1968. No. 147 **[C]**

TERMS AND CONDITIONS OF EMPLOYMENT

Redundancy Payments—Exclusion of Merchant Seamen

ORDER*, DATED 27TH JUNE 1968, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 26(5) OF THE CONTRACTS OF EMPLOYMENT AND REDUNDANCY PAYMENTS ACT (NORTHERN IRELAND) 1965.

The Ministry of Health and Social Services in exercise of powers conferred by section 26(5) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(a) and of all other powers enabling it in that behalf hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Redundancy Payments (Exclusion of Merchant Seamen) Order (Northern Ireland) 1968 and shall come into operation on 5th August 1968.

Interpretation

2. In this Order—

"the Act" means the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965;

"employment" means employment of an individual who has entered into or works under (or, in the case of a contract which has been terminated, worked under) a contract with an employer, whether the contract is for manual labour, clerical work or otherwise, is express or implied, oral or in writing, and whether it is a contract of service or of apprenticeship;

"merchant seaman" does not include any person employed in the fishing industry or any person employed on board a ship otherwise than by the owner, manager, or charterer of that ship except a person so employed as a radio officer but save as aforesaid includes a master or a member of the crew of any ship, an apprentice to the sea service, a person employed as a trainee undergoing training for the sea service, and a person ordinarily employed as a merchant seaman who is employed in or about a ship in port by the owner, manager, or charterer of the ship to do work of a kind ordinarily done by a merchant seaman on such a ship while it is in port;

"relevant employment" means employment as a merchant seaman of a person who—

(*a*) is neither domiciled nor has a place of residence in Northern Ireland; or

(*b*) is serving in a ship under articles which include a requirement to observe terms and conditions of employment set out in any National Maritime Board agreement for the time being in force; or

(*c*) is serving in any ship as a radio officer employed by a marine wireless company incorporated in Great Britain or Northern Ireland; or

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(a) 1965. c. 19 (N.I.).

*A draft of this Order was approved by Resolution of the Senate on the 18th day of June 1968 and by Resolution of the House of Commons on the 12th day of June 1968.