
STATUTORY RULES OF NORTHERN IRELAND

2021 No. 103

**The Employment Rights (Northern Ireland) Order
1996 (Protection from Detriment in Health and Safety
Cases) (Amendment) Order (Northern Ireland) 2021**

Amendment of Article 72

5. In Article 72 (remedies)—

- (a) in paragraph (1), after “Article 71(1),” insert “(1YA),”;
- (b) in paragraph (2), after “Subject to paragraphs” insert “(5ZA),”;
- (c) after paragraph (5) insert—

“(5ZA) Where—

- (a) the complaint is made under Article 71(1YA),
- (b) the detriment to which the worker is subjected is the termination of the worker’s contract, and
- (c) that contract is not a contract of employment,

any compensation must not exceed the compensation that would be payable under Chapter 2 of Part 11 if the worker had been an employee and had been dismissed for the reason specified in Article 132.”.