1976 No. 218 (C. 11)

INDUSTRIAL RELATIONS

The Industrial Relations (1976 Order) (Commencement No. 1) Order (Northern Ireland) 1976

Made . . . . . *27th July* 1976

Coming into operation . . . . *27th July* 1976

The Department of Manpower Services, in exercise of the powers conferred on it by Article 1 of the Industrial Relations (Northern Ireland) Order 1976(a) and paragraph 2(1) and (2) of Schedule 1 to the Northern Ireland Act 1974(b) and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation

1. This Order may be cited as the Industrial Relations (1976 Order) (Commencement No. 1) Order (Northern Ireland) 1976.

Commencement

2. The provisions of the Industrial Relations (Northern Ireland) Order 1976, except for the provisions of Article 82(1) and Schedule 5 so far as they relate to paragraphs 8, 9, 12, 30, 31, 32, 33 and 34 of Part II of that Schedule, shall come into operation on 1st October 1976.

Transitional provisions

3.—(1) Articles 49 and 50 shall not apply to any dismissal which, pursuant to a qualifying notice given before 1st October 1976, is to take effect before 1st January 1977.

(2) In determining for the purposes of Article 49(3) or Article 50(1) whether an employer is proposing to dismiss as redundant 100 or more, or, as the case may be, 10 or more employees, no account shall be taken of employees whose proposed dismissals, pursuant to a qualifying notice given before 1st October 1976, are to take effect before 1st January 1977.

(3) For the purposes of paragraphs (1) and (2) a qualifying notice is a notice complying with the requirements of section 1(1) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(c) (rights of employee to minimum period of notice) and the relevant terms of the contract of employment.

(4) Article 49(3) shall not apply to any dismissal which is to take effect on or after 1st October 1976 where consultation with trade union representatives began before that date.

(5) For the purposes of paragraph (4) consultation shall not be taken to have begun unless the employer has disclosed in writing to the relevant trade union representatives the matters specified in sub-paragraphs (*a*), (*b*) and (*c*) of Article 49(5).

(a) S.I. 1976/1043 (N.I. 16)
(b) 1974 c. 28
(c) 1965 c. 19 (N.I.)