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## STATUTORY INSTRUMENTS

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# 1992 No. 807

## The Industrial Relations (Northern Ireland) Order 1992

### PART I

#### INTRODUCTORY

##### **Title and commencement**

1.—(1) This Order may be cited as the Industrial Relations (Northern Ireland) Order 1992.

(2) This Order shall come into operation on such day or days as the Head of the Department of Economic Development may by order appoint<sup>F1</sup>.

(3) Without prejudice to Article 107(3), an order under paragraph (2) may contain such transitional and supplementary provisions as appear to the Head of the Department of Economic Development to be necessary or expedient.

<b>F1</b> fully exercised by SR 1992/212
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##### **Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954<sup>F2</sup> shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

[<sup>F3</sup>(1A) Articles 2(2), 144 and 145 (interpretation) of the Trade Union and Labour Relations (Northern Ireland) Order 1995 shall apply in relation to this Order as they apply in relation to that Order.]

(2) In this Order—

*Definitions rep. by 1995 NI 12*

[<sup>F4</sup>“agency worker” has the meaning given in regulation 3 of the Agency Workers Regulations (Northern Ireland) 2011;]

[<sup>F3</sup>“agent”, in relation to a trade union or employers' association, means a banker or solicitor of, or any person employed as an auditor by, the union or association or any branch or section of the union or association;]

“the appointed day”, in any provision, means the day appointed under Article 1(2) for the coming into operation of that provision;

*Definition rep. by 1995 NI 12*

“collective agreement” means any agreement or arrangement made by or on behalf of one or more trade unions and one or more employers or employers' associations and relating to one or more of the matters mentioned in [<sup>F3</sup> Article 96(1)];

“collective bargaining” means negotiations relating to or connected with one or more of the matters mentioned in [<sup>F3</sup> Article 96(1)];

**Changes to legislation:** The Industrial Relations (Northern Ireland) Order 1992, PART I is up to date with all changes known to be in force on or before 27 January 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Definition rep. by 1995 NI 12

F5 .....

Definitions rep. by 1995 NI 12

[<sup>F3</sup>“financial affairs”, in relation to a trade union or employers' association, means affairs of the union or association relating to any fund which is applicable for the purposes of the union or association (including any fund of a branch or section of the union or association which is so applicable);]

“independent trade union” means a trade union which—

- (a) is not under the domination or control of an employer or a group of employers or of one or more employers' associations; and
- (b) is not liable to interference by an employer or any such group or association (arising out of the provision of financial or material support or by any other means whatsoever) tending towards such control;

and, in relation to a trade union, “independence” and “independent” shall be construed accordingly;

Definition rep. by 1995 NI 12

“the Industrial Court” means the Industrial Court constituted under Article 91;

Definitions rep. by 1995 NI 12

“strike” means any concerted stoppage of work;

Definitions rep. by 1995 NI 12

Paras.(3)#(9) rep. by 1995 NI 12

(10) For the purposes of this Order any two employers are to be treated as associated if one is a company of which the other (directly or indirectly) has control, or if both are companies of which a third person (directly or indirectly) has control; and in this Order “associated employer” shall be construed accordingly.

(11) For the purposes of this Order it is immaterial whether the law which (apart from this Order) governs any person's employment is the law of the United Kingdom, or of a part of the United Kingdom, or not.

<b>F2</b>	1954 c.33 (NI)
<b>F3</b>	1995 NI 12
<b>F4</b>	Art. 2(2): definition of "agency worker" inserted (5.12.2011) by <a href="#">Agency Workers Regulations (Northern Ireland) 2011 (S.R. 2011/350)</a> , reg. 23(2), <b>Sch. 2 para. 2</b>
<b>F5</b>	Art. 2(2): definition of "the Companies Order" omitted (1.10.2009) by virtue of <a href="#">Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941)</a> , art. 2(1), <b>Sch. 1 para. 136(2)</b> (with art. 10)

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument excl by [1994 c. 33 s. 127\(8\)](#)
- Instrument restr (pt retrospect) by [1994 c. 33 s. 126\(1\)s. 126\(2\)\(b\)\(4\)](#)