
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 242

EMPLOYMENT

Suspension from Work on Maternity Grounds (Merchant Shipping and Fishing Vessels) Order (Northern Ireland) 1998

Made - - - - *1st July 1998*
Coming into operation *16th August 1998*

The Department of Economic Development, in exercise of the powers conferred on it by Article 98(2) of the Employment Rights (Northern Ireland) Order 1996 (“the 1996 Order”)(1), and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Suspension from Work on Maternity Grounds (Merchant Shipping and Fishing Vessels) Order (Northern Ireland) 1998 and shall come into operation on 16th August 1998.

Specified provisions under the 1996 Order

2. Regulation 8(3) and regulation 9(2) of the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997(2) are hereby specified for the purposes of Article 98(2) of the 1996 Order.

Sealed with the Official Seal of the Department of Economic Development on

L.S.

1st July 1998.

G. I. O'Doherty
Assistant Secretary

(1) S.I. 1996/1919 (N.I. 16)
(2) 1997/2962

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order.)

Regulations 8(3) and 9(2) of the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 (“the 1997 Regulations”) require that in certain circumstances new or expectant mothers shall be suspended from work for health and safety reasons.

Articles 99 and 100 of the Employment Rights (Northern Ireland) Order 1996 (“the 1996 Order”) provide that before an employee is suspended from work on maternity grounds she has the right to be offered alternative work, and if she is suspended she has the right to be paid during the period of suspension. Under Article 98 of the 1996 Order, an employee is suspended on maternity grounds if she is suspended under a provision for the time being specified in an Order made by the Department of Economic Development.

This Order specifies regulations 8(3) and 9(2) of the 1997 Regulations, so that suspension under those provisions constitutes suspension on maternity grounds.

In this way, Articles 5(2), 5(3) and 7(2) of Council Directive [92/85/EEC](#) on the introduction of measures to encourage improvements in the safety and health of pregnant workers and workers who have recently given birth or are breastfeeding (O.J. No. L348, 28.11.92, p. 1) are given similar effect in relation to women employed at sea as they have in relation to women employed on land in Northern Ireland.