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## STATUTORY INSTRUMENTS

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# 1996 No. 1921

## The Industrial Tribunals (Northern Ireland) Order 1996

### *Procedure*

#### **Costs and expenses**

15.—<sup>F1</sup>(1) Industrial tribunal procedure regulations may include provision—

- (a) for the award of costs or expenses;
- (b) for the award of any allowances payable under Article 7(2)(c) or (3).

(1A) Regulations under paragraph (1) may include provision authorising an industrial tribunal to have regard to a person's ability to pay when considering the making of an award against him under such regulations.

(1B) Industrial tribunal procedure regulations may include provision for authorising an industrial tribunal—

- (a) to disallow all or part of the costs or expenses of a representative of a party to proceedings before it by reason of that representative's conduct of the proceedings;
- (b) to order a representative of a party to proceedings before it to meet all or part of the costs or expenses incurred by a party by reason of the representative's conduct of the proceedings;
- (c) to order a representative of a party to proceedings before it to meet all or part of any allowances payable by the Department under Article 7(2)(c) or (3) by reason of the representative's conduct of the proceedings.

(1C) Industrial tribunal procedure regulations may also include provision for taxing or otherwise settling the costs or expenses referred to in paragraph (1)(a) or (1B)(b) (and, in particular for enabling such costs to be taxed in the county court).]

(2) In relation to proceedings under Article 145 of the Employment Rights Order (unfair dismissal)—

- (a) where the employee has expressed a wish to be reinstated or re-engaged which has been communicated to the employer at least seven days before the hearing of the complaint,<sup>F2</sup> . . .

*Sub#para. (b) rep. by 1999 NI 9*

industrial tribunal procedure regulations shall include provision for requiring the employer to pay the costs or expenses of any postponement or adjournment of the hearing caused by his failure, without a special reason, to adduce reasonable evidence as to the availability of the job from which the complainant was dismissed<sup>F2</sup> . . . or of comparable or suitable employment.

**F1** 2003 NI 15

**F2** 1999 NI 9

**Changes to legislation:**

The Industrial Tribunals (Northern Ireland) Order 1996, Section 15 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 20\(1\)\(c\)\(via\) inserted by 2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 13](#)