
STATUTORY RULES OF NORTHERN IRELAND

2021 No. 253 (C. 10)

EMPLOYMENT

**The Employment Act (Northern Ireland) 2016
(Commencement No. 4) Order (Northern Ireland) 2021**

Made - - - - 14th September 2021

The Department for the Economy⁽¹⁾, in exercise of the power conferred by section 29(2) of the Employment Act (Northern Ireland) 2016⁽²⁾, and now vested in it⁽³⁾, makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Employment Act (Northern Ireland) 2016 (Commencement No. 4) Order (Northern Ireland) 2021.

(2) In this Order “the Act” means the Employment Act (Northern Ireland) 2016.

Provisions coming into operation on 20th September 2021

2. The following provisions of the Act come into operation on 20th September 2021—

- (a) section 4 (Power to require party to proceedings to pay deposit);
- (b) section 7 (Power to require party to proceedings to pay deposit);
- (c) section 18 (Zero hours workers);
- (d) section 20 (Careers guidance);
- (e) section 21 (Apprenticeships);
- (f) section 24 (Variation in procedures for certain orders and regulations);
- (g) section 27 (Repeals), in so far as it is not already in operation;
- (h) Schedule 3, in so far as it is not already in operation.

(1) Formerly the Department of Enterprise, Trade and Investment, see 2016 c. 5 (N.I.)

(2) 2016 c. 15 (N.I.)

(3) Functions relevant to this Order were transferred from the Department for Employment and Learning by S.R. 2016 No. 76, Article 6(1)(c).

Status: This is the original version (as it was originally made).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

Sealed with the Official Seal of the Department for the Economy on 14th September 2021.



Colin Jack
A senior officer of the
Department for the Economy

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation certain provisions of the Employment Act (Northern Ireland) 2016 (“the Act”).

Article 2(a) commences the provision that provides the Department with the power to prescribe by regulations requirements, in addition to those already in statute, which parties may be required to meet as a condition of continuing to participate in particular Industrial Tribunal proceedings.

Article 2(b) commences the provision that provides the Department with the power to prescribe by regulations other requirements, in addition to those already in statute, which parties may be required to meet as a condition of continuing to participate in particular Fair Employment Tribunal proceedings.

Article 2(c) empowers the Department to make appropriate provision to prevent abuses associated with the use of zero hours contracts, non-contractual zero hours arrangements or worker’s contracts of a kind to be specified in regulations.

Article 2(d) requires the Department to make arrangements for providing careers guidance for such persons as it considers appropriate, and empowers the Department to make regulations which deal with the delivery of careers guidance.

Article 2(e) enables the Department to make regulations requiring arrangements to be made for providing apprenticeships and traineeships.

Article 2(f) commences the provision amending the Employment Rights (Northern Ireland) Order 1996 so that the Department’s powers to amend certain legislative provisions are made subject to the draft affirmative procedure before the Assembly.

Article 2(g) and (h) gives effect to the repeal of relevant statutory provisions in Schedule 3 of the Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Employment Act (Northern Ireland) 2016 have been brought into operation by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 13 to 17, section 27 (partially) and Schedule 3 (partially)	1st October 2017	2017 No. 199 (C. 12)
Section 22, section 27 (partially) and Schedule 3 partially	30th March 2018	2017 No. 199 (C. 12) 2018 No. 79 (C. 7)
Sections 1, 2, 3, 5, 6, 9, 11, 12, 23, 25, 26, 27 (partially), Schedule 1, Schedule 2 and Schedule 3 (partially)	27th January 2020	2020 No. 1 (C. 1)