STATUTORY INSTRUMENTS

1996 No. 1919

The Employment Rights (Northern Ireland) Order 1996

PART XV

MISCELLANEOUS

CHAPTER I

PARTICULAR TYPES OF EMPLOYMENT

Excluded classes of employment

Fixed-term contracts

240.—(1) Part XI does not apply to dismissal from employment under a contract for a fixed term of one year or more if—

(a) the dismissal consists only of the expiry of that term without its being renewed, and

(b) before the term expires the employee has agreed in writing to exclude any claim in respect of rights under that Part in relation to the contract.

(2) An employee employed under a contract of employment for a fixed term of two years or more is not entitled to a redundancy payment in respect of the expiry of that term without its being renewed (whether by the employer or by an associated employer of his) if, before the term expires, the employee has agreed in writing to exclude any right to a redundancy payment in that event.

(3) An agreement such as is mentioned in paragraph (1) or (2) may be contained—

(a) in the contract itself, or

(b) in a separate agreement.

(4) Where—

(a) an agreement such as is mentioned in paragraph (2) is made during the currency of a fixed term, and

(b) the term is renewed,

the agreement shall not be construed as applying to the term as renewed; but this paragraph is without prejudice to the making of a further agreement in relation to the renewed term.