

## SCHEDULES

### SCHEDULE 9

Article 40.

#### REPEALS

##### 1. BALLOTS AND NOTICES

| Chapter or Number           | Short title   | Extent of repeal  |
|-----------------------------|---|---|
| <a href="#">1995 NI 12.</a> | The Trade Union and Labour Relations (Northern Ireland) Order 1995. | In Article 104(3) the word “and” at the end of subparagraph (b).<br>Article 108(2).<br>In Article 118(7)(a) the words “otherwise than to enable the union to comply with a court order or an undertaking given to a court”. |

##### 2. LEAVE FOR FAMILY REASONS, ETC.

| Chapter or Number           | Short title  | Extent of repeal   |
|-----------------------------|--|--|
| <a href="#">1996 NI 16.</a> | The Employment Rights (Northern Ireland) Order 1996. | In Article 2(3) the definitions of “maternity leave period” and “notified day of return”.<br>Article 8(2).<br>Article 8(3)(d) and the word “or” immediately preceding it.<br>In Article 8(4) the words “or (subject to paragraph (2)) paragraph (3)(d)”.<br>Article 22(3)(a) and (5)(a).<br>Article 23(4)(a).<br>In Article 127(1) the words “and Article 128”.<br>Article 128.<br>Article 129(6).<br>Article 130(5).<br>Article 137(2).<br>Article 140(3)(a). |

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| Chapter or Number | Short title   | Extent of repeal  |
|-------------------|---|---|
|                   |   | Article 141(2)(a).  |
|                   |   | Article 143(2)(d).  |
|                   |   | Article 144(2)(d).  |
|                   |   | Article 148(5).   |
|                   |   | Article 149(4).   |
|                   |   | Article 153(6).   |
|                   |   | Article 162.  |
|                   |   | Article 172.  |
|                   |   | Article 180(7).   |
|                   |   | Article 181(3).   |
|                   |   | Article 191(2).   |
|                   |   | Article 192(6).   |
|                   |   | Article 197(7).   |
|                   |   | In Article 239(3)(g) the words “(subject to paragraph (4))”.  |
|                   |   | Article 239(4).   |
|                   |   | In Article 242(2) the words “(subject to paragraph (3))”.   |
|                   |   | Article 242(3).   |
|                   |   | In Article 243(1) the words “, Article 172”.  |
|                   |   | Article 250(3).   |
|                   |   | In Article 251(3)(a) the words “104(3), 105(5), 111(3)”.  |
| 1996 NI 18.       | The Industrial Tribunals Northern Ireland) Order 1996.                | In Article 15(2), sub- ( paragraph (b) and the word “or” immediately preceding it, and the words “, or which she held before her absence,”.   |
| 1997 NI 20.       | The Shops (Sunday Trading &.) Ireland) Order 1997.                    | In Schedule 2 paragraph (Northern 1(11) and (12), paragraph 3(4), paragraph 3(5)(b) and the word “and” immediately preceding it, paragraph 9(4), paragraph 9(5)(b) and the word “and” immediately preceding it. |
| SR 1994 No. 379.  | The Maternity (Compulsory Leave) Regulations (Northern Ireland) 1994. | The whole Regulations.  |

**3. AGREEMENT TO EXCLUDE DISMISSAL RIGHTS**

| Chapter or Number | Short title   | Extent of repeal  |
|-------------------|---|---|
| 1995 NI 12.       | The Trade Union and Labour Relations (Northern Ireland) Order 1995. | In Schedule 1A, paragraph 163.  |
| 1996 NI 16.       | The Employment Rights (Northern Ireland) Order 1996.                | In Article 68(4) the words from the beginning to “the dismissal,”.<br>In Article 68A(4) the words from “, unless” to the end.<br>In Article 69(2) the words from the beginning to “the dismissal,”.<br>In Article 70(2) the words from the beginning to “the dismissal,”.<br>In Article 70A(2) the words from the beginning to “the dismissal,”.<br>In Article 70B(2) the words from the beginning to “the dismissal,”.<br>Article 240(1).<br>In Article 240(3) the words “(1) or”.<br>In Article 245(2)(d) the words “(1) or”. |
| 1997 NI 20.       | The Shops (Sunday Trading &.) (Northern Ireland) Order 1997.        | In Schedule 2, paragraph 11(5).   |
| 1998 c. 39.       | The National Minimum Wage Act 1998.                                 | In section 23(4) the words from “except” to the end.  |
| 1999 c. 10.       | The Tax Credits Act 1999.   | In paragraph 1(3) of Schedule 3 the words from “except” to the end.   |
| 1999 NI           | The Employment Relations (Northern Ireland) Order 1999.             | Article 20(6).  |

**4. POWER TO CONFER RIGHTS ON INDIVIDUALS**

| Chapter or Number | Short title  | Extent of repeal |
|-------------------|--|------------------|
| 1996 NI 16.       | The Employment Rights (Northern Ireland) Order 1996. | Article 250(4).  |

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## 5. THE AGENCY: GENERAL DUTY

| Chapter or Number           | Short title   | Extent of repeal  |
|-----------------------------|---|---|
| <a href="#">1992 NI 5.</a>  | The Industrial Relations (Northern Ireland) Order 1992.             | In Article 83(1) the words from “, in particular” to the end. |
| <a href="#">1995 NI 12.</a> | The Trade Union and Labour Relations (Northern Ireland) Order 1995. | Article 138(1).   |

## 6. COMMISSIONERS

| Chapter or Number           | Short title   | Extent of repeal  |
|-----------------------------|---|---|
| <a href="#">1975 c. 25.</a> | The Northern Ireland Assembly Disqualification Act Northern Ireland 1975. | In Part III of Schedule 1 the entry relating to—<br>Commissioner for the Rights of Trade Union Members<br>Northern Ireland<br>Commissioner for Protection Against Unlawful Industrial Action.   |
| <a href="#">1995 NI 12.</a> | The Trade Union and Labour Relations (Northern Ireland) Order 1995.       | In Article 32(3) the words “the Northern Ireland Commissioner for the Rights of Trade Union Members or”.<br>Part VII.<br>Articles 121 and 122.<br>Part IX.<br>In Schedule 2, the amendments to the Northern Ireland Assembly Disqualification Act 1975. |
| <a href="#">1996 NI 7.</a>  | The Commissioner for Complaints (Northern Ireland) Order 1996.            | In Schedule 2 the entries relating to—<br>Office of the Northern Ireland Commissioner for the Rights of Trade Union Members.<br>Office of the Northern Ireland Commissioner for Protection Against Unlawful Industrial Action.                          |

**7. THE CERTIFICATION OFFICER**

| Chapter or Number | Short title   | Extent of repeal  |
|-------------------|---|---|
| 1992 NI 5.        | The Industrial Relations (Northern Ireland) Order 1992.             | In Article 13C(2)(a) the words “, where he considers it appropriate,”.<br>Article 13C(3) and (4).<br>In Article 70(1) the words from “and, without prejudice” to the end.   |
| 1995 NI 12.       | The Trade Union and Labour Relations (Northern Ireland) Order 1995. | In Article 3(6), the second sentence.<br><br>In Article 4(6), the second sentence.<br>In Article 5(2)(b) the words “where he considers it appropriate,”.<br>Article 6(2).<br>In Article 21(1), the second sentence.<br>In Article 22(2)(b) the words “where he considers it appropriate,”.<br>Article 23(2).<br>In Article 54(1), the second sentence.<br>In Article 55(2)(b) the words “where he considers it appropriate,”.<br>Article 56(2).<br>Article 69.<br>Article 85. |

**8. EMPLOYMENT AGENCIES**

| Chapter or Number | Short title  | Extent of repeal |
|-------------------|--|------------------|
| 1981 NI 20.       | The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981. | Article 6(2).    |

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## 9. EMPLOYMENT RIGHTS: EMPLOYMENT OUTSIDE NORTHERN IRELAND

| Chapter or Number | Short title  | Extent of repeal   |
|-------------------|--|--|
| 1996 NI 16.       | The Employment Rights (Northern Ireland) Order 1996.         | In Article 242(6) the words “Article 239(6) does not apply to an employee, and”.<br>Article 246(2).<br>In Article 250(2) the words “(2), (3) and (5)”. |
| 1997 NI 20.       | The Shops (Sunday Trading &.) (Northern Ireland) Order 1997. | In Schedule 2, paragraph 10(14).   |

## 10. ARTICLES 32 TO 35

| Chapter or Number | Short title   | Extent of repeal   |
|-------------------|---|--|
| 1996 NI 16.       | Employment Rights (Northern Ireland) Order 1996.                          | Article 23(2) to (4).<br><br>Article 151(4)(b) and the word “or” immediately before it.<br>Article 151(5) and (6).<br>Article 152(2) and (3).<br>Article 154(2).<br>article 158(2).<br>Article 159.<br>Article 231(2).<br>In Article 251(3)(a) the words “23(2)” and “154(2), 158(2), 159(7), 231(2)”. |
| 1997 NI 6.        | The Race Relations (Northern Ireland) Order 1997.                         | In Schedule 2, paragraph 8(3).   |
| 1998 NI 8.        | The Employment Rights (Dispute Resolution) (Northern Ireland) Order 1998. | Article 15(1).   |
| 1998 NI 21.       | The Fair Employment and Treatment (Northern Ireland) Order 1998.          | In Schedule 3, the amendment to Article 151 of the Employment Rights Order.  |

## 11. COMPENSATORY AWARD: REMOVAL OF LIMIT IN CERTAIN CASES

| Chapter or Number | Short title  | Extent of repeal                                    |
|-------------------|--|---|
| 1996 NI 16.       | The Employment Rights (Northern Ireland) Order 1996. | In Article 146(4), the words “or in accordance with |

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| Chapter or Number | Short title   | Extent of repeal  |
|-------------------|---|---|
|                   |   | regulations under Article 162B”.  |
|                   |   | In Article 151(2) and (3), the words “and to regulations under Article 162B”. |
|                   |   | In Article 152(1), the words “Subject to regulations under Article 162B,”.    |
|                   |   | Article 162B.   |
| 1998 NI 17.       | The Public Interest Disclosure (Northern Ireland) Order 1998. | Article 1(3)(d).  |
|                   |   | Article 12.   |

## 12. NATIONAL SECURITY

| Chapter or Number | Short title   | Extent of repeal |
|-------------------|---|------------------|
| 1996 NI 18.       | The Industrial Tribunals (Northern Ireland) Order 1996.       | Article 6(7).    |
| 1998 NI 17.       | The Public Interest Disclosure (Northern Ireland) Order 1998. | Article 14.      |