

SCHEDULE

Regulation 2

AMENDMENTS TO EMPLOYMENT RIGHTS LEGISLATION EXTENDING TO NORTHERN IRELAND

PART 1

AMENDMENTS

The Employment Relations (Northern Ireland) Order 1999

1. In Article 37 of the Employment Relations (Northern Ireland) Order 1999⁽¹⁾ (transfer of undertakings) for paragraphs (1) and (2) substitute—

“(1) The Department may by regulations make TUPE-like provision in relation to the treatment of employees in circumstances other than those to which the main part of the TUPE regulations applies.

(2) In this Article—

(a) the “main part of the TUPE regulations” means so much of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246) as relates to the treatment of employees on the transfer of an undertaking, business or part of an undertaking or business;

(b) “TUPE-like provision” means provision which is the same or similar to that made by the main part of the TUPE regulations.

(2A) The circumstances mentioned in paragraph (1) include circumstances in which there is no transfer, or no transfer to which the main part of the TUPE regulations applies.”.

The Work and Families (Northern Ireland) Order 2006

2. In Article 15 of the Work and Families (Northern Ireland) Order 2006⁽²⁾ (annual leave)—

(a) omit paragraph (2)(g), and

(b) omit paragraph (4)(b).

PART 2

SAVING PROVISION

3. The amendments made by Part 1 of this Schedule do not affect the validity of any regulations that came into force before exit day and were made under either of the Orders amended by that Part.

(1) S.I. 1999/2790 (N.I. 9).
(2) S.I. 2006/1947 (N.I. 16).