
STATUTORY INSTRUMENTS

1993 No. 2668

The Industrial Relations (Northern Ireland) Order 1993

Employment rights

Compensation for unfair dismissal when reinstatement or re-engagement ordered

8.—(1) Articles 32, 36 and 37 of the No. 1 Order (awards of compensation for unfair dismissal) shall be amended in accordance with paragraphs (2) to (6).

(2) In Article 32(1) for the words “Article 37” there shall be substituted the words “paragraph (1A)”.

(3) In Article 32 after paragraph (1) there shall be inserted—

“(1A) Paragraph (1) is subject to Article 37 except that the limit imposed by that Article may be exceeded to the extent necessary to enable the award fully to reflect the amount specified as payable under Article 31(3)(a) or (5)(d), as the case may be.”.

(4) In Article 36(1) for the words “Articles 37 and 38” there shall be substituted the words “paragraph (8) and Article 38”.

(5) In Article 36 after paragraph (7) there shall be added—

“(8) Paragraph (1) is subject also to Article 37 except that, in the case of an award of compensation under Article 32(2)(a) where an additional award falls to be made, the limit imposed by Article 37 may be exceeded to the extent necessary to enable the award fully to reflect the amount specified as payable under Article 31(3)(a) or (5)(d), as the case may be, if that limit would otherwise reduce the amount of the compensatory award when added to the additional award.”.

(6) In Article 37(1) after the word “shall” there shall be inserted the words “(save where the exception in Article 32(1A) or 36(8) applies)”.