
STATUTORY INSTRUMENTS

1988 No. 796

The Wages (Northern Ireland) Order 1988

PART III

WAGES COUNCILS

Scope of operation of wages councils

Continued existence of wages councils after repeal of Wages Councils (Northern Ireland) Order 1982

13.—(1) The Wages Councils (Northern Ireland) Order 1982 shall cease to have effect, but, subject to the following provisions of this part—

- (a) any council in existence immediately before the coming into operation of this part by virtue of an order made or having effect as if made under Article 3 of that Order (establishment of wages councils) shall continue in existence; and
- (b) any order made or having effect as if made under that Article or under Article 6 of that Order (variation of field of operation of wages councils) and then in force in relation to that council shall continue in force; and in this part “wages council” means such a council as is mentioned in sub-paragraph (a).

(2) Subject to the following provisions of this part, there shall be exercisable by such a council, in relation to the workers and employers within its scope of operation by virtue of paragraph (1), the functions conferred on wages councils by this part.

(3) A wages council shall not, however, exercise any functions under this part in relation to workers under the age of 21.

(4) Schedule 2 shall have effect with respect to the constitution, proceedings and officers of a wages council.

Abolition, or variation of scope of operation, of wages councils

14.—(1) The Department may at any time by order abolish, or vary the scope of operation of, any wages council.

(2) Before making an order under this Article the Department shall have regard to—

- (a) the current levels of remuneration among any workers in relation to whom the wages council concerned would cease to operate, or (as the case may be) begin to operate, as a result of the order, and
- (b) such other matters as appear to it to be appropriate, and shall consult such persons or organisations as appear to it to be appropriate.

(3) An order under this Article may vary the scope of operation of a wages council by reference to any matters or circumstances whatever, and in particular may do so by excluding from its scope of operation employers who are either—

- (a) specified in the order, or
- (b) members of an organisation so specified, or
- (c) represented on an organisation so specified.

(4) Where an order of the Department under this Article abolishes, or varies the scope of operation of, one wages council and directs that any workers previously within the scope of operation of that council shall be brought within the scope of operation of another, the order may—

- (a) provide that anything done by, or to give effect to proposals made by, the first of those councils shall have effect in relation to those workers as if it had been done by, or to give effect to proposals made by, the second of those councils; and
- (b) make such further provisions as appear to the Department to be expedient in connection with the order, including provision for renaming any council to which the order relates.

(5) Where an order of the Department under this Article abolishes a wages council or directs that a wages council shall cease to operate in relation to any workers, then, except as is otherwise provided by the order, anything done by, or to give effect to proposals made by, that wages council shall cease to have effect or (as the case may be) cease to have effect in relation to the workers in relation to whom the council ceases to operate.

(6) Nothing in paragraph (5) shall be construed as affecting any rights or liabilities which have accrued to any person in consequence of anything done or omitted to be done before the coming into operation of the order.