STATUTORY RULES OF NORTHERN IRELAND

1999 No. 470 (C. 35)

EMPLOYMENT

Employment Relations (1999 Order) (Commencement No. 1 and Transitional and Saving Provisions) Order (Northern Ireland) 1999

Made - - - - 24th November 1999

The Department of Economic Development, in exercise of the powers conferred on it by Article 1(2) and 39(3) of the Employment Relations (Northern Ireland) Order 1999(**1**), and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Employment Relations (1999 Order) (Commencement No. 1 and Transitional and Saving Provisions) Order (Northern Ireland) 1999.

(2) In this Order—

"the 1992 Order" means the Industrial Relations (Northern Ireland) Order 1992(**2**);

"the 1995 Order" means the Trade Union and Labour Relations (Northern Ireland) Order 1995(**3**);

"the 1996 Order" means the Employment Rights (Northern Ireland) Order 1996(**4**);

"the 1999 Order" means the Employment Relations (Northern Ireland) Order 1999.

The 1999 Order: commencement of specified provisions

2.—(1) The provisions of the 1999 Order specified in Part I of Schedule 1 shall come into operation on 1st December 1999.

(2) The provisions of the Order specified in Part II of Schedule 1 to this Order shall come into operation on 15th December 1999.

(3) Article 40 and the repeals specified in column 3 of Schedule 9 to the 1999 Order shall come into operation—

(a) to the extent specified in Part I of Schedule 2, on 1st December 1999; and

(**1**) S.I.1999/2790 (N.I. 9)
(**2**) S.I. 1992/807 (N.I. 5)
(**3**) S.I. 1995/1980 (N.I. 12)
(**4**) S.I. 1996/1919 (N.I. 16)

(b) to the extent specified in Part II of Schedule 2, on 15th December 1999.

Transitional and saving provisions

3. The transitional and saving provisions in Schedule 3 shall have effect.

Sealed with the Official Seal of the Department of Economic Development on 24th November 1999.

R. B. Gamble
Assistant Secretary

SCHEDULE 1 Article 2(1) and (2)

Part I

Provisions coming into Operation on 1st December 1999

Provision(s)	Subject Matter of Provision(s)
Article 4 and Schedule 2	Detriment relating to union membership
Article 5	Blacklists
Paragraphs (1) to (3) of Article 15	Definitions for the purpose of the right to be accompanied
Article 20	Agreement to exclude dismissal rights
Articles 21 to 23	Part-time work
Article 24	Power to confer rights on individuals
Article 26	The Agency: general duty
Article 29	Partnerships at work
Article 30 and in Schedule 7, paragraphs 1, 2, 4, 5 and 7 (to the extent that it inserts Article 9A into the Employment Miscellaneous Provisions (Northern Ireland) Order 1981(**5**))	Employment agencies
Article 31	Employment outside Northern Ireland
Article 32	Unfair Dismissal: special and additional awards
Article 33(4)	Indexation of amounts &c.
Article 34	Guarantee payments
In Article 35(1), the word "158(2)" to the extent that it repeals Article 159(7) of the 1996 Order	Articles 32 to 34: consequential
Article 36	Compensatory award etc.: removal of limit in certain cases
Article 37	Transfer of undertakings
Article 39	Orders and regulations

Part II

Provisions coming into Operation on 15th December 1999

Article 9 and Part I of Schedule 4	Maternity and parental leave
Article 10 and Part II of Schedule 4	Time off for dependants

(**5**) 1981

Article 11 and Part III of Schedule 4	Consequential amendments
Article 27	Abolition of Commissioners
Article 28 and Schedule 6	The Certification Officer for Northern Ireland

SCHEDULE 2 Article 2(3)

Part I

Repeals coming into Operation on 1st December 1999

The repeals specified in the following Parts in Schedule 9 to the 1999 Order shall come into operation on 1st December 1999, subject to any exceptions specified in this Part, that is to say—

3. Agreement to exclude dismissal rights;

4. Power to confer rights on individuals;

5. The Agency: general duty;

9. Employment outside Northern Ireland;

10. Articles 32 to 35

(except the following repeals of provisions of the 1996 Order)—

Articles 23(2) to (4);

Article 154(2);

Article 158(2);

Article 231(2);

in Article 251(3)(*a*) the words "23(2)" and "154(2), 158(2), 159(7), 231(2)".

11. Compensatory Award: removal of limit in certain cases.

Part II

Repeals coming into Operation on 15th December 1999

The repeals specified in the following Parts in Schedule 9 to the 1999 Order shall come into operation on 15th December 1999, that is to say—

2. Leave for family reasons, etc;

6. Commissioners;

7. The Certification Officer.