

## SCHEDULES

### SCHEDULE 5

#### AMENDMENTS

### PART II

#### PRE-CONSOLIDATION AMENDMENTS

##### *The Industrial Relations (Northern Ireland) Order 1976 (NI 16)*

- 6.—(1) The following shall cease to have effect—
- (a) in Article 24(3) the words “or Article 24A(1)”;
  - (b) Article 24A;
  - (c) Article 25(a);
  - (d) Article 30(2)(b);
  - (e) in Article 39(10) in sub-paragraph (a) the word “employer's”;
  - (f) in Article 43(4) the words “maternity pay under Part II of the No. 2 Order”;
  - (g) Article 45(3C);
  - (h) in Article 68(2) the words “or 24A” where they twice occur;
  - (i) in Article 76(8) the words “, as an apprentice to the sea service,”;
  - (j) Article 82(3);
  - (k) Schedule 7.
- (2) Renumber Article 25 as paragraph (1) of that Article and after that paragraph add—
- “(2) Such an agreement as is mentioned in paragraph (1)(b) may be contained either in the contract itself or in a separate agreement.”.
- (3) In Article 38(2) for “in an action” substitute “on a complaint”.
- (4) In Article 41(4) for “President of Industrial Tribunals” substitute “President or Vice-President of the Industrial Tribunals and the Fair Employment Tribunal”.
- (5) In Article 42 for paragraph (6) substitute—
- “(6) A sum shall be taken to be reasonable for the purposes of paragraph (3)(e) in a case where a trustee in bankruptcy or liquidator has been or is required to be appointed if it is admitted to be reasonable by the trustee in bankruptcy or liquidator under Article 319 of the Insolvency (Northern Ireland) Order 1989 (effect of bankruptcy on apprenticeships, etc.), whether as originally enacted or as applied to the winding up of a company by rules under Article 359 of that Order.”.
- (6) In Articles 42(7) and 43(6) for the words from “one of the following” to the end substitute “the official receiver or an insolvency practitioner (within the meaning of the Insolvency (Northern Ireland) Order 1989) is acting or has been or is required to be appointed in connection with the

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employer's insolvency, and references in the following provisions of this Article to the "relevant officer" are references to the official receiver or such an insolvency practitioner".

(7) In Article 58(2) after "this Order" where it first occurs substitute "or the Act of 1965".

(8) In Article 59(11) after "paragraph (2)(c)" insert "or (fa)" and for "(2)(d) or (fa)" substitute "(2)(d)".

(9) In Article 76(9) for "an apprentice or" substitute "a".

(10) In Article 76(11)(a) at the end add "or provide that any such provision shall apply to persons or employments of such classes as may be prescribed by the order subject to such exceptions and modifications as may be so prescribed".