

## SCHEDULES

### SCHEDULE 7

Article 19(4).

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### *Sex discrimination*

1. Nothing in Article 5 shall render unlawful any act done by any person if—
  - (a) it was done before the coming into operation of that Article; or
  - (b) it was done before the coming into operation of Article 11(5) and it was necessary for him to do it in order to comply with section 106(1) of the Mines Act (Northern Ireland) 1969<sup>(1)</sup>.

##### *Redundancy payments: assimilation of age limits*

2.—(1) The amendments made by Article 14 shall not have effect in relation to an employee in whose case the relevant date (as defined in sub-paragraph (2)) falls before the coming into operation of that Article.

(2) In sub-paragraph (1) “the relevant date” means the date which for the purposes of section 18(1) of the 1965 Act is the relevant date in the case of the employee by virtue of section 13(9) or (10), section 14(2) or section 16(2) of that Act.

##### *Redundancy rebates*

3.—(1) Nothing in this Order shall affect the continued operation of any provision of the 1965 Act for the purposes of, or in connection with, the payment of a redundancy rebate under section 40 of that Act in a case where—

- (a) a claim for the rebate has been made in accordance with regulations under section 40(4) before the coming into operation of Article 15; or
  - (b) notwithstanding that such a claim has not been so made, the rebate is in respect of any payment falling within section 40(1)(a) or (b) in relation to which the relevant date (as defined in sub-paragraph (2)) falls before the coming into operation of Article 15.
- (2) In sub-paragraph (1)(b) “the relevant date”—
- (a) in the case of a payment falling within section 40(1)(a), means the date which for the purposes of section 18(1) of the 1965 Act is the relevant date in relation to that payment by virtue of section 13(9) or (10), section 14(2) or section 16(2) of that Act; and
  - (b) in the case of a payment falling within section 40(1)(b), means the date on which the termination of the employee’s contract of employment is treated as having taken effect for the purposes of the agreement referred to in that provision.

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(1) 1969 c. 6 (N.I.)

**Status:** *This is the original version (as it was originally made).*

*Insolvency payments*

4. The amendments made by Article 17 shall not have effect in relation to any payment made in pursuance of Article 42 or 43 of the Industrial Relations (Northern Ireland) Order 1976<sup>(2)</sup> in a case where the employer became insolvent before the coming into operation of Article 17.

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(2) 1976 NI 16