheme)—

(a) in sub-paragraph (a) for the words from the beginning to “was” there shall be substituted in each case “the application for a payment under this Article has been”;

(b) in sub-paragraph (c) for the word “further” there shall be substituted in each case “unreasonable”.

(12) In Article 61 (recovery of sums awarded by industrial tribunals) at the end there shall be added—

“(3) The Department may by order made with the approval of the Department of Finance and Personnel provide that sums payable in pursuance of decisions of industrial tribunals shall carry interest at such rate and between such times as may be prescribed by the order.

(4) Any interest due by virtue of such an order shall be recoverable as a sum payable in pursuance of the decision.

(5) The power conferred by paragraph (3) includes power—

(a) to specify cases or circumstances in which interest shall not be payable;

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- (b) to provide that interest shall be payable only on sums exceeding a specified amount or falling between specified amounts;
- (c) to make provision for the manner in which and the periods by reference to which interest is to be calculated and paid;
- (d) to provide that any statutory provision shall or shall not apply in relation to interest payable by virtue of an order under paragraph (3) or shall apply to it with such modifications as may be specified in the order;
- (e) to make provision for cases where sums are payable in pursuance of decisions or awards made on appeal from industrial tribunals.

(6) Without prejudice to the generality of paragraph (5), an order under paragraph (3) may provide that the rate of interest shall be the rate from time to time in force in relation to interest on amounts awarded by decree in the county court.”.

(13) In Article 64A(3) (right of former employees to picket their former place of work), for the words “and whose” there shall be substituted “where—(a) his”, and after the words “trade dispute,” there shall be inserted—

“or

- (b) the termination of his employment was one of the circumstances giving rise to a trade dispute,”.

(14) In Article 68(1) (period of continuous employment) for the words from the beginning to “that Schedule” there shall be substituted “Article 22 of the Industrial Relations (Northern Ireland) Order 1987 and Schedule 1 to the Act of 1965”.

(15) In Article 76, paragraph (4) (exception for employment where the employer is the husband or wife of the employee) shall cease to have effect.

(16) In Article 80(2) for “37(2)” there shall be substituted “34(5B), 37(2), 37A(7)”.

(17) In Schedule 4 (death of employee or employer) for paragraph 10 there shall be substituted—

“10. Where—

- (a) the employee’s contract of employment has been terminated; and
- (b) by virtue of Article 21(5) or (6) a date later than the effective date of termination as defined in Article 21(4) is to be treated as the effective date of termination for the purposes of certain of the unfair dismissal provisions; and
- (c) before that later date the employer or the employee dies; Article 21(5) or, as the case may be, 21(6) shall have effect as if the notice referred to in that paragraph as required by section 1(1) of the Act of 1965 would have expired on the date of the death.”.

The Industrial Relations (No. 2) (Northern Ireland) Order 1976 (1976 NI 28)

5.—(1) In Article 2(4) (definition of periods of continuous employment) for the words from the beginning to “No. 1 Order” there shall be substituted “Article 22 of the Industrial Relations (Northern Ireland) Order 1987 and Schedule 1 to the Act of 1965”.

(2) In Article 3(4)(a) (exclusion of right to guarantee payment if lack of work due to trade dispute), for the words “trade dispute” there shall be substituted “strike, lock-out or other industrial action”.

(3) In Articles 13 and 31 (dismissal of replacement) for the words “Article 22(10)” there shall be substituted “Article 22(3)”.

(4) In Article 49, paragraph (2)(a) (exemption for employment where the employer is the husband or wife of the employee) shall cease to have effect.

(5) For Article 60 there shall be substituted—

“Arrangements with Great Britain

60.—(1) The Head of the Department shall be the appropriate Northern Irish authority for the purposes of the corresponding Great British legislation and may, with the consent of the Department of Finance and Personnel, make reciprocal arrangements with the Secretary of State for co-ordinating the provisions of the relevant Northern Irish legislation with the provisions of the corresponding Great British legislation so as to secure that they operate, to such extent as may be provided by the arrangements, as a single system.

(2) For the purpose of giving effect to any such arrangements which relate to parts II to IV of the Act of 1965 or to the provisions of Articles 42 to 46 of the No. 1 Order, the Head of the Department shall have power, in conjunction with the Secretary of State, to make any necessary financial adjustments between the Northern Ireland Redundancy Fund and the Redundancy Fund controlled and managed under the corresponding Great British legislation.

(3) The Head of the Department may make regulations for giving effect in Northern Ireland to any such arrangements and any such regulations may provide that the relevant Northern Irish legislation shall have effect in relation to persons affected by the arrangements subject to such modifications and adaptations as may be specified in the regulations, including provision—

- (a) for securing that acts, omissions and events having any effect for the purposes of the corresponding Great British legislation shall have a corresponding effect for the purposes of the relevant Northern Irish legislation (but not so as to confer a right to double payment in respect of the same act, omission or event); and
- (b) for determining, in cases where rights accrue both under the relevant Northern Irish legislation and under the corresponding Great British legislation which of those rights shall be available to the person concerned.

(4) In this Article—

“the corresponding Great British legislation” means the Employment Protection (Consolidation) Act 1978 or any Act replacing that Act or any part thereof and making provision corresponding to the relevant Northern Irish legislation;

“the relevant Northern Irish legislation” means—

- (a) Parts II to IV of the Act of 1965;
- (b) Parts III to V of the No. 1 Order; and
- (c) this Order.”.

(6) In Article 61(1)(a) (order to achieve parity with Great Britain) for the words “the Redundancy Payments Acts 1965 and 1969” there shall be substituted “Part VI or sections 122 to 126 of the Employment Protection (Consolidation) Act 1978, or any corresponding provision for the time being in force in Great Britain”.

(7) In Schedule 2 (supplementary provisions about maternity)—

(a) in paragraph 2(1) for the words from the beginning to “paragraphs (4), (8) and (9)” there shall be substituted—

“(1) Article 22 of the No. 1 Order (fair and unfair dismissal) shall have effect as if for paragraph (3) there were substituted the following paragraph—

“(3) Where the employer has fulfilled the requirements of paragraph (1), then, subject to Articles 22A(1), 22C and 23 and to Article 14 of the No. 2 Order”;

(b) in paragraph 2(2) after the words “Article 22” there shall be inserted “or 22A”;

(c) in paragraph 2(4) for the words from “Articles” to the end there shall be substituted “Articles 21, 22A(3) to (13), 22B, 24(1), 25, 26, 27, 32(7), 34(4), (6) and (7), 35(1) to (3) and (5), 68(2) and 76(2) and (3)”;

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- (d) in paragraph 4(3) for the words from “Articles” to the end there shall be substituted “Articles 22A(3) to (13), 22B, 24, 26, 27 and 76(2) and (3)”.

4

Article 25(2).

REPEALS

Chapter or Number	Short Title	Extent of Repeal
1871 c. 31.	The Trade Union Act 1871.	Section 9, except in so far as it relates to proceedings for a criminal offence.
1906 c. 47.	The Trade Disputes Act 1906.	The whole Act, so far as unrepealed.
1965 c. 19 (N.I.).	The Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965.	In section 4(6A)(b) the words “in accordance with paragraph 10 or 11 of Schedule 1”. In section 4(8) the words from “and if at any time” to the end. In section 4(9) the words from “and this section” to the end. Section 6(1A), (3) and (4). In section 18(1) the words from “excluding any week” to the end. In section 18(2) the words “subsection (1), and to”. Section 26(2). In section 29(2) the words “Without prejudice to section 26(2)”. Section 61. In section 63(1) the definition of “the United Kingdom Act”. In Schedule 3 paragraph 1(a). In Schedule 3 in paragraphs 2(a) and (b) the words “which consists wholly of weeks”. In Schedule 3 paragraph 8. In Article 3(1) the words “or between workers and workers”.
1976 NI 16.	The Industrial Relations (Northern Ireland) Order 1976.	Article 3(4) and (7). Article 32(3)(a). Article 34(1)(b). In Article 34(3)(a) and (b) the words “which consists wholly of weeks”. Article 35(6). In Article 35(6B) the words from “other than” to “paragraph (6)”. Articles 38B and 38C. In Article 39(10) the definition of “appropriate time”. Article 64(2). Article

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Chapter or Number	Short Title	Extent of Repeal
		68(3). Article 76(4). In part II of Schedule 5, paragraphs 1, 3, 11, 12 and 29. In part III of Schedule 5 the amendments to the Trade Disputes Act 1906 and the Industrial Courts Act 1919.
1976 NI 28.	The Industrial Relations (No. 2) (Northern Ireland) Order 1976.	In Article 2(4) the words from “and for the purposes” to the end. Article 49(2)(a). In Schedule 4, paragraph 5(4).
1982 NI 8.	The Industrial Relations (Northern Ireland) Order 1982.	Articles 8 and 9. Article 12. Article 17. Article 20. In Schedule 2 the amendments to Articles 21(5), 22(8) and 32(3)(a) of the No. 1 Order and paragraphs 2(4) and 4(3) of Schedule 2 to the No. 2 Order.