

*Draft Regulations laid before the Assembly under section 46(7) of the Employment Act 2002, for approval by resolution of the Assembly*

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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2008 No.**

**EMPLOYMENT**

The Fixed-term Employees (Prevention of  
Less Favourable Treatment) (Amendment)  
(No. 2) Regulations (Northern Ireland) 2008

<i>Made</i>	- - - -	2008
<i>Coming into operation</i>		2008

The Department for Employment and Learning, in exercise of the powers conferred by section 46 of the Employment Act 2002(1), makes the following Regulations:

**Citation, commencement and interpretation**

1. These Regulations may be cited as the Fixed-term Employees (Prevention of Less Favourable Treatment) (Amendment) (No. 2) Regulations (Northern Ireland) 2008 and shall come into operation on [INSERT DATE] 2008.

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

**Revocation**

3. The Fixed-term Employees (Prevention of Less Favourable Treatment) (Amendment) Regulations (Northern Ireland) 2008(3) are revoked.

**Amendment of the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002**

4.—(1) The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002(4) shall be amended as follows.

(2) For regulation 18(1) (agency workers) substitute—

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(1) 2002 c. 22  
(2) 1954 c. 33 (N.I.)  
(3) S.R. 2008 No. 326  
(4) S.R. 2002 No. 298

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Northern Ireland Statutory Rule: *The Fixed-term Employees (Prevention of Less Favourable Treatment) (Amendment) Regulations (Northern Ireland) 2008 No. 326*

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“(1) Save in respect of paragraph 1 of Part 1 of Schedule 2, these Regulations shall not have effect in relation to employment under a fixed-term contract where the employee is an agency worker.”.

Sealed with the Official Seal of the Department for Employment and Learning on [INSERT DATE] 2008.

*[Sir Reg Empey]*  
Minister for Employment and Learning

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002 (“the 2002 Regulations”).

Regulation 3 of these Regulations revokes the Fixed-term Employees (Prevention of Less Favourable Treatment) (Amendment) Regulations (Northern Ireland) 2008.

Regulation 4 of these Regulations substitutes a new paragraph (1) in regulation 18(1) of the 2002 Regulations. The effect of the substituted paragraph is that paragraphs 2(b) and 4 of Schedule 11 to the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c.7) (circumstances in which periods of entitlement to Statutory Sick Pay do not arise) are omitted in relation to employment under a fixed-term contract where the employee is an agency worker.