STATUTORY RULES OF NORTHERN IRELAND

1998 No. 274 (C. 10)

EMPLOYMENT

Employment Rights (Dispute Resolution) (1998 Order) (Commencement No. 1 and Transitional and Saving Provisions) Order (Northern Ireland) 1998

Made - - - - 5th August 1998

The Department of Economic Development, in exercise of the powers conferred on it by Article 1(2) of the Employment Rights (Dispute Resolution) (Northern Ireland) Order 1998(**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 Rights (Dispute Resolution) (1998 Order) (Commencement No. 1 and Transitional and Saving Provisions) Order (Northern Ireland) 1998.

(2) In this Order—

"the 1995 Order" means the Trade Union and Labour Relations (Northern Ireland) Order 1995(**2**);

"the 1996 Order" means the Employment Rights (Northern Ireland) Order 1996(**3**); and

"the 1998 Order" means the Employment Rights (Dispute Resolution) (Northern Ireland) Order 1998.

Commencement

2.—(1) The provisions of the 1998 Order specified in Schedule 1 shall come into operation on 8th August 1998.

(2) The provisions of the 1998 Order specified in Schedule 2 shall come into operation on 1st October 1998.

(3) The provisions of the 1998 Order specified in Schedule 3 shall come into operation on 1st January 1999.

(**1**) S.I. 1998/1265 (N.I. 8)
(**2**) S.I. 1995 No. 1980 (N.I. 12)
(**3**) S.I. 1996 No. 1919 (N.I. 16)

Transitional and saving provisions

3.—(1) The amendments made to the Industrial Tribunals (Northern Ireland) Order 1996(**4**) by Article 4(1), (2) and (3) of the 1998 Order shall have effect only in relation to cases in which the date of the hearing of the originating application is first fixed on or after 8th August 1998.

(2) The substitution of Article 61 of the 1995 Order, made by Article 7 of the 1998 Order, shall have effect only where the date of payment of the emoluments concerned falls on or after 8th August 1998.

(3) Neither the amendment made to the 1996 Order by paragraph 9 of Schedule 1 to the 1998 Order, nor the repeal of Article 62 of the 1995 Order in Schedule 2 to the 1998 Order, shall have effect in relation to any complaint where the date of payment of the wages (within the meaning of Article 59 of the 1996 Order) concerned falls before 8th August 1998.

(4) The amendments made to the Sex Discrimination (Northern Ireland) Order 1976(**5**), the Race Relations (Northern Ireland) Order 1997(**6**), the 1995 Order, the Disability Discrimination Act 1995(**7**) and the 1996 Order by Article 9 of the 1998 Order shall have effect only in respect of arbitration agreements entered into on or after 8th August 1998.

(5) Neither the amendments made to the 1996 Order by Article 12 of the 1998 Order, nor the repeals relating to Article 201(2)(*a*) and Article 203(1)(*a*) of the 1996 Order in Schedule 2 to the 1998 Order, shall have effect in respect of dismissals from employment where the relevant date (within the meaning of Article 180 of the 1996 Order) falls before 1st October 1998.

(6) The amendments made to the 1996 Order by Article 14 of, and paragraphs 8, 10, 11, 12 and 14 of Schedule 1 to the 1998 Order, shall have effect only in respect of dismissals from employment where the effective date of termination (within the meaning of Article 129 of the 1996 Order) falls on or after 1st January 1999.

(7) Neither the amendment made to the 1996 Order by Article 15 of the 1998 Order, nor the repeal relating to Article 151(6)(*a*) of the 1996 Order in Schedule 2 to the 1998 Order, shall have effect in respect of dismissals from employment where the effective date of termination (within the meaning of Article 129 of the 1996 Order) falls before 8th August 1998.

Sealed with the Official Seal of the Department of Economic Development on

5th August 1998.

Suzanna Cooper
Assistant Secretary

(**4**) S.I.1996/1921 (N.I. 18)
(**5**) S.I. 1976/1042 (N.I. 15)
(**6**) S.I. 1997869 (N.I. 6)
(**7**) 1995 c. 50