

# EMPLOYMENT RELATIONS (NORTHERN IRELAND) ORDER 2004

S.I. 2004 3078

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## EXPLANATORY MEMORANDUM

### COMMENTARY ON ARTICLES

#### Part Vi: Miscellaneous

##### **Enforcement officers for the agricultural wages legislation**

**Article 25** As well as continuing to allow for the appointment of officials from the Department of Agriculture and Rural Development, this article permits officials from other government departments, bodies or ministries to act as agricultural wages officers. It also provides that agricultural wages officers must be able to produce a formal document showing that they have the authority to act as officers.

##### **Additional case in which election for president of union not required**

**Article 26** The effect of this Article is that a union will be allowed to elect or appoint a person as president (provided it is in accordance with their rule-book to do so), so long as the person already holds the position of General Secretary or is a member of the executive and has been properly elected to that position by a postal vote of all the union's members in accordance with the 1995 Order. It therefore removes the need for a second election.

##### **Body corporate acting as auditor of trade union or employees association**

**Article 27** removes the restriction preventing incorporated bodies from acting as auditors to trade unions.

##### **Means of voting in ballots and elections**

**Article 28** The general effect of the power contained in Article 28 is to allow the Department, by order subject to affirmative resolution, to widen the means of voting that are to be available in ballots and elections conducted under the provisions of the 1995 Order. The order has to specify what means of voting are available in relation to any description of ballot or election.

##### **Provision of money for trade union modernisation**

**Article 29** provides a legal basis for the Department to spend money to modernise trade unions.

##### **Amendments and repeals**

**Article 30** provides for amendments and repeals as outlined in Schedule 2 and Schedule 3.