

SCHEDULES

SCHEDULE 5

AMENDMENTS

PART I

MINOR AND CONSEQUENTIAL AMENDMENTS

The Wages (Northern Ireland) Order 1988 (NI 7)

4.—(1) In paragraph (6) of Article 3 at the end add—

“; and where a certificate has been given by a worker to his employer for the purposes of Article 65 of the Industrial Relations (Northern Ireland) Order 1992 (deduction of contributions to a trade union’s political fund), nothing in the worker’s contract, or in any agreement or consent signified by the worker, shall be taken for the purposes of this Article as authorising the making of deductions in contravention of any obligation imposed on the employer in consequence of the giving of that certificate.”.

(2) After paragraph (3) of Article 7 insert—

“(3A) Where a deduction has been made in contravention of an obligation imposed on an employer in consequence of the giving of any certificate for the purposes of Article 65 of the Industrial Relations (Northern Ireland) Order 1992 (deduction of contributions to a trade union’s political fund)—

- (a) no complaint under this Article shall be presented in respect of that deduction unless a declaration has been made under paragraph (4) of that Article, either before or after the date of payment of the wages from which the deduction was made, that the employer has failed to comply with the obligation imposed in consequence of the giving of that certificate; and
- (b) paragraph (2) shall be read, in relation to any complaint in respect of that deduction or of a series of deductions of which that is the last, as referring, if it is later, to the date of the declaration instead of to the date of payment of the wages from which the deduction was made.”.

(3) Nothing in this paragraph shall affect the operation of the Wages (Northern Ireland) Order 1988 in relation to any deduction from wages paid before the appointed day.