

Changes to legislation: The Industrial Tribunals (Northern Ireland) Order 1996, SCHEDULE 2 is up to date with all changes known to be in force on or before 11 April 2024. 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

SCHEDULES

SCHEDULE 2

Article 27.

TRANSITIONAL PROVISIONS, SAVINGS AND TRANSITORY PROVISIONS

PART I

TRANSITIONAL PROVISIONS AND SAVINGS

1. The substitution of this Order for the provisions repealed or revoked by this Order does not affect the continuity of the law.

2. Anything done, or having effect as done, (including the making of subordinate legislation) under or for the purposes of any provision repealed or revoked by this Order has effect as if done under or for the purposes of any corresponding provision of this Order.

3. Any reference (express or implied) in this Order or any other statutory provision, or in any instrument or document, to a provision of this Order is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes before the coming into operation of this Order a reference to the corresponding provision repealed or revoked by this Order.

4.—(1) Any reference (express or implied) in any statutory provision, or in any instrument or document, to a provision repealed or revoked by this Order is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes after the coming into operation of this Order a reference to the corresponding provision of this Order.

(2) In particular, where a power conferred by a statutory provision is expressed to be exercisable in relation to statutory provisions passed or made before the statutory provision conferring the power, the power is also exercisable in relation to provisions of this Order which reproduce such statutory provisions.

5. Paragraphs 1 to 4 have effect in place of section 29 of the Interpretation Act (Northern Ireland) 1954 (but are without prejudice to any other provision of that Act).

PART II

TRANSITORY PROVISIONS

Disability discrimination

6.—(1) If section 62 of the Disability Discrimination Act 1995 has not come into force before the coming into operation of this Order, this Order shall have effect with the omission of Article 14 until the relevant commencement date.

(2) The reference in sub-paragraph (1) to the relevant commencement date is a reference—

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- (a) if an order has been made before the coming into operation of this Order appointing a date after that coming into operation as the day on which section 62 of the Disability Discrimination Act 1995 is to come into force, to the day so appointed, and
 - (b) otherwise, to such day as the Department may by order appoint^{F1}.
- (3) If paragraph 1 of Schedule 3 to the Disability Discrimination Act 1995 has not come into force before the coming into operation of this Order, this Order shall have effect with the omission of Article 20(1)(a)(iii) until the relevant commencement date.
- (4) The reference in sub-paragraph (3) to the relevant commencement date is a reference—
- (a) if an order has been made before the coming into operation of this Order appointing a day after that coming into operation as the day on which paragraph 1 of Schedule 3 to the Disability Discrimination Act 1995 is to come into force, to the day so appointed, and
 - (b) otherwise, to such day as the Department may by order appoint.

F1 fully exercised with inclusion of art. 14 by SR 1997/36

Jobseeker's allowance

- 7.—(1) If paragraph 1 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 has not come into operation before the coming into operation of this Order, this Order shall have effect until the relevant commencement date as if a reference to unemployment benefit were substituted for—
- (a) each of the references to jobseeker's allowance in paragraph (3) of Article 18.
 - (b) the second reference to jobseeker's allowance in paragraph (4) of that Article,
 - (c) the first reference to jobseeker's allowance in paragraph (1) of Article 19, and
 - (d) the reference to jobseeker's allowance in paragraph (2) of that Article.
- (2) The reference in sub-paragraph (1) to the relevant commencement date is a reference—
- (a) if an order has been made before the coming into operation of this Order appointing a day after that coming into operation as the day on which paragraph 1 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 is to come into force, to the day so appointed, and
 - (b) otherwise, to such day as the Department may by order appoint.

Armed forces

- 8.—(1) If Article 10 of the Industrial Relations (Northern Ireland) Order 1993 has not come into operation before the coming into operation of this Order, Article 23 shall have effect until the relevant commencement date as if for paragraph (4) there were substituted—

“(4) Paragraph (1)—

- (a) does not apply to service as a member of the naval, military or air forces of the Crown, but
- (b) does apply to employment by an association established for the purposes of Part VI of the Reserve Forces Act 1980.”

- (2) The reference in sub-paragraph (1) to the relevant commencement date is a reference—
- (a) if an order has been made before the coming into operation of this Order, appointing a day after that coming into operation as the day on which Article 10 of the Industrial Relations (Northern Ireland) Order 1993 is to come into operation, to the day so appointed, and

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- (b) otherwise, to such day as the Department may by order appoint.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 20(1)(c)(via) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 13](#)