
STATUTORY INSTRUMENTS

1996 No. 1919

The Employment Rights (Northern Ireland) Order 1996

PART XIV

INSOLVENCY OF EMPLOYERS

Complaints to industrial tribunals

233.—(1) A person who has applied for a payment under Article 227 may present a complaint to an industrial tribunal—

- (a) that the Department has failed to make any such payment, or
- (b) that any such payment made by the Department is less than the amount which should have been paid.

(2) An industrial tribunal shall not consider a complaint under paragraph (1) unless it is presented—

- (a) before the end of the period of three months beginning with the date on which the decision of the Department on the application was communicated to the applicant, or within such further period as the tribunal considers reasonable in a case where it is not reasonably practicable for the complaint to be presented before the end of that period of three months.

(3) Where an industrial tribunal finds that the Department ought to make a payment under Article 227, the tribunal shall—

- (a) make a declaration to that effect, and
- (b) declare the amount of any such payment which it finds the Department ought to make.