1995 No. 46

INDUSTRIAL RELATIONS

Employment Protection (Part-time Employees) Regulations (Northern Ireland) 1995

Made . . . . . 22nd February 1995

Coming into operation . . 19th March 1995

The Department of Economic Development, being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to measures relating to equal pay for men and women and to equal treatment for men and women in matters of employment, self employment and vocational training, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Employment Protection (Part-time Employees) Regulations (Northern Ireland) 1995 and shall come into operation on 19th March 1995.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Extension of rights of part-time employees

3.—(1) Schedule 1 to the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(**d**), shall be amended in accordance with paragraphs (2) to (4).

(2) The following provisions, which relate to the number of hours which an employee needs to work in a week for that week to count in computing a period of employment, shall cease to have effect, that is to say—

(*a*) paragraph 3(**e**);

(*b*) in paragraph 4(**e**), the words "which normally involves employment for sixteen hours or more weekly"; and

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(**a**) *See* S.I. 1993/2661
(**b**) 1972 c. 68
(**c**) 1954 c. 33 (N.I.)
(**d**) 1965 c. 19 (N.I.)
(**e**) Paragraphs 3 and 4 were amended by Article 82(1) of, and Schedule 5, Part II, paragraph 30 to, S.I. 1976/1043 (N.I. 16)

(*c*) paragraphs 4A to 4D(**a**).

(3) In paragraph 1(1) for the word "3" there shall be substituted the word "4"(**b**).

(4) In paragraph 5A for the words "paragraphs 3, 4 or 4A" there shall be substituted the words "paragraph 4"(**c**).

4. In the Industrial Relations (No. 2) (Northern Ireland) Order 1976(**d**)—

(*a*) Article 43D(1)(*b*) (exclusion from right to written particulars of employment under Articles 43 to 43C)(**e**), shall cease to have effect; and

(*b*) in Article 49, paragraphs (5) to (8A)(**f**) (exclusion of part-time employees from rights which do not depend upon an employee having a qualifying period of employment), shall cease to have effect.

Repeals

5. Each of the enactments mentioned in column 1 of the Schedule is repealed to the extent specified opposite thereto in column 3.

Sealed with the Official Seal of the Department of Economic Development on 22nd February 1995.

(L.S.) *P. S. McDonnell*
Under Secretary

(**a**) Paragraphs 4A, B and C were inserted by Article 82(1) of, and Schedule 5, Part II, paragraph 31 to, S.I. 1976/1043 (N.I. 16), and paragraph 4D was inserted by Article 23 of, and Schedule 2, paragraph 4(2) to, S.I. 1987/936 (N.I. 9) and was amended by Article 108(1) of, and Schedule 5, Part II, paragraph 5(1) to, S.I. 1992/807 (N.I. 5)

(**b**) Paragraph 1 was substituted by Article 23 of, and Schedule 2, paragraph 4(1) to, S.I. 1987/936 (N.I. 9)

(**c**) Paragraph 5A was inserted by Article 65(1) of, and Schedule 4 paragraph 3(6) to, S.I. 1976/2147 (N.I. 28)

(**d**) S.I. 1976/2147 (N.I. 28)

(**e**) Articles 43 to 43D were inserted by Article 4 of, and Part I of Schedule 2 to, S.I. 1993/2668 (N.I. 11)

(**f**) Paragraphs (5A) to (5C) were inserted by Article 5 of S.I. 1993/2668 (N.I. 11) and paragraph (8A) was inserted by Article 108(1) of, and paragraph 7(5) of Part II of Schedule 5 to, S.I. 1992/807 (N.I. 5)