

SCHEDULE

Article 3

PART 1

Transitional Provisions and Savings

1. The following amendments and repeals made by the Act shall have effect subject to the provisions of paragraph 2—

- (a) in the 2003 Order—
 - (i) the repeal of Articles 16, 19, 20, 21 and 22;
 - (ii) the repeal of Part 2 and paragraph 15 of Schedule 1;
 - (iii) the repeal of Schedule 3;
 - (iv) the amendment of Articles 15(1) and 34(3), and paragraphs 11 and 14 of Schedule 1;
- (b) in the Industrial Relations (Northern Ireland) Order 1992(1)—
 - (i) the insertion of Article 90AA;
 - (ii) the amendment of Article 107(2);
 - (iii) the insertion of Schedule 4A.

2.—(1) The amendments and repeals referred to in paragraph 1 shall not have effect where the standard grievance procedure or the modified grievance procedure applies by virtue of regulation 6 of the Regulations, and the action about which the employee complains (by complying with paragraph 6 or 9 of Schedule 1 to the 2003 Order, or presenting a complaint to a tribunal) occurs wholly before 3rd April 2011.

(2) The amendments and repeals referred to in paragraph 1 shall not have effect where the standard grievance procedure or the modified grievance procedure applies by virtue of regulation 6 of the Regulations and—

- (a) the action which forms the basis of a grievance begins on or before 2nd April 2011 and continues beyond that date; and
- (b) the employee presents a complaint to a tribunal or complies with paragraph 6 or 9 of Schedule 1 to the 2003 Order in relation to the grievance—
 - (i) on or before 2nd July 2011 under a jurisdiction listed in Part 2 of this Schedule and Article 144 of the 1996 Order(2) does not apply;
 - (ii) on or before 2nd October 2011 under a jurisdiction listed in Part 2 of this Schedule and Article 144 of the 1996 Order applies;
 - (iii) on or before 2nd October 2011 under a jurisdiction listed in Part 3 of this Schedule.

3. The terms—

- “action”;
- “grievance”;
- “modified grievance procedure”;
- “standard grievance procedure”; and
- “tribunal”;

(1) [S.I. 1992/807 \(N.I. 5\)](#).

(2) Article 144 was amended by [S.R. 1998 No. 386](#), regulation 32(5); [S.I. 1999/2790 \(N.I. 9\)](#), Schedule 4, Part 3, paragraph 11, Schedule 5, paragraphs 4 and 5 and Schedule 9; and [S.I. 2004/3078 \(N.I. 19\)](#), Article 20(9) and 21(4).

Status: This is the original version (as it was originally made).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

have the same meaning in this Order as they have in the Regulations.

PART 2

Tribunal Jurisdiction

Article 63 of the Sex Discrimination (Northern Ireland) Order 1976⁽³⁾ (discrimination in the employment field)

Paragraph 156 of Schedule 1A to the Trade Union and Labour Relations (Northern Ireland) Order 1995⁽⁴⁾ (detriment in relation to union recognition rights)

Section 17A of the Disability Discrimination Act 1995⁽⁵⁾ (discrimination in the employment field)

Article 55 of the Employment Rights (Northern Ireland) Order 1996⁽⁶⁾ (unauthorised deductions and payments)

Article 71 of that Order (detriment in employment)

Article 74 of that Order (detriment in relation to union membership and activities)

Article 77A of that Order (inducements relating to union membership or activities)

Article 77B of that Order (inducements relating to collective bargaining)

Article 145 of that Order (unfair dismissal)

Article 52 of the Race Relations (Northern Ireland) Order 1977⁽⁷⁾ (discrimination in the employment field)

Section 24 of the National Minimum Wage Act 1998⁽⁸⁾ (detriment in relation to national minimum wage)

Regulation 30 of the Working Time Regulations (Northern Ireland) 1998⁽⁹⁾ (breach of regulations)

Regulation 32 of the Transnational Information and Consultation of Employees Regulations 1999⁽¹⁰⁾ (detriment relating to European Works Councils)

Regulation 34 of the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003⁽¹¹⁾ (discrimination in the employment field)

Regulation 45 of the European Public Limited-Liability Company Regulations (Northern Ireland) 2004⁽¹²⁾ (detriment in employment)

Regulation 33 of the Information and Consultation of Employees Regulations (Northern Ireland) 2005⁽¹³⁾ (detriment in employment)

Regulation 41 of the Employment Equality (Age) Regulations (Northern Ireland) 2006⁽¹⁴⁾ (discrimination in the employment field)

(3) S.I. 1976/1042 (N.I. 15).

(4) S.I. 1995/1980 (N.I. 12).

(5) 1995 c. 50; section 17A was originally section 8 and renumbered by the Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673).

(6) S.I. 1996/1919 (N.I. 16).

(7) S.I. 1997/869 (N.I. 6).

(8) 1998 c. 39.

(9) S.R. 1998 No. 386.

(10) S.I. 1999/3323.

(11) S.R. 2003 No. 497.

(12) S.R. 2004 No. 417.

(13) S.R. 2005 No. 47.

(14) S.R. 2006/261.

Regulation 34 of the European Cooperative Society (Involvement of Employees) Regulations 2006(**15**) (detriment in relation to involvement in a European Cooperative Society)

Paragraph 8 of the Schedule to the Occupational and Personal Pension Schemes (Consultation by Employers) Regulations (Northern Ireland) 2006(**16**) (detriment in employment)

Regulation 51 of the Companies (Cross-Border Mergers) Regulations 2007(**17**) (detriment in relation to special negotiating body or employee participation)

Regulation 17 of the Cross-border Railway Services (Working Time) Regulations (Northern Ireland) 2008(**18**) (breach of regulations).

PART 3

Tribunal Jurisdictions

Section 2 of the Equal Pay Act (Northern Ireland) 1970(**19**) (equality clauses)

Article 198 of the Employment Rights (Northern Ireland) Order 1996(**20**) (redundancy payments)

Article 38 of the Fair Employment and Treatment (Northern Ireland) Order 1998(**21**) (discrimination in the employment field).

(15) S.I. 2006/2059.

(16) S.R. 2006 No. 48.

(17) S.I. 2007/2974; see Schedule 2 paragraph 10.

(18) S.R. 2008 No. 315.

(19) 1970 c. 32.

(20) S.I. 1996/1919 (N.I. 16).

(21) S.I. 1998/3162 (N.I. 21).