

SCHEDULE

Employment rights and protections in connection with consultation

Protections against unfair dismissal

- 6.—(1) The 1996 Order shall be amended in accordance with sub-paragraphs (2) to (4).
- (2) In Article 137 (redundancy as unfair dismissal)—
- (a) in paragraph (1)(1), for sub-paragraph (c) there shall be substituted the following sub-paragraph—
- “(c) it is shown that any of paragraphs (2A)(2) to (7G) apply.”, and
- (b) after paragraph (7F)(3) there shall be inserted the following paragraph—
- “(7G) This paragraph applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was one specified in paragraph 5(3) or (5) of the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers) Regulations (Northern Ireland) 2006 (read with paragraph 5(6) of that Schedule).”.
- (3) In Article 140(3) (exclusion of right: qualifying period of employment)—
- (a) at the end of sub-paragraph (n)(4) “or” shall be omitted, and
- (b) after sub-paragraph (o)(5) there shall be inserted—
- “, or
- (p) paragraph 5(3) or (5) of the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers) Regulations (Northern Ireland) 2006 (read with paragraph 5(6) of that Schedule) applies.”.
- (4) In Article 141(2) (exclusion of right: upper age limit)—
- (a) at the end of sub-paragraph (n)(6) “or” shall be omitted, and
- (b) after sub-paragraph (o)(7) there shall be inserted—
- “, or
- (p) paragraph 5(3) or (5) of the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers) Regulations (Northern Ireland) 2006 (read with paragraph 5(6) of that Schedule) applies.”.

(1) Paragraph (1) was amended by Article 20(4) of the Employment Relations (Northern Ireland) Order 2004 (S.I.2004/3078 (N.I. 19)) and regulation 43(1)(a) of S.R. 2004 No. 417

(2) Paragraph (2A) was inserted by Article 20(5) of the Employment Relations (Northern Ireland) Order 2004

(3) Paragraph (7F) was inserted by regulation 31(1)(b) of S.R. 2005 No. 47

(4) Sub-paragraph (n) was inserted by regulation 43(2)(b) of S.R. 2004 No. 417

(5) Sub-paragraph (o) was inserted by regulation 31(2)(b) of S.R. 2005 No. 47

(6) Sub-paragraph (n) was inserted by regulation 43(3)(b) of S.R. 2004 No. 417

(7) Sub-paragraph (o) was inserted by regulation 31(3)(b) of S.R. 2005 No. 47