

## SCHEDULES

### SCHEDULE 1

Article 255.

#### CONSEQUENTIAL AMENDMENTS

##### *The Judgments Enforcement (Northern Ireland) Order 1981 (NI 6)*

Part I of Schedule 1 shall continue to have effect with the substitution (originally made by paragraph 8 of Schedule 4 to the Wages (Northern Ireland) Order 1988) of the following for paragraph 3(c)—

- “(c) amounts deductible under any statutory provision, or in pursuance of a request in writing by the debtor, for the purposes of a superannuation scheme, namely any statutory provision, rules, deed or other instrument providing for the payment of annuities or lump sums—
- (i) to the persons with respect to whom the instrument has effect on their retirement at a specified age or on becoming incapacitated at some earlier age, or
  - (ii) to the personal representatives or the widows, relatives or dependants of such persons on their death or otherwise,
- whether with or without any further or other benefits.”.

##### *The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)*

Article 102(10) shall continue to have effect with the substitution (originally made by paragraph 9 of Schedule 4 to the Wages (Northern Ireland) Order 1988 for “the Wages Councils Act (Northern Ireland) 1945” of “paragraph 3(c) of Schedule 1 to the Judgments Enforcement (Northern Ireland) Order 1981”.

##### *The Education (Northern Ireland) Order 1986 (NI 3)*

In Article 72 for paragraph (5) substitute—

“(5) In this Article “redundancy payment” has the same meaning as in the Employment Rights (Northern Ireland) Order 1996”.

##### *The Income and Corporation Taxes Act 1988 (c. 1)*

In section 579(6) for “section 42 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965” substitute “Article 201 of the Employment Rights (Northern Ireland) Order 1996”.

In section 580(1)(a) for “Part III of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (“the 1965 Act”)” substitute “Part XII of the Employment Rights (Northern Ireland) Order 1996”.

In section 580(1)(c) for “the 1965 Act” substitute “the Employment Rights (Northern Ireland) Order 1996”.

In paragraph 2 of Schedule 10 for “Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965” substitute “Employment Rights (Northern Ireland) Order 1996”.

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*The Education (Academic Tenure) (Northern Ireland) Order 1988 (NI 21)*

In Article 4(6) for “Article 21 of the Industrial Relations (Northern Ireland) Order 1976” substitute “Article 127 of the Employment Rights (Northern Ireland) Order 1996”.

*The Health and Medicines (Northern Ireland) Order 1988 (NI 24)*

In Article 11 for “the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 and the Industrial Relations (Northern Ireland) Orders 1976 to 1987” substitute “the Employment Rights (Northern Ireland) Order 1996”.

*The Fair Employment (Northern Ireland) Act 1989 (c. 32)*

In section 6—

- (a) in subsection (1)(a)(i) for “Part III of the Industrial Relations (Northern Ireland) Order 1976” substitute “Part XI of the Employment Rights (Northern Ireland) Order 1996.”;
- (b) in subsection (1)(b) for “Industrial Relations (Northern Ireland) Order 1976” substitute “Employment Rights (Northern Ireland) Order 1996”.

In section 47(6) for “Part I of Schedule 2 to the Industrial Relations (Northern Ireland) Order 1976” substitute “Article 5 of the Employment Rights (Northern Ireland) Order 1996”.

*The Insolvency (Northern Ireland) Order 1989 (NI 19)*

In paragraph 13 of Schedule 4 for sub-paragraph (2) substitute—

“(2) An amount falls within this sub-paragraph if it is—

- (a) a guarantee payment under Part V of the Employment Rights (Northern Ireland) Order 1996 (employee without work to do);
- (b) any payment for time off under Article 81 (time off to look for work or arrange training), Article 84 (time off for ante-natal care) or Article 93 (time off for carrying out trade union duties etc.) of that Order;
- (c) remuneration on suspension on medical grounds, or on maternity grounds, under Part VIII of that Order; or
- (d) remuneration under a protective award made under Article 217 of that Order (redundancy dismissal with compensation).”.

*The Education (Northern Ireland) Order 1989 (NI 20)*

In Article 59(1) for “Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965” substitute “Employment Rights (Northern Ireland) Order 1996”.

*The Health and Personal Social Services (Northern Ireland) Order 1990 (NI 3)*

In the Schedule, in paragraph 6(6) for “Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 and the Industrial Relations (Northern Ireland) Orders 1976 to 1987” substitute “Employment Rights (Northern Ireland) Order 1996”.

*The Health and Personal Social Services (Northern Ireland) Order 1991 (NI 1)*

In Articles 7(3) and 12(4) for “Parts II to IV of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965” substitute “Part XII of the Employment Rights (Northern Ireland) Order 1996” and for “Parts II to IV” substitute “Part”.

*The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)*

In section 6(5) for the words from “section 11” onwards substitute “Part XII of the Employment Rights (Northern Ireland) Order 1996 (redundancy payments) does not apply by virtue of Article 242(2) or 250 of that Order”.

In sections 27(2)(b) and 28(4) for “section 11(2) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965” substitute “Article 174(1) of the Employment Rights (Northern Ireland) Order 1996”.

In section 112(3) for “the Industrial Relations (Northern Ireland) Order 1976” substitute “the Employment Rights (Northern Ireland) Order 1996”.

In section 167(1) for “Article 21(2) to (5) of the Industrial Relations (Northern Ireland) Order 1976” substitute “Part XI of the Employment Rights (Northern Ireland) Order 1996”.

*Industrial Relations (Northern Ireland) Order 1992 (NI 5)*

In Article 90(2)(b) for “Article 37 of the Industrial Relations (No. 2) (Northern Ireland) Order 1976” substitute “Article 92 of the Employment Rights (Northern Ireland) Order 1996” and for “Article 38” substitute “Article 94”.

*The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 (NI 6)*

In Article 18(1) for “1976” in the first and third places where it occurs substitute “1992” and for “Industrial Relations (Northern Ireland) Order 1976” in the second place where it occurs substitute “Article 127 of the Trade Union and Labour Relations (Northern Ireland) Order 1995”.

*The Pension Schemes (Northern Ireland) Act 1993 (c. 49)*

In section 119(2) for the words from “Industrial Relations” to “omitted” substitute “Employment Rights (Northern Ireland) Order 1996 have the same meaning as in that Order”.

In section 120(4) for “Article 42(4)(a) to (d) of the Industrial Relations (Northern Ireland) Order 1976” substitute “Article 229(2) of the Employment Rights (Northern Ireland) Order 1996”.

In section 161(7) for “Article 76(8) of the Industrial Relations (Northern Ireland) Order 1976” substitute “Article 242(5) of the Employment Rights (Northern Ireland) Order 1996”.

*The Social Security (Northern Ireland) Order 1993 (NI 2)*

In Article 4(1) for sub-paragraph (b) substitute—

“(b) under Articles 202(1) and 227 of the Employment Rights (Northern Ireland) Order 1996;”.

*The Criminal Justice and Public Order Act 1994 (c. 33)*

In section 126(2) for paragraph (b) substitute—

“(b) the Trade Union and Labour Relations (Northern Ireland) Order 1995 and the Employment Rights (Northern Ireland) Order 1996.”.

*The Airports (Northern Ireland) Order 1994 (NI 1)*

In Article 19(5) for sub-paragraph (a) substitute—

“(a) the Employment Rights (Northern Ireland) Order 1996; and”.

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*The Trade Union and Labour Relations (Northern Ireland) Order 1995 (NI 12)*

In Article 2(2) for the definitions of “the No. 1 Order” and “the No. 2 Order” substitute—

““the Employment Rights Order” means the Employment Rights (Northern Ireland) Order 1996;”.

In Article 34(6) for “Article 35(4) of the No. 1 Order” substitute “Article 23(1)(a) of the Employment Rights Order” and for “Article 37” substitute “Article 158(1)”.

In Article 35(11) for “Part II of the Wages Order” substitute “the Employment Rights Order”.

In Article 36(4) for sub-paragraphs (a) and (b) substitute—

“(a) a contravention of the requirement not to make a deduction without having given the particulars required by Article 40 (itemised pay statements) or 41(1) (standing statements of fixed deductions of the Employment Rights Order;

(b) a contravention of Article 45 of that Order; and”.

In Article 40(6) for “Article 35(4) of the No. 1 Order” substitute “Article 23(1)(a) of the Employment Rights Order” and for “Article 37” substitute “Article 158(1)”.

In Article 62(2) for “Article 3 of the Wages Order” substitute “Article 45 of the Employment Rights Order”.

In Article 62(3) for “Article 7 of the Wages Order” substitute “Article 55 of the Employment Rights Order”.

In Article 62(4) for “Article 7(2) of the Wages Order” substitute “Article 55(2) of the Employment Rights Order”.

In Article 141(1) after “this Order” insert “and the 1992 Order”.

In Article 141(2) at the end add “or in relation to Articles 42 and 43 of the 1992 Order”.

In Article 141(4) after sub-paragraph (b) insert—

“(bb) the reference in Article 40(1)(e) of the 1992 Order to the employer’s undertaking shall be construed as a reference to the national interest;”.

*The Jobseekers (Northern Ireland) Order 1995 (NI 15)*

In Articles 16(3)(b) and 21(7) for “section 11(2) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965” substitute “Article 174(1) of the Employment Rights (Northern Ireland) Order 1996”.

In paragraph 6(2)(a) of Schedule 1 for “Industrial Relations (Northern Ireland) Order 1976” substitute “Employment Rights (Northern Ireland) Order 1996” and for “Article 51” substitute “Article 217”.

*The Disability Discrimination Act 1995 (c. 50)*

In section 50(9) for “the Industrial Relations (Northern Ireland) Orders 1976” substitute “the Employment Rights (Northern Ireland) Order 1996”.