



2010 CHAPTER 12

Compensation for financial loss

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6.—(1) In Article 56 of the [Employment Rights \(Northern Ireland\) Order 1996 \(NI 16\)](#) (determination of complaints relating to deductions from wages or payments to employer)—

- (a) the existing provision becomes paragraph (1), and
- (b) after that provision insert—

“(2) Where a tribunal makes a declaration under paragraph (1), it may order the employer to pay to the worker (in addition to any amount ordered to be paid under that paragraph) such amount as the tribunal considers appropriate in all the circumstances to compensate the worker for any financial loss sustained by him which is attributable to the matter complained of.”.

(2) In Article 198 of that Order (determination of questions relating to redundancy payments), at the end insert—

“(5) Where a tribunal determines under paragraph (1) that an employee has a right to a redundancy payment, it may order the employer to pay to the employee such amount as the tribunal considers appropriate in all the circumstances to compensate the employee for any financial loss sustained by him which is attributable to the non-payment of the redundancy payment.”.

(3) This section does not have effect in relation to proceedings on a complaint presented to the industrial tribunal before the commencement of this section.